

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

January 3, 2023

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 27, 2022 and December 29, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To appoint Tracy Seeman as chairman for 2023. Motion carried.

Bierschenk moved/Seeman seconded: To appoint Rick Primmer as vice-chairman for 2023. Motion carried.

Primmer moved/Bierschenk seconded: To take no action on adopting the Construction Evaluation Resolution for 2023. Motion carried.

Bierschenk moved/Primmer 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/Seeman seconded: To designate the official newspapers for Benton County for 2023 as The Cedar Valley Times, The Vinton Eagle and The Gazette. Motion carried.

John Lindaman asked for clarification on the holiday pay for the Sheriff's Office employees for December 23, 2022.

Primmer moved/Bierschenk seconded: To grant 8 hours of floating vacation hours to those who worked on December 23, 2022. Motion carried.

Bierschenk moved/Primmer seconded: To appoint the following members to the respective boards for 2023. 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 Bierschenk, 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

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

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

Bierschenk moved/Primmer seconded: To appoint Myron Parizek as the Heartland Safety Coordinator for 2023. Motion carried.

Primmer moved/Bierschenk seconded: To re-appoint Randy Scheel to the Conservation Board. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-1, Authorize Auditor to issue Warrants per Iowa Code 331.506 and execute ACH and financial agreements for 2023.

RESOLUTION #23-1

AUTHORIZING THE BENTON COUNTY AUDITOR TO ISSUE CHECKS AND SIGN ACH AGREEMENTS FOR 2023

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, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-2, Authorize Treasurer to sign ACH Agreements for 2023. Motion carried.

RESOLUTION #23-2

AUTHORIZING THE BENTON COUNTY TREASURER TO SIGN ACH AGREEMENTS FOR 2023

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, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

Attest:

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:

- Kate Robertson
- Dave Fish
- Tracy Seeman
- Rick Primmer and Gary Bierschenk, Alternates

REVOLVING LOAN FUND COMMITTEE

- Kate Robertson
- REGION 10 TRANSPORTATION TECHNICAL ADVISORY COMMITTEE
- Myron Parizek, Engineer,

REGION 10 PASSENGER TRANSPORTATION ADVISORY COMMITTEE

- Dean Vrba and Jessica Meyer as alternate
- REGION 10 REGIONAL TRAILS ADVISORY COMMITTEE

REGION 10 TRANSPORTATION POLICY COMMITTEE

- Randy Scheel and Mark Pingnot
- Tracy Seeman, Rick Primmer (alternate)
- Mitch McDonough

Primmer moved/Bierschenk seconded: To appoint Ilene Kreider, Wayne Shannon and Kim Kuch to the Pioneer Cemetery with term ending on 12/31/2025. Motion carried.

Primmer moved/Bierschenk seconded: To recess and make some phone calls. Motion carried. The Board reconvened.

Bierschenk moved/Primmer seconded: To appoint Lisa Staab to the Benton County Public Health Board. Motion carried.

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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To appoint the following persons to the Benton County Eminent Domain for 2023. Motion carried.

Licensed Real Estate Sales Person or Real Estate Broker

Danny Kaestner
Tami Timm
Shannon Feuerbach
Alan Michael
Dave Wessling
Scott Schlarbaum
Melissa Lennie

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 the following persons to the Benefited Fire Districts for three-year terms. Motion carried.

Van Horne Benefited #1 – Mark Kuch
Keystone Benefited #2 –Dan Busch
Newhall Benefited #4 –Roy Becker
Ben-Linn Benefited #3-#5 – Mike Deklotz

Primmer moved/Bierschenk seconded: To appoint First deputy Sheriff John Lindaman as the Civil Rights Coordinator for 2023. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge Kathy Chamberlain’s resignation to the Integrated Vegetation Roadside Management (IVRM) and appoint Jeff Schadle and also re-appoint John Frazier. 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.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

January 10, 2023

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

Throughout the meeting, the following departments presented their budgets for discussion: Recorder, Transportation, Department of Human Services (DHS), Treasurer and Veterans Affairs.

Emily Parker and Melody Kosobucki, representing Riverview Center came to discuss their \$4,000 funding request. Last year they assisted 5 children and 17 adults in our area. The funding is kept within the county.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Primmer seconded: To approve the minutes of January 3, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142673 through 142709, ACH Deposits 51678 through 51821, handwritten #244927 done on 12/29/22, vendor checks 244928 through 244934 and claims numbered 244935 through 245063. Motion carried.
Primmer moved/Bierschenk seconded: To approve the claim for All Temp Refrigeration, LLC using ARPA funds in the amount of \$3,343.00 for the courthouse boiler project. Motion carried.
Primmer moved/Bierschenk seconded: To appoint Dr. Brian Meeker as the Medical Examiner and Elana Janss-Johnson, Tyler Henkle, Braxton Morrison, Kim Koeler-Rayman, Katie Stetzel, Amanda Seiler and Mindy Icenbice as Investigators with a term ending December 31, 2024. Motion carried.
Primmer moved/Bierschenk seconded: To appoint Nancy Jensen, Jon Kaestner, Amy Boddicker, Terry Hertle, Jennifer Zahradnik, Erika Hodgson and Supervisor Tracy Seeman to the Solid Waste Commission. Motion carried.
Tracy Achenbach, East Central Iowa Housing Trust Fund presented the FY 24 Budget Request. Last fiscal year it was \$4,484, this year they are asking for \$5,387. Their total overall budget is \$498,048.
Primmer moved/Bierschenk seconded: To approve 75 hours of vacation carryover for Myron Parizek to be used by May 1, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To set land use hearing date for Tanner and Lyndsey Davis for Tuesday, February 7, 2023 for a part of the SW 1/4 of the NE 1/4 of Section 22-85-9. Motion carried.
Primmer moved/Bierschenk seconded: To approve General Assistance Quarterly Report ending January 30, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To approve Auditor's Quarterly Report ending January 30, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To approve Sheriff's Quarterly Report ending January 30, 2023. Motion carried.
Seeman moved/Bierschenk seconded: To appoint George Haefner as the Weed Commissioner for 2023. Voting aye were Bierschenk and Seeman. Primmer abstained. Motion carried.
No action for the Historic Preservation. Peggy Schott did not want to be re-appointed, so will need to fill this vacancy.
Primmer moved/Bierschenk seconded: To appoint the following persons to the respective listed township positions for four-year terms. Motion carried.
Cedar- Larry Moody, Clerk and John Lee, trustee
Fremont-Andrew Jones, Clerk and Daniel Massman, trustee
Homer-Randy Schirm, Clerk and Don Callahan, trustee
Kane-Michael Silhanek, Clerk and William Selken, trustee
Monroe-Leland Schrader and Gary Reed, trustee
Union-Dean Werner, Clerk and Jacqueline Werner, trustee
Primmer moved/Bierschenk seconded; To approve Treasurer's Semi-Annual Report ending December 31, 2022. Motion carried.
County Attorney Ray Lough met with the board and gave a quick update of his first few days in office. Lough did advise the Supervisors on his concerns with the recent compensation board proceedings and is waiting for the Attorney General's office for guidance. Lough also brought up a security concern and wanted to go into closed session. Supervisor Primmer suggested he get on the Security Committee's agenda first and then the security committee could report back to the Board.
Supervisor Seeman provided his committee report regarding the E-911 Radio Tower Project and reported how there were some concerns on bent rods on existing towers that have been there since they were originally constructed.
Primmer moved/Bierschenk seconded: To Adjourn. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

January 12, 2023

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.bentoncountyia.gov (https://www.youtube.com/bentoncountyiowa)

Bierschenk moved/Primmer seconded: To approve the minutes of January 10, 2023. Motion carried.
Primmer moved/Seeman seconded: To appoint Mike Barnes and Mark Zahradnik as the Supervisor's representatives to the Benton County Compensation Board. Motion carried.
The Engineer presented his budget along with discussing upcoming projects that include the purchase of land north of Blairstown to widen the road. Highway 30 intersections were also a big topic.
IT Director Ben Turnis presented his budget and that included his interest in pursuing an assistant. Since being hired, Turnis has added coverage to The Benton County Service Center, Secondary Roads and Conservation. The Sheriff's department has also expressed interest for him to take it over as well. When you compare the cost to replace this position in a private sector and how cyber security continues to be a continued threat and we need to be proactive.
Primmer moved/Bierschenk seconded: To adjourn and proceed to have an exempt budget work session pursuant to Iowa Code 21.9. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

January 17, 2023

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 January 12, 2023. Motion carried.

Primmer moved/Seeman seconded: To approve Resolution #23-3, Resolution Supporting “Sergeant Jim Smith Memorial Highway”. Motion carried.

RESOLUTION #23-3

SUPPORTING NAMING STRETCH OF HIGHWAY 150 FROM WEST UNION TO VINTON

“Sergeant Jim Smith Memorial Highway”

Whereas: residents of West Union, Fayette, Maynard, Oelwein, Hazleton, Independence and Vinton along with rural residents in Winneshiek, Fayette, Buchanan and Benton Counties have benefitted from the Highway 150 corridor and the Law Enforcement presence provided by the Iowa State Patrol; and

Whereas: Sergeant Jim Smith of Independence and the Iowa State Patrol worked tirelessly for 27 years enforcing the laws of the Iowa State Legislature, and the Iowa Department of Transportation stressing driver safety on Highway 150; and

Whereas: Sergeant Jim Smith, a 27-year veteran of the Law Enforcement, died in the line of duty protecting the citizens of the State of Iowa on April 9, 2021; and

BE IT HEREBY RESOLVED BY THE BENTON COUNTY BOARD OF SUPERVISORS, support the naming of Highway 150 from West Union to Vinton the “Sergeant Jim Smith Memorial Highway” recognizing Sergeant Jim Smith’s contribution to the safety of the citizens of these counties and cities of Highway 150 for the length of his career.

Signed this 17th day of January, 2023.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

Attest: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-4, Employment status change for Katlyn Debrower, Sheriff Employee. Motion carried.

RESOLUTION # 23-4

WHEREAS, the Benton County Sheriff has a need for a full-time security officer at the Benton County Service Center; and

WHEREAS, Katlyn Debrower who has been employed by Benton County since November of 2021 and and has been filling the position part-time;

WHEREAS, the Sheriff recommended that Katlyn Debrower have her employment status be changed from part-time to full-time Security Officer for the Sheriff's office, effective February 25, 2023 at the hourly rate of \$23.24 that is set by the union contract.

Passed this 24th day of January, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Class C Alcohol License for Kacena Family Tree Farm effective February 4, 2023 through February 8, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve farm exemption application for Michael Wheeler in part of the SE ¼ NW ¼ SW ¼ of section 28-82-10. Motion carried.

Primmer moved/Bierschenk seconded: To continue providing the Wellness premium discount of \$15 a month to those employees who participated in the wellness requirements of the on-line assessment and the yearly physical. Motion carried.

Kirsten Nelson, Human Resource Director presented her budget with increase in wages and some education/training/mileage for a possible additional conference she would like to attend out of state in FY 24.

Sarah Wagner presented the Relief/General Assistance budget. She basically kept it the same. Discussion was also had regarding the Emergency Food and Shelter Program (EFSP) Fund. This a pass through that is funded from the state for Benton County to provide aid in necessity areas such as rent, food and utilities.

George Haefner presented the weed/road clearing budget. Discussion regarding the changes of obtaining and maintaining CDL licenses. Haefner also provided an update and most recently his department has been assisting the Engineer's with some tree clearing.

The Supervisors went over their budget and agreed to purchase some microphones out of current budget to be used in the livestreamed meetings to help the sound come off clearer.

Auditor Hayley Rippel presented her budget along with the Elections budget. Rippel explained some of the states requirements regarding elections and how this would affect her budget. Current FY23 Budget may need an amendment or service area adjustment due to all the upcoming special elections. Rippel also went over the Supervisors budget with them and explained some of the other various areas of the budget she is required to do and will provide the board copies as well.

Mona Onken presented the Mental Health Budget along with the Rural Access Hub. This is the second year where the Mental Health has been levied at the state level, and the East Central Iowa Region will reimburse Benton County quarterly for our expenses incurred.

Primmer moved/Bierschenk seconded; To enter into an exempt session pursuant to Iowa Code 21.9. Motion carried at 11:30 a.m.

Bierschenk moved/Primmer seconded: To exit exempt session and go back into open session at 12:25 p.m. Motion carried.

Conservation Director Shelby Williams along with Park Ranger Layla Hagen presented their FY 23 Budget. Budget includes the new shop at Hannen Park. Fuel costs have increased along with sealcoating the park roads. Revenues that offset some of the expenses are a rough estimate based on some of the grants that are applied for vs what is actually received.

Kate Robertson, Benton Development Group (BDG) Director along with BDG Board member Dave Fish presented their FY 24 Budget request. They also provided 2022 highlight overview of their engagements and accomplishments along with upcoming goals that includes their new campaign moto "Life Made Well." Robertson is requesting a \$10,000 overall increase from the past five fiscal years. Their focus has shifted over the past five years, keeping a keen eye on the community development and involved with multiple new business growth opportunities. Fish added that as a smaller rural county, we need a development to handle rural development and help us compete with the surrounding counties.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

January 24, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of January 17, 2023. Motion carried.

Wayne Siela was on the agenda in regards to the proposed 61st Street project. He explained how it has been three years, and asked how long will it take to establish 61st Street as a farm-to-market road. Siela read numerous letters of support and encouragement from organizations and businesses. Supervisor Primmer said he asked the Engineer if he made room for it in his upcoming budget. The cost of the survey was estimated at \$15,000. Primmer stated that it would be nice to have the City of Vinton on board also. Supervisor Seeman said he has been working on a grant application through the East Central Iowa Council of Governments (ECICOG). If the survey gets done, that would give them a rough estimated amount to give better detail on the grant application. Siela was glad to hear this was a possibility and would continue coming back for future updates in regards to the status of this proposal.

Primmer moved/Bierschenk seconded: To accept George Haefner's resignation to the IVRM Commission and appoint Supervisor Seeman as a board liason to replace him. Motion carried.

The Sanitarian/Land Use Department along with the Sheriff and County Attorney presented their budgets throughout the morning meeting.

County Attorney Ray Lough introduced Allaina Bennett-Casali to the board. Lough would like to hire Allaina as a paralegal in the County Attorney's Collection Division. Bierschenk made a motion, but it failed for lack of second. Supervisor Primmer asked Lough how many applicants were received and if he could tell them a little bit about her background. Primmer stated that we let a licensed attorney go who had 9 years of experience, not many 19-year olds without a degree can start out with a \$40,000/year salary. The Board asked Lough for a closed session at tomorrow's meeting to discuss this further pursuant to Iowa Code 21.5(1)i.

Wayne Shannon, Pioneer Cemetery Commission Member provided a yearly update along with continued discussion on the Stringtown Cemetery north of Blairstown. The FY 24 request will stay the same as in the past.

Primmer moved/Bierschenk seconded: To approve claims for True North Consulting Group for \$4,428 and Iowa County Attorney Case Management Project for \$40,410 using ARPA funds. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142710 through 142718, ACH Deposits 51822 through 51970, vendor checks 245064 through 245071 and claims numbered 245072 through 245192. Motion carried.

Bierschenk moved/Primmer seconded: To approve the Veterans Affairs Quarterly Report ending December 31, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve the flood insurance renewals with AJ Gallagher Risk Management Services, Inc. Motion carried.

Primmer reported on the Heartland Insurance meeting and insurance renewals and the increased values on some of the county owned properties may need to be addressed in the near future. Bierschenk reported on the public health board meeting he attended last week. Chairman Seeman reported on his attendance at the most recent IVRM meeting, and his continued meetings pertaining to the new Conservation building at Hannen Lake.

Auditor Rippel discussed upcoming future meetings for more FY 24 budget work along with the invite to attend the EMA and Farm Bureau's meetings. She will get those agenda's set up and ready for posting.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

January 25, 2023

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

The Board had an exempt budget work session pursuant to Iowa Code 21.9 from 9-10:00 a.m.

The Public Health Board met with the supervisors to go over funding and contract options with upcoming changes. Maggie Mangold and Braxton Morrison along with Barb Greenlee explained how public health has evolved over the past several decades. Population health functions are things that affect everyone in the community, non-population health functions are things that affect one person, such as home health care. Currently the funding goes from the county directly to Virginia Gay Hospital along with a local health public service grant. The funding from the state is based on the aged of the community and other factors. They continue to have strict guidelines on what this can be spent on. The contract currently was drafted in 1994, so it was agreed upon all parties, this should be reviewed. There will be a future tentative meeting set for Friday, February 10, 2023 at 9:30 a.m. Katie Cox, Public Health Director, and representatives from Virginia Gay Hospital along with Public Health Board members will be in attendance.

Roxanne Fuller, Executive Director for the Benton County Volunteer Program came to provide an update and also go over their FY 24 Budget funding request. The county contributes \$20,000 annually and City of Belle Plaine provides the office space, and another space in Vinton may be in the near future also.

Bierschenk moved/Primmer seconded: To approve the minutes of January 24, 2023. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To approve Resolution #23-5, FY 24 Elected Officials Salaries. Voting aye were Seeman and Bierschenk. Primmer nay. Motion carried.

RESOLUTION #23-5

ELECTED OFFICIALS' SALARIES

WHEREAS, the Benton County Compensation Board met on January 9, 2023, and recommended an 8.3% increase in the salaries of all the elected officials pursuant to Iowa Code Sections 331.905 and 331.907; and

WHEREAS, The Board of Supervisors reduced that amount down to 7% increase as follows:

| <u>Official</u> | <u>Current Salary</u> | <u>Recommended Salary for FY24</u> |
|-------------------|-----------------------|------------------------------------|
| Auditor | \$89,321.71. | \$95,574.23 |
| Treasurer | \$84,472.43 | \$90,385.50 |
| Recorder | \$84,472.43 | \$90,385.50 |
| Attorney | \$127,515.21 | \$136,441.27 |
| Sheriff | \$123,664.21 | \$132,320.70 |
| Supervisor | \$48,284.68 | \$51,664.61 |
| Chairman | \$49,384.68 | \$56,664.61 |
| (\$5,000 stipend) | | |

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, 2023, as recommended by the Benton County Compensation Board.

Dated this 25th day of January, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve a 5% increase to non-elected, non-union, non-commissioned and non-contracted employees with a few exceptions: Jessica Meyer to \$23 an hour, Deb Cummings-\$44,000 a year, Ben Turnis-\$96,000 a year and Justin Birker to receive 90% of the Maintenance Director's salary. Motion carried.

Ray Lough, County Attorney took up the topic that left off from Tuesday's meeting regarding the hiring of a new paralegal in his office. Supervisor Primmer had concerns about the age and experience the candidate had. Lough handed out an Attorney General opinion regarding hiring employees citing Iowa Code 331.904. The role of the supervisors is only to provide the funding to the departments by controlling their budgets. The elected official has the right to hire and fire its own people. Bierschenk made the motion to enter closed session pursuant to Iowa Code 21.5(1)j. Primmer stated he was not comfortable seconding that motion without the HR Director present. She was out for the day. Lough expressed why he wanted to move forward with this. This candidate has been volunteering her time because she wants to work and they needed her. Seeman suggested they continue into closed session and hear Lough out and not take any action. Primmer then agreed to second. Motion carried at 11:05 a.m.

Bierschenk moved/Primmer seconded: To exit closed session at 11:28 a.m. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

January 27, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 2:030 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>.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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: To enter into closed session pursuant to Iowa Code 21.5(1)j. Motion failed for lack of a second.

Benton County Attorney, Ray Lough, stated that the employee has to request to enter into closed session. Since they are just going to be discussing wage, she is not requesting to enter into closed session. Lough presented that Bennett-Casali be paid \$34,000 annually with 37 ½ hours of sick leave with 6 weeks maternity leave. Supervisor Seeman stated his hesitation is with maternity leave, he believed it was earned. Kirsten Nelson, Human Recourses Director, stated there is no maternity leave in the County, Gina Edler, Deputy Auditor, informed the Board that only people with maternity leave was written into their personal contracts. Lough said that maternity leave is something the County should look into but he will table that issue. Further discussion consisted of certifications to raise salary for Bennett-Casali at a future date. Supervisor Primmer stated his problem was that there are Benton County employees who were making just under \$40,000 before the last salary bump.

Primmer moved/Bierschenk seconded: To Approve Resolution #23-6 Hiring Collections Paralegal in County Attorney Office. All voting Aye. Motion carried.

RESOLUTION #23-6

HIRING COLLECTIONS PARALEGAL IN COUNTY ATTORNEY OFFICE

WHEREAS: Benton County Attorney’s office has a full-time position to fill and

WHEREAS: Applications were accepted for the position and

WHEREAS: These applications have been narrowed to one.

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that Allaina Bennett-Casali be hired to fill the position of Collections Paralegal in the Attorney’s office at a starting salary of \$34,000 effective January 24, 2023. She will be awarded 37 ½ hours of sick leave. Allaina Bennett-Casali employment is governed by all other applicable parts of the Benton County Employee Handbook as well.

Dated the 26th day of January, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Gina Edler, Deputy Benton County Auditor

Supervisor Seeman met with George Haefner with the Weed Department regarding snow removal. Haefner would like to purchase a push blade attachment for the skid loader. The push blade is \$3,000. Haefner will be coming into ask the Board at a future date. Supervisor Seeman questioned snow removal at the Service Center, employees stated that snow wasn’t removed until after employees were at work. Supervisor Primmer stated he would contact the vendor. Supervisor Seeman questioned if they wanted to ask each department head to come in and adjust their budgets since the wages were higher. Supervisor Primmer stated they should ask the department heads to come back in and go over budgets. Supervisor Primmer discussed at the Juvenile Detention meeting the rate is going up to about \$25/day. Supervisor Bierschenk stated at the Mental Health meeting, they are still having a struggle to use up all of the funds.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler, Deputy Benton County Auditor

January 30, 2023

The Benton County Board of Supervisors met in special session at the Emergency Management Agency Office in the Benton County Law Enforcement Center. Supervisor Seeman called the meeting to order at 7:02 P.M. Supervisors Seeman and Bierschenk present, Primmer was absent. *Unless otherwise noted, all actions were approved unanimously.*

The reason the Board was in attendance to tonight’s meeting was to be present during the public hearing on the FY24 Emergency Management Agency budget. The budget hearing was opened with Scott Hansen, agency coordinator, providing detailed information concerning the budget. Supervisor Seeman discussed the reasoning behind the 7% increase for elected officials and the 5% for all others. After hearing no further comments, the hearing was closed and the budget was adopted by the Emergency Management Commission.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

Tracy Seeman, Chairman

ATTEST: _____
Alisha Burmeister, Deputy Benton County Auditor

January 31, 2023

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>)

Kristine Bullock, Kirkwood Workplace Learning Connection presented a power point on their mission and purpose. They support students and educators as they navigate from awareness to explore high quality work-based experiences. Bullock also presented their FY 24 Budget request of \$2575.50 is the same as last year based on population. With the possibility of losing funding recently they will continue to apply for grants and their overall services and activities available should not change.

Primmer moved/Bierschenk seconded: To approve the minutes of January 25, 2023 with the corrections regarding the motion regarding Justin Birker's percentage should read 90% of the maintenance director's salary not 85%, and the resolution with Chairman's salary including the \$5,000 stipend should reflect the total salary amount of \$56,664.61. Motion carried.

Primmer moved/Bierschenk seconded: To approve the other minutes of January 27, 2023 and January 30, 2023. Motion carried. Marc and Barb Greenlee revisited their Land Use and Health Department Budget with the Board. They originally asked for a 10% salary increase. Greenlee asked about the board's action from the previous week and how the board came up with their 7 % for elected officials and non-elected at 5%. He wanted to know the rationale used to determine these amounts. Also asking about longevity, and duties of the job and their degrees of difficulty. He pointed out that the land use is a difficult process. How do we determine this worth? Supervisor Seeman said their reasonings were discussed in exempt work session. He also stated how elected officials have to spend money to keep their jobs and deal with the public on a different level than others. Supervisor Primmer explained why some employees were singled out for higher increases and working towards equalization. Primmer added that he was in favor of the 5% across the board, with no differences between elected and non-elected. Greenlee thanked the board for their time and would get his budget adjusted accordingly.

The Board reviewed some of the budget requests that have already been presented to them. Auditor Rippel wanted guidance to know which ones they approved of so she can make sure those amounts are entered into the budget and also to get their paperwork filled out and returned accordingly. The board agreed to all so far, and waiting for the upcoming presentations next week.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 7, 2023

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 January 31, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142719 through 142735, ACH Deposits 51971 through 52114, vendor checks 245193 through 245199 and claims numbered 245200 through 245342. Motion carried.

Primmer moved/Bierschenk seconded: To approve the appointment of the following deputies in their respective offices:

Attorney: Tim Dille and Megan Hall

Recorder: Marla Roster and Katelyn Welper

Treasurer: Rose Sackett, Joy Wieditz, Jodi Bonar, Ann Stephens, Beth Geater and Ariane Geiger.

Bierschenk moved/Primmer seconded: To approve farm exemption application for Brian Pippert in part of the NW ¼ of Section 33-86-12. Motion carried.

Bierschenk moved/Primmer seconded: To approve farm exemption application for Tyler Ebnet in part of the SE ¼ of the NE ¼ & NE ¼ SE ¼ of Section 27-85-9. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Tanner and Lyndsey Davis in part of the SW ¼ NE ¼ of 22-85-10. Tanner Davis, Mark Dulin, and Matt Dulin was present, along with adjoining land owner Shane Marzen. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Greenlee stated the land is not in production. Davis would like to change 6.08 acres for a new residence. There is no existing driveway, the bank needs to be cut down for driveway. This location will need a new well and septic. The required notifications were sent to the adjacent landowner's and published in the official newspapers. Greenlee received 2 phone calls prior to the meeting with questions. Marzen

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

concerns are that he bought his property 4 years ago and there were no houses in the area, now there is 4 new houses, he doesn't want the area to become a housing development. Mark Dulin raised concerns on the driveway and who's property it was on, the area the house will be built on has an electric fence, so it's misleading stating it's not in production, it's a pasture, "it's not there to keep the weeds out". Matt Dulin questioned Davis if the driveway would be tapered or would it have a retaining wall. Davis stated he is having it tapered and looking into it with a professional to have the water divert away and not cut into the farm ground. Other conversation was discussed about the area not being turned into a housing development. Hearing no other further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change for Tanner and Lyndsey Davis in part of the SW ¼ NE ¼ of 22-85-10. Primmer-yes, Bierschenk-yes, Seeman-no. Motion carried.

Jane Drapeaux, Hawkeye Area Community Action Program (HACAP), presented their FY 24 Budget Proposal along with providing an update of the services that are offered.

Primmer moved/Bierschenk seconded: To approve Resolution #23-7, Employee Status Change in the Sheriff's Office. Motion carried.

RESOLUTION # 23-7

WHEREAS, the Benton County Sheriff has a need for full-time communications specialist, and;

WHEREAS, Jeff Harnish has been employed by Benton County as part-time since August 30, 2005 and;

WHEREAS, Harnish has over 7 years of previous experience in the above-mentioned position; and

WHEREAS, the Sheriff recommended that Harnish have his employment status be changed from part-time to full-time and to also allow him to remain on as a part-time deputy as well,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Jeff Harnish be changed to a full-time communications specialist in the sheriff's office effective February 13, 2023 at the hourly rate of \$24.48 an hour as per contract.

Signed this 7th day of February 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Gina Edler, Deputy Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #23-8, Hiring full-time correctional officer at the Sheriff's Office. Motion carried.

RESOLUTION # 23-8

WHEREAS, the Benton County Sheriff has a vacancy to fill for full-time Correctional Officer, and;

WHEREAS, Jade Schmitz has applied for this position; and

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Jade Schmitz be hired for a full-time correctional officer in the sheriff's office, effective February 7, 2023 at the beginning hourly rate of \$19.70 an hour per contract.

Signed this 7th day of February 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Gina Edler, Deputy Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To approve hiring Wanda Hinshaw as part-time food service/kitchen staff at the Sheriff's office at the hourly rate of \$17.53 effective February 7, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve hiring Courtney Meyer as a part-time communications specialist at the Sheriff's office at the hourly rate of \$19.70 effective February 7, 2023. Motion carried.

Engineer, Myron Parizek, discussed with the board during the last snow storm they had a snow plow engine blow, the engine was already rebuilt once. Parizek has looked into a replacement and it would affect his FY24 budget request. Parizek stated there is 2 plows he was looking into; 1-Mac for \$231,680 that would be available at the earliest August, 2-Freightliner for \$215,007 but wouldn't be available until January of 2024. Parizek is looking into the Mac since he would get it sooner. He is looking at increasing his equipment budget from \$545,000 to \$750,000.

Parizek told the board that he met with Shive Hattery on the 61st Street project and to go ahead with the proposal and to survey and to present concepts.

Supervisor Seeman gave the Board an update on the Norway tower project, the foundation is done, there is no delivery date on the steel at this time.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler, Deputy Benton County Auditor

February 9, 2023

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 FY24 county budget. Budget topics ranged from the upcoming 911 Radio system project, mental health, roads and other budget concerns, along with explaining the importance of keeping reserves in the county fund balances. Auditor Rippel and Supervisor Primmer brought some handouts to share, which included the current 2022 valuation report, 2021 levy sheet along with worksheets reflecting the assessed value changes over the past year along with the land use department's yearly review.

Primmer moved/Bierschenk seconded: To adjourn at 7:00 p.m. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

February 10, 2023

The Benton County Board of Supervisors met in special session at 10:00 a.m. at the Virginia Gay Hospital Conference Room in Vinton. Supervisor Seeman called the meeting to order along with Supervisor's Primmer and Bierschenk present. This is a joint meeting with the Benton County Public Board of Health along with Virginia Gay Hospital CEO Michele Schoonover and Katie Cox, Director of Public Health.

After both Boards called the meeting to order, and Dr. Mangold, Chairman of the Board of Health giving a quick overview of the reason for today's meeting, it was turned over to Becky Nowachek with Iowa Department of Health and Human Services. Nowachek provided a handout and discussed what is public health and what do they do. Also touching on what roles and responsibilities the local boards of health have pursuant to Iowa Code Chapter 137.104. A large part of public health is promoting health care equity, quality and accessibility. It is a partnership of local public health, the Iowa Department of Health and Human Services, non-profit organizations, health care providers, policymakers, businesses and many others working together to protect and improve the overall health of Iowans. Discussion regarding the areas of work activities along with population and non-population status and where home-health fits in place.

Currently Benton County is currently active in a 3-way contract drafted in 1994 between Benton County Board of Supervisors, The Board of Public Health and Virginia Gay Hospital. County Attorney Ray Lough was also in attendance and was involved with the current document and will also help us make changes in drafting a future contract. Lough stated that at that time this merger was drafted, the county was very fortunate to have Virginia Gay Hospital (VGH) step up and assist providing public health needs. Katie Cox acts as the liaison between the county and the hospital. The funding comes from Benton County tax dollars and grants from the state. It is also worth noting that VGH has had to absorb some of the shortfalls therein. The concept from back then is substantially different than the current needs of today along with the constant fiscal year requirement changes.

Maggie Mangold mentioned how they have been trying to address the changing needs and possible revised contract in the past, but made no progress. The purpose of today's meeting was to educate everyone on the public health needs and to find out if all three parties are still on board. Mangold felt the Board of Health wants to be more engaged when it comes to the budgeting portion and prioritizing the public health needs. This may be something we need to model after a state contract and hold yearly reviews and tweak accordingly. Other topics discussed ranged from immunizations, school audits, activities that are billable and non-billable along with the record number of suicides and mental health illnesses the county has seen. This would be something they would like to potentially work on getting a project set up for.

All parties agreed the meeting was educational without a doubt. The public health professionals work to keep things from happening or recurring through implementing education programs, recommending policies, administering services and conducting research. There was no action taken today and will continue status as is for the FY 24 Budget but this was the first step taken towards possible changes to be made for FY 25.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 10, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 1:00 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.bentoncountyia.gov (<https://www.youtube.com/bentoncountyiowa>)*

The purpose of the meeting was to receive an update and discuss the E911 Emergency Radio Project with Racom and True North representatives. Supervisor Seeman asked where we were, what has been fulfilled and what needs still need to be met. Scott Hansen spoke up about the recent known change orders and wants to be made aware of any future ones since it is FY 24 budget time. Currently there are no new expected change orders for the future. Maintenance on the LEC tower was also discussed along with maintenance contracts over a 10-year plan and radios and portables being uniform for all that utilize them. The cost of purchasing spare equipment was a topic since numerous counties will be upgrading to the same system state wide. There tends to be a lot of duplication with spare equipment sitting around and then going obsolete before being needed. Racom has been brainstorming for a solution. That maybe they would purchase spares and come up with a shared agreement for when a need arises with a county or nearby neighboring county who could use the spares they would have. Current status is getting the electrical portion needs started, the cement work is in place and now the wiring will need to get routed for all 5 tower sites.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

February 14, 2023

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

Primmer moved/Bierschenk seconded: To approve the minutes of February 7, 2023, February 9, 2023 and both sets of February 10, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To authorize County Attorney Ray Lough, to be designee and sign documents on behalf of the Opioids Settlements. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-9, Approving Final Plat of Dulin's Second Addition to Benton County, Iowa. Motion carried.

DULIN'S SECOND ADDITION TO BENTON COUNTY, IOWA
RESOLUTION APPROVING PLAT

RESOLUTION #23-9

WHEREAS, a Plat of Dulin's Second Addition to Benton County, Iowa, containing one (1) lot has been presented to the Benton County Board of Supervisors consisting of the following described real estate:

See Exhibit “A” attached hereto and made a part hereof

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 Benton County Board of Supervisors find that the Final Plat of Dulin's Second Addition to Benton County, Iowa, would be advantageous to Benton County, Iowa, and

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that said Final Plat of Dulin's Second Addition to Benton County, Iowa, will be and the same hereby acknowledged, 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 Health Department.
3. Any new sewage treatment system will be constructed with the approval of the Benton County Health Department.

BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that said board, on December 6, 2022, at the request of Kim A. Dulin, did grant a variance waiving the following items regarding the submission of the Dulin's Second Addition to Benton County, Iowa Final Plat:

- Article IV, Sections 4.01 through 4.05
- Article V, Sections 5.01 through 5.07
- Article VI, Sections 6.2 through 6.03 and 6.05 (f)
- Article VII, Section 7.01

The Benton County Auditor is hereby directed and authorized to certify this Resolution Approving Plat to the Benton County Recorder and affix the same to the Final Plat as provided by law.

Resolution passed and approved on this 14th day of February, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

Attest:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To set Tuesday, March 14, 2023 at 9:20 a.m. for land use hearing date for Sheyenne and Hayley McNulty in part of the NE¼ NW¼ and NW¼ of NE¼ Section 24-83-9. Motion carried.

Primmer moved/Bierschenk seconded: To amend Maximum Levy Budget Hearing date from February 21, 2023 to March 7, 2023 at 9:30 a.m. Motion carried.

Bierschenk moved/Primmer seconded: To not participate in the U.S. Geological Survey Ground Water Model Study. Motion carried.

Primmer moved/Bierschenk seconded: To authorize Chairman's signature on the insurance agent/broker change form for Holmes Murphy taken over from Arthur J. Gallagher. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-10, Wage and Classification Change for Rod Schmuecker at Secondary Roads. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

RESOLUTION # 23-10

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 Rodney Schmuecker be set at \$25.84 per hour effective February 22, 2023. This position (equipment operator) carries a Labor Grade classification IVC.

Signed this 14th day of February, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To authorize signature on a petition, contract and waiver for sealcoat improvements on 61st Street Drive, Vinton, Iowa; and approve Resolution #23-11, Adopting Final Assessment Schedule and Confirming and Levying Special Assessments. Motion carried.

RESOLUTION NO. #23-11

Accepting work along 61st Street Drive, from US HWY 218 West 2700 feet, Vinton, IA.
Adopting Final Assessment Schedule and Confirming and Levying Special Assessments

WHEREAS, certain property owners filed a Petition, Contract and Waiver with the Board of Supervisors (the “Board”) of Benton County, Iowa (the “County”), requesting that the Board undertake sealcoat improvements to a portion of the secondary road that goes along 61st Street Drive, from US HWY 218 West 2700 feet, Vinton, IA. (the “Project”) and agreeing to be assessed for one-half of the total cost of the Project, which Petition was approved by the Board on February 14, 2023; and

WHEREAS, heretofore and in strict compliance with Chapters 331 and 384 of the Code of Iowa, the Board did order the construction of the Project, and;

WHEREAS, the Project Engineer has duly filed a certificate with respect to the Project, in accordance with Sections 331.485 and 331.486 of the Code of Iowa, showing that the Engineer has inspected completed work for the Project and that the same has been performed in compliance with the terms of the contract, and the Engineer has filed a final assessment schedule, which has been fully considered by this Board;

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

Section 1. It is hereby found and determined that the work of constructing the Project which has been completed by the contractor is in accordance with the terms of the contract, and the same is hereby accepted and approved.

Section 2. It is hereby found and determined that the cost of the Project that shall be assessed against private property within the assessable district is \$59,853.92.

Section 3. The final assessment schedule filed by the Project Engineers covering the Project is hereby approved and adopted.

Section 4. Each of the assessments upon the benefited property in the amounts and upon the various lots and tracts described in such final assessment schedule is hereby confirmed and levied, in the amounts shown on the schedule.

Section 5. Each of such assessments is hereby divided into 5 equal installments, as near as may be.

Section 6. All unpaid installments shall bear interest at the rate of 1.5% per annum from the date of this Resolution; provided, however, that any such assessments may be paid in full or in part without interest within 30 days after the date of this Resolution, such payments to be made at the office of the County Auditor.

Section 7. The first installment of the unpaid assessments shall be due and payable at the office of the County Treasurer on the first day of July, 2023, and shall become delinquent from October 1, 2023, and then bear the same interest with the same penalties as ordinary taxes.

Section 8. Succeeding installments shall become due and payable in like manner on the first day of July in each of the years 2024 to 2027, inclusive.

Section 9. The County Auditor is hereby authorized and directed to certify and file the final assessment schedule with the County Treasurer.

Section 10. The County Auditor shall send notice of the special assessments, by regular mail, to each of the property owners, at the address shown on the final assessment schedule, not more than seven days after the date of this Resolution.

Such notice shall be in form substantially as follows:

**NOTICE OF FILING OF FINAL ASSESSMENT SCHEDULE FOR THE
Seal Coating Project along 61st Street Drive, from US HWY 218 West 2700 feet, Vinton, IA
BENTON COUNTY, IOWA**

TO WHOM IT MAY CONCERN: Take notice that the Board of Supervisors of Benton County, Iowa, has adopted the final assessment schedule covering the 61st Street Drive Project, which has been duly certified to the County Treasurer.

The Project consists of the construction of sealcoat improvements on a portion of the secondary road that goes northeast along 61st Street Drive, from US HWY 218 West 2700 feet, Vinton, IA.

The amounts of the assessments against each property owner who signed the Petition, Contract and Waiver for this Project and who agreed to be assessed a portion of the cost of the Project are as follows:

| | |
|---------------|------------|
| Moore | \$6,650.44 |
| Reams | \$6,650.44 |
| Ollinger | \$6,650.44 |
| Patterson | \$6,650.44 |
| Kurth | \$6,650.44 |
| Helms | \$6,650.44 |
| Whitson | \$6,650.44 |
| Salger | \$6,650.44 |
| Corbett Farms | \$6,650.44 |

Any assessment may be paid in full or in part without interest within 30 days after the 21st day of February, such payments to be made at the office of the County Auditor. Assessments which are not paid in full within that time period will be divided into 5 equal annual installments due on the first day of July, commencing July 1, 2023. All unpaid special assessments will draw annual interest at 1.5% computed initially from the 14th Day of February, 2023, to April 1, 2024, and thereafter computed from the April 1 immediately preceding the due dates of the respective installments.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

By order of the Board of Supervisors of Benton County, Iowa.

County Auditor

Section 11. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict. Passed and approved February 14, 2023.

Signed this 14th day of February, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Supervisor Seeman reported on the recent Conservation Meeting and the bids were received and opened for the Hannen Project. Budget discussion was had on how the Board will handle asking for some cuts and how they wanted to handle that. The Auditor was going to move forward with the Maximum levy proposal and wait and see the outcome of SF 181 and if the Valuation report has to be amended, will adjust if needed.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

February 21, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 1:00 p.m. at the conference room at the Benton County Service Center. Unless otherwise noted, all actions were approved unanimously.

Josh Ehrmann with I.U.P.A.T. District Council 81 presented Union Proposals for the 2022-2023 Collective Bargaining agreement for employees of the Benton County Secondary Road Department.

1:18 p.m. Bierschenk moved/Primmer seconded: To go into Closed Session pursuant to Iowa Code 20.17(3)

2:34 p.m. Primmer moved/Bierschenk seconded to come out of Closed Session pursuant to Iowa Code 20.17(3)

2:34 p.m. Primmer moved/Bierschenk seconded to adjourn. Motion Carried

Tracy Seeman, Chairman

ATTEST:

Nancy Jorgensen, Deputy Auditor

February 28, 2023

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.bentoncountyia.gov (https://www.youtube.com/bentoncountyiowa)

Primmer moved/Bierschenk seconded: To approve both of the minutes of February 21, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To set the FY24 Budget Hearing Date for Tuesday, April 4, 2023 at 9:30 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date for Austin and Jenna Schulte for Monday, March 27, 2023 at 9:15 a.m. for part of the NW 1/4 of the NW 1/4 of section 32-82-9. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Signed this 28th day of February, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Committee Reports were heard by all supervisors.
Bierschenk moved/Primmer seconded: To enter into closed session at 9:31 a.m. pursuant to Iowa code 20.17(3). Motion carried.
Primmer moved/Bierschenk seconded: To Exit closed session at 9:50 a.m. Motion carried.
Primmer moved/ Bierschenk seconded: To adjourn. Motion carried.

Tracy Seeman, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

March 7, 2023

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.bentoncountyia.gov (https://www.youtube.com/bentoncountyiowa)

Primmer moved/Seeman seconded: To approve minutes of February 28, 2023 and March 2, 2023. Motion carried.
Members of the Benton County Conversation Board along with Director Shelby Williams and department employees met with the board to share their opportunity to expand the Wildcat Bluff area. The land is about two and a half miles south of Urbana. The Heritage Foundation helped with negotiations with Wendling Quarry who was the one that approached them. This is 184 acres and combining with current owned 134 acres would put this at a level similar to the state. Conservation Board members saw this as a once in a lifetime opportunity that will bring opportunities for the future. The overall cost of this would be 1.2 million with \$125,000 already committed from grants and support already. They would have two years to purchase, but would need the commitment to help them apply for the REAP Grant this fall that would be up to \$900,000. Plans included developing trails, and removing interior fences. Supervisor Primmer didn't have a problem if it is going to be funded from grants and donations, but he had a problem committing tax dollars. When asked if they would need additional staff to help with this project, the answer was No. Coe College and other organizations are interested. No action was taken. Randy Scheel of Conservation Board said the confidence they have to pay this back in two years is extremely high and they wanted to keep the supervisors up to date on what they are doing.
Primmer moved/Bierschenk seconded: To approve Class C Liquor License for Tara Hills Country Club. Motion carried.
Primmer moved/Bierschenk seconded: To Accept Mindy Fisher's resignation to the Board of Health and appoint Kaitlin Emrich as her replacement with term ending December 31, 2025. Motion carried.
Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142745 through 142779, ACH Deposits 52265 through 52410, vendor checks 245457 through 245463 and claims numbered 245464 through 245574. Motion carried.
Primmer moved/Bierschenk seconded: To approve Utility Permit for USA Communications to place fiber in the right of way in Iowa Township for the Belle Plaine Exchange. Motion carried.
Primmer moved/Bierschenk seconded: To approve Resolution #23-13, Bridge Embargo. Motion carried.
Resolution #23-13

WHEREAS, the structures at these locations due to load rating computations, age and design have reached the point in time where a more restricted weight limit needs to be imposed,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the following new weight restrictions be imposed and restricted as follows:

- CE-0047 3 ton
0.3 mile north of the SW corner of Section 30-86-11

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

(Cedar Township) on 16th Avenue.

LE-1025

10 ton/ 15 ton/ 15 ton

0.5 mile south of the NW corner of Section 17-82-11

(Leroy Township) on 17th Avenue.

Signed this 7th day of March, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-14, Bridge Embargo. Motion carried.

Resolution #23-14

WHEREAS, the structures at these locations are not currently posted for any embargo restrictions, and

WHEREAS, these structures, due to age, design and load rating computations have reached the point where a restricted weight limit needs to be imposed,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that the following new weight restrictions be imposed and restricted as follows:

BG-1046 **23/37/40 ton**
0.4 mile north of the SW corner of Section 29-84-11
(Big Grove Township) on 17th Avenue.

FR-5052 **22/37/37 ton**
0.2 mile south of the NW corner of Section 36-83-09
(Fremont Township) on 33rd Avenue.

Signed this 7th day of March, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-15, Temporary Road Closure. Motion carried.
Resolution #23-15

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from March 13, 2023, through the completion of the project.

From 75th Street thence north 1 mile to 74th Street along 32nd Avenue, and from 32nd Avenue thence west 2 miles to 30th Avenue along 75th Street,

and

From 32nd Avenue thence east 0.5 miles to 32nd Avenue Drive along 75th Street all in Florence Township.

Signed this 7th day of March, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

County Attorney Ray Lough and Sheriff Deputy John Lindaman spoke with the board regarding their concern with privacy and confidentiality regarding Victim Witness Abuse/Sexual Awareness and how they are planning an upcoming meeting with Riverview Center regarding the privacy and confidentiality concerns. No action taken.

The time of 9:35 a.m. having arrived, and this being the time and date set for the public hearing on the Maximum Property tax levy for FY 24 Budget. No members of the public were present. The Auditor presented the information and explained that even after valuations have been amended due to SF181, and neither the levy or valuations can be higher than what was published. There was no further discussion.

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-16, Maximum Property Tax Levy for FY 24 Budget. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Resolution #23-16

Approval of FY 2024 Maximum Property Tax Dollars

WHEREAS, the Benton County Board of Supervisors have considered the proposed FY 2024 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 7, 2023.

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 2024 shall not exceed the following:

General County Services - \$10,067,421

Rural County Services - \$4,426,256

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY 2024 does represent an increase of more than 102% from the Maximum Property Tax dollars requested for FY 2023.

By Roll Call Vote:

Ayes: Primmer

Nays:

Seeman

Bierschenk

Passed and adopted the 7th day of March, 2023.

Attest: Hayley Rippel, Benton County Auditor

Tracy Seeman, Chairman
Benton County Board of Supervisors

Mae Hingtgen, Chief Officer of the Mental Health/Disability Services (MH/DS) of the East Central Region and Mona Onken discussed a memorandum of understanding regarding reimbursement from the Region for county employees for FY 2024. There are clarifications and consistency throughout the region for duties of advocates They also discussed supervisory responsibilities for Bethany Wheaton, Judicial Mental Health Advocate and also discusses the Crisis Support Management (CSM). It was pointed out that the advocate was supposed to be neutral and also referring to the duties outlined in Iowa Code 229.19.

Primmer moved/Bierschenk seconded: To approve Resolution #23-17, MOU Regarding Reimbursement from the Region, including Exhibit A, and excluding Exhibit B. Motion carried.

Resolution #23-17

MEMORANDUM OF UNDERSTANDING REGARDING REIMBURSEMENT FROM MH/DS OF THE EAST CENTRAL REGION FOR COUNTY EMPLOYEES

1. COME NOW the Benton County Board of Supervisors (hereinafter “the County Board”) and the Governing Board of the Mental Health/Disability Services of the East Central Region of Iowa (hereinafter “the Governing Board”) indicate their mutual understanding of the following:
2. Benton County is a member county in and the County Board is a signatory to a 28E Agreement for Mental Health/Disability Services for the East Central Region.
3. The purpose of this Memorandum of Understanding is to establish an entity to provide local access to mental health and disability services for children and adults and to engage in any other related activity in which an Iowa 28E organization may lawfully be engaged, all in compliance with Senate File 2315, Division IV, Section 32, as signed into law on May 25, 2012.
4. The 28E Agreement contemplates that the Region’s Chief Executive Officer, Coordinators of Disability Services, and all support staff will be made up of and will remain employees of the individual member counties and shall be subject to the county’s personnel policies and the region’s applicable policies and procedures.
5. The county’s assignment of the employee to the region is subject to the review of the Governing Board.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

6. Pursuant to the 28E Agreement, the portion of the employee's time and responsibilities that are performed on behalf of the region, the region has the authority to review the employee's performance and make recommendations that are communicated to the county board of supervisors regarding the employee's continued appointment by the Governing Board.
7. In so doing, the 28E Agreement requires that there will be statements of understanding between the Governing Board and the individual county Boards of Supervisors that identify the individual employee, the position to be filled, and the portion of the employee's wages and benefits that will be reimbursed to the county from regional funds.
8. In the event one of the specific employees listed leaves, for whatever reason, her or his employment with Benton County and a new employee is hired to fill that vacant position, the County Board's representative on the Region's Governing Board shall provide the Governing Board with an updated Exhibit A. The Governing Board shall reimburse the member county for the time an employee spends fulfilling regional functions as defined in Exhibit A. Reimbursement shall include the employee's base salary, benefits, applicable payroll deductions, occupancy expenses, and identified administrative expenses. Each member county agrees to provide the employee with sufficient office space, equipment, supplies and telephone to conduct employee's region responsibilities while working within the member county, which will be reimbursed by the region. The Governing Board shall reimburse the member county for all travel expenses incurred while an employee performs regional work. Reimbursements shall be reviewed annually or as needed when changes to a member county's expenses occur.
9. The Region shall issue funds to each member county for one fourth of the member county's MH/DS combined payroll and occupancy budgeted expenses as identified above by the latest practical claims date before the beginning of the new quarter (July, October, January, and April) in order to ensure that the county receives adequate funds to cover the quarterly administrative expenses.
10. If a county has higher expenditures during a quarter that exceed the quarterly payment, a request for reimbursement will be sent to the region to be considered at the next Regional Governing Board meeting. If a member county expects lower expenditures in any given quarter, the county should notify the region. Adjustments to a county's quarterly distribution will be completed in the fourth quarter, as necessary.
11. Member counties will submit a quarterly report of expenditures to the region for reconciliation purposes. The quarterly report will not impact the next quarterly distribution.
12. The member county is responsible for tracking each employee's time when conducting regional work. The member county must conduct a time study semi-annually, at a minimum, supporting the amount that is reimbursed by the region.
13. This agreement shall be effective for the time period of July 1, 2023 through June 30, 2024. The Governing Board may vote to extend or amend this MOU for FY 25 and beyond.
14. Any disagreements in reimbursement amounts shall be discussed and rectified between the Governing Board and County Board of Supervisors in the same manner disputes are resolved under Section 4.7 of the regional 28E Agreement.

BENTON COUNTY
BOARD OF SUPERVISORS

GOVERNING BOARD OF THE MENTAL
HEALTH/DISABILITY SERVICES OF THE EAST
CENTRAL REGION OF IOWA

By: _____

By: _____

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Benton County Chairperson

Dewey Hildebrandt, Chairperson

Signed the _____ day of _____, 2023.

Signed the _____ day of _____, 2023.

Attest: _____
Benton County Auditor

**EXHIBIT A
BENTON COUNTY EMPLOYEES**

The region intends to employ or contract for staff for the following functions and responsibilities with the following rates:

| Employee Name | Position | % of Wages/Benefits to be Appropriated to Region |
|----------------|-------------------------|--|
| Mona Onken | Utilization Coordinator | 100% |
| Melissa Carter | Behavioral Specialist | 100% |
| Sarah Wagner | Regional Social Worker | 89% |
| | | |
| | | |

By: _____
Benton County ECR Representative

By: _____
Dewey Hildebrandt, ECR Board Chair

Date: _____

**EXHIBIT B
MENTAL HEALTH ADVOCATE RESPONSIBILITIES**

| | |
|---------------------------|-----------------|
| Advocate Name | Bethany Wheaton |
| County(ies) Served | Benton County |

In an effort to standardize the advocacy work of court-appointed mental health advocates across the Region, the Benton County Supervisors and Regional Governing Board agree to the following responsibilities:

- Complete all duties outlined in Iowa Code 229.19
- Complete HIPAA training annually and submit ECR verification form
- Complete mandatory reporter training every 3 years and submit certificate
- Enter or update newly assigned individuals (or individuals not previously entered) into CSN, including date of birth, sex, ethnicity, education, and diagnosis
- In CSN, assign self as advocate, enter initial commitment, type of order, date of commitment, and name of treatment facility per IAC 441-25.103
- Secure CSN release for all clients. If unable to secure release, attempts must be documented
- Ensure timely updates regarding commitment information in CSN that reflects changes in treatment facility and termination of commitments
- Maintain an organized, confidential and secure file for each individual serviced. This file may be a combination of physical documents and the CSN record
- Follow IAC 441-25.104 regarding frequency of contacts and document in CSN
- By the 15th of each month, submit list of clients, including CSN number, for whom there was a contact in the previous month. This should not include the entire caseload. If desired, advocate may pull this report from CSN.
- Participate in the Region’s quality assurance process as delineated in IAC 441-25.107

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

By: _____
Benton County ECR Representative

By: _____
Dewey Hildebrandt, ECR Board Chair

Date: _____

Date: _____

Further discussion regarding Exhibit B which was part of the MOU, and who was to supervise the Mental Health Advocate was had.

Primmer moved/Bierschenk seconded: To approve Exhibit B and appoint the Sheriff to oversee the Mental Health Advocate. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

March 14, 2023

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

Bierschenk moved/Primmer seconded: To approve minutes of March 7, 2023 with a correction. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge Post Election Audit. Motion carried.

Deputy Auditor, Gina Edler, read Benton Community School Public Measure BE in Benton County as failed with 1,350 no votes and 750 yes votes, Benton Community School Public Measure BF in Benton County as failed with 1,373 no votes and 745 yes votes, Hawkeye Community College Public Measure BK in Benton County as failed with 5 no votes and 1 yes vote, and College Community School Public Measure NC as passed with 37 yes votes and 10 no votes.

Primmer moved/Bierschenk seconded: To approve the first-tier canvass of the March 7, 2023 Special School Election. Motion carried.

Primmer moved/Bierschenk seconded: To approve fireworks permit for Chuck Yedlik for April 8, 2023, May 27 & 28, 2023 and October 28, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve hiring of Paige Rambo as Part-time Sheriff Dispatcher, per union contract and with an unknown start date. Motion carried.

Supervisor Seeman reported on his Conservation meeting. The Conservation department is all fired up about the new land purchase and the upcoming camping season, they are still looking for a campsite host and a part time person to mow lawns.

The time of 9:20 a.m. having arrived, and this being the time and date for a land use hearing for Sheyenne and Haley McNulty in part of NE ¼ NW ¼ and part of the NW ¼ of NE ¼ of 24-83-9. McNulty's were both present, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. McNulty's would like to propose a change of the 1.657 acres of 2.68 acres and convert existing pole building into an auto body shop. No land is currently in production or coming out of production. There is an existing driveway that meets the requirements. The remaining acres has a home that McNulty's are planning on possibly renting out in the future. This site will be able to hook up to Poweshiek Water. New septic will have to be installed for both the auto body shop and the existing home as the home is a non-conforming septic system currently. Notice was sent to the adjacent owners and published in the newspapers. One neighbor had a concern of the place looking like a junk yard but Sheyenne contacted the neighbor and assured them it would not. After hearing no further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change Sheyenne and Haley McNulty in part of NE ¼ NW ¼ and part of the NW ¼ of NE ¼ of 24-83-9. Motion carried.

Bierschenk moved/Primmer seconded: To approve farm exemption application for Darryl and Tammy Vogt in SE ½ of the SE ¼ Sec 13-82-11.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler, Benton County Deputy Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

March 21, 2023

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.bentoncountyia.gov (https://www.youtube.com/bentoncountyiowa)

- Bierschenk moved/Primmer seconded: To approve minutes of March 14, 2023 with a correction. Motion carried.
Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142780 through 142827, ACH Deposits 52411 through 52558, vendor checks 245575 through 245582 and claims numbered 245583 through 245727. Motion carried.
Primmer moved/Bierschenk seconded: To amend FY 24 Budget Hearing Date from Tuesday, April 4, 2023 to Tuesday, April 18, 2023 at 9:30 a.m. Motion carried.
Primmer moved/Bierschenk seconded: To approve Class C Liquor Licenses for Kacena Farms for May 19-23, 2023 and July 28-August 1, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To approve Class C Liquor License for Bloomsbury Farms, Inc. for April 30, 2023 through April 24, 2024. Motion carried.
Auditor Rippel read the combined results of the Benton Community School Special Election with Tama and Iowa County votes. Public Measure BE failed with 1,431 no votes and 769 yes votes, Benton Community School Public Measure BF in Benton County as failed with 1,456 no votes and 762 yes votes.
Primmer moved/Bierschenk seconded: To approve the second-tier canvass of the March 7, 2023 Special School Election. Motion carried.
Sheriff Ron Tippett shared some bids he received for jail medical expenses.
Advanced Correctional Healthcare, Inc. had 2 options.
Option 1-\$129,999 included Doctor and nurses. Option 2-\$38,999 would only be the nurses.
Virginia Gay Hospital only submitted a bid on the nurse's portion at \$26,400 annually or \$2,200 a month with a 3% increase in contract yearly.
Primmer moved/Bierschenk seconded: To approve Option 2 with Advanced Correctional Healthcare and accept bid from Virginia Gay Hospital for their nursing option. Motion carried.
Primmer moved/Bierschenk seconded: To enter closed session at 9:22 a.m. pursuant to Iowa Code 21.5(1)g. Motion carried.
Primmer moved/Bierschenk seconded: To exit closed session at 9:53 a.m. Motion carried.
Primmer moved/Bierschenk seconded: To approve contract as discussed in closed session. Motion carried.
Tracy Seeman reported on the Norway tower being up, and recently added a fence around it. The landfill was starting on the construction of a new cell.
Primmer moved/ Bierschenk seconded: To adjourn. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

March 27, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of March 21, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize Auditor Rippel to certify the Local Assistance and Tribal Consistency Fund (LATCF) annual report. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-18, Authorizing Benton County to enter into settlement agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., and CVS Health Corporation. Motion carried.

RESOLUTION NO. 23-18

Authorizing Benton County to Enter Into the Settlement Agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc.,

WHEREAS, in 2017, the County Board of Supervisors authorized Benton County (the “County”) to enter into an engagement agreement with Crueger Dickinson LLC, Simmons Hanly Conroy LLC and von Briesen & Roper, s.c. (the “Law Firms”) to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the “Opioid Defendants”) in an effort to hold the Opioid Defendants financially responsible for the impact on of the Opioid Epidemic on the County and resources necessary to combat the opioid epidemic;

WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants in 2018 and have been litigating against the Opioid Defendants since that time;

WHEREAS, negotiations to settle claims against several of the Opioid Defendants, specifically Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc (the “Settling Defendants”) have been ongoing for several years;

WHEREAS, negotiations with the Settling Defendants have resulted in proposed nationwide settlements of state and local government claims involved in the Litigation;

WHEREAS, the proposed terms of those proposed nationwide settlements are set forth in the Teva and Allergan Settlement Agreement and the Walmart, Walgreens, and CVS Settlement Agreement (collectively “Settlement Agreements”);

WHEREAS, the Settlement Agreements as well as a summary of the main terms of the Settlement Agreements, the deadlines for submitting the Participation Agreements to the Settlement Agreements and the MDL Court’s Order setting deadlines for any Plaintiff who declines to enter into the Settlement Agreements have been provided to the County prior to the execution of this Resolution;

WHEREAS, the Settlement Agreements provide, among other things, for the payment of a certain sum to settling government entities in Iowa including to the State of Iowa and Participating Subdivisions, as that term is defined in the Settlement Agreements (“Iowa Opioid Funds”), upon occurrence of certain events as defined in the Settlement Agreements;

WHEREAS, the Law Firms have engaged in extensive discussions with the State Attorney General’s Office (“AGO”) as to how the Iowa Opioid Funds will be allocated, which has resulted in the Iowa Opioid Allocation Memorandum of Understanding (“Allocation MOU”), which is an agreement between all of the entities who are signatories to the Allocation MOU;

WHEREAS, the Allocation MOU divides Iowa Opioid Funds as follows: (i) 50% to the State (“the Iowa Abatement Share”) and (ii) 50% to Participating Local Governments (“LG Share”), net of fees and costs allocated to the Iowa Backstop Fund as set forth in Section D of the Allocation MOU and in this Resolution (“LG Abatement Share”);

WHEREAS, the LG Abatement Share shall be distributed in direct payments to the Counties that are Participating Local Governments according to the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804) in the amounts set forth on Exhibit 2 to the Allocation MOU (“Direct Distribution Percentage”). The Direct Distribution Percentage will be multiplied by the total LG Abatement Share to arrive at the total allocation to the Participating Local Government (the “Direct Distribution Amount”);

WHEREAS, 100% of the Iowa Abatement Share and the LG Abatement Share, regardless of allocation, shall be utilized only for Opioid Related Expenditures incurred after the Effective Date of this MOU. The list of approved Opioid Related Expenditures is set forth in Exhibit 1 of the MOU (Iowa State – Local Allocation MOU).

WHEREAS at least 75% of the Iowa Abatement Share and 75% of the LG Abatement Share shall be utilized for only the “Core Strategies” listed in Schedule A of Exhibit 1 to Allocation MOU;

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

WHEREAS, every Participating Local Government that receives a Direct Distribution Amount shall create a separate fund on its financial books and records that is designated for the receipt and expenditure of the entity’s Direct Distribution Amount, called the “LG Abatement Fund;”

WHEREAS, Funds in an LG Abatement Fund shall not be commingled with any other money or funds of the Participating Local Government, but a Participating Local Government may invest LG Abatement Fund funds consistent with the investment of other funds of a Participating Local Government;

WHEREAS, Funds in a LG Abatement Fund may be expended by a Participating Local Government only for Opioid Related Expenditures, shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements and the Allocation MOU and, for avoidance of doubt, funds in a LG Abatement Fund may not be expended for costs, disbursements or payments made or incurred prior to the Settlement;

WHEREAS, if any audit required by the Allocation MOU reveals an expenditure inconsistent with the terms of the Allocation MOU, the Participating Local Government shall immediately redirect the funds associated with the inconsistent expenditure to an Opioid Related Expenditure;

WHEREAS, the County must comply annually with the reporting requirements in the Allocation MOU;

WHEREAS, if the County elects to become a Participating Subdivision in the Settlement Agreements it will receive the benefits associated with the Settlement Agreement and the Allocation MOU, provided the County (a) approves the Settlement Agreements; (b) executes the Participation Agreements stating the County’s intention to be bound by the Settlement Agreements;

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements by executing the Participation Agreements.

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves and authorizes Ray Lough, County Attorney to settle and release the County’s claims against the Settling Defendants in exchange for the consideration set forth in the Settlement Agreements by taking the following measures:

- 1. The execution and delivery of the Participation Agreement to the Settlement Agreements and any and all documents ancillary thereto.

- 3. The execution and delivery of any and all further and other documents necessary to effectuate the foregoing and the terms of this Resolution.

BE IT FURTHER RESOLVED: the County shall deposit the LG Share in its account titled “LG Abatement Fund” to receive the LG Abatement Share from the Settlement Agreements.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Adopted by the Benton County Board of Supervisors this 27th day of March, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Seeman seconded: To approve and sign letter of support to the Office of Chief Information Officer (OCIO) to qualify for broadband intervention zone. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class C Liquor Licenses for Traveling Tapster LLC for April 20, 2023 through May 3, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize Chairman's signature on the annual Historic Preservation Report pending areas for review. Motion carried.

Primmer moved/Bierschenk seconded: To approve the bid from Graham Tree Service in the amount of \$1100 to remove an Ash tree on the Service Center Property. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Austin and Jenna Schulte in part of the NW 1/4 NW 1/4 of 32-82-9. The Schulte's were present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Schulte's would like to change .25 Acres of their 6.98 Acre parcel to build a new building that would be used to process milk and cheese. A portion of the building would extend to adjoining property which is owned by Austin's parents. There is an existing driveway that meets the requirements. This location has access to rural water, but would need its own private sewage disposal. The Schulte's are also working with the DNR for additional waste processing. The required notifications were sent to the five adjacent landowner's and published in the official newspapers. No comments were heard prior to today's meeting. Hearing no other further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change for Austin and Jenna Schulte in part of the NW 1/4 NW 1/4 of 32-82-9. Motion carried.

Primmer moved/Bierschenk seconded: To approve farm exemption application for Timothy Scheurs in part of the NW 1/4 of the SE 1/4 of Section 31-82-11. Motion carried.

There was discussion on the sanitarian/land use coordinator position that was held by Marc Greenlee for the past 40 plus years. Marc recently passed away unexpectedly and will be greatly missed by all that knew him. Greenlee was very knowledgeable and truly dedicated to his position at the county. Barb Greenlee said she assumes she will fill that role until somebody could get hired to fill this position. The county will advertise for the position after further discussion and a job description of what all the position would entail. Dr. Maggie Mangold met with the board regarding the board of health and upcoming changes and keeping transparency moving forward. Benton County is currently providing public health under contract with Virginia Gay Hospital. VGH recently provided notice to terminate the contract with Benton County effective June 30, 2023. Mangold explained the Board of Health's role and how they have started a few sub-committees to do some research on different options whether that be fully sub-contracting with another county, or providing those services fully county based and the county would employ and house their own individuals to do the work. Included in the discussion was historical funding, home health versus public health services, wages compared to other counties in our district, environmental health, subcontracts, nurses and staffing. The Board of Health has another meeting on April 14th and would come back to the supervisors with their official recommendation at the Supervisor's April 18th meeting. No action was taken today, although the supervisors felt strongly about pursuing all county-based services but would also be interested in hearing all other options as well.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

April 4, 2023

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.bentoncountyia.gov (https://www.youtube.com/bentoncountyiowa)

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-19, Proclamation for April being Sexual Assault Awareness Month. Motion carried.

**RESOLUTION # 23-19
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 2023 is hereby proclaimed as: “SEXUAL ASSAULT AWARENESS MONTH”

Signed this 4th day of April, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve the minutes of March 27, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve farm exemption application for Otto Nobis, in the SW ¼ of the NE ¼ of section 21-85-9. Motion carried.

Bierschenk moved/Primmer seconded: To acknowledge Kirsten Nelson's resignation as Human Resource Director effective April 14, 2023. Motion carried.

Primmer recommended that we keep the department going and that the director also have an assistant. Auditor Rippel said this wasn't on as an agenda item for discussion at this time, but adding her two cents. She would like to see it go back to how it previously was adding that she originally suggested outsourcing things on an as needed basis but keeping the day to day activities and paperwork in her office and save tax payers money.

Primmer moved/Bierschenk seconded: To approve utility permit for USA Communications along 23rd Ave. Drive in St. Clair Township. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To approve resolution #23-20, Wage and Classification Change for Cody Mattison. Motion carried.

**RESOLUTION # 23-20
WAGE and CLASSIFICATION CHANGE**

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 Cody Mattison be set at \$25.30 effective April 10, 2023. This position carries a Labor Grade IVB classification.

Signed this 4th day of April, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To approve Resolution #23-21, Benton County supporting keeping Local Option Sales Tax revenue at the local level. Motion carried.

RESOLUTION # 23-21

WHEREAS, the voters of Benton County and cities within the county have voted to enact a 1 cent Local Option Sales Tax in accordance with Iowa Code 423B, and

WHEREAS, the revenue derived from the tax is used for secondary road improvements, conservation parks, libraries, emergency services, and property tax relief, and

WHEREAS, the residents of Benton County have grown to rely on these revenues as a means to reduce property taxes, and

WHEREAS, the 2023 legislative session has seen the introduction of SF 550, which proposes to convert the Local Option Sales Tax efforts into a statewide sales tax and impose the local option sales tax in every jurisdiction, thereby triggering the constitutional amendment to require an allocation of 3/8th of a cent to the Iowa Water and Land Legacy (IWLL) trust fund, and

WHEREAS, SF 550 proposed to backfill revenues lost due to the proposal, there are concerns of the Legislature ability to continue backfilling revenues, and

WHEREAS, voters across Iowa who have voted to either implement a local option sales tax or not to do so, and

WHEREAS, voters across Iowa who have voted to utilize the local option sales tax have approved revenue purpose statements (RPS), and

WHEREAS, SF 550 also sunsets these provisions on January 1, 2025, after which no jurisdiction will have the authority to take either a LOST proposal or revenue purpose statement to a vote, essentially deleting the local government’s ability to have local option sales taxes.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

THEREFORE, the Benton County Board of Supervisors would like to express their support of the current Local Option Sales Tax. The current law best represents the interest of voters and furthers the reduction of property taxes, which is a common goal of the County and the Iowa Legislature. The Board of Supervisors unanimously supports the Iowa Water and Land Legacy (IWLL) trust fund; however, SF 550 as currently written, would not only strip the County of control over Local Option Sales Tax (LOST) revenues, but would effectively disregard the will of the Voters.

Passed and approved on this 4th day of April, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Engineer Myron Parizek also provided an update on the Urbana roundabout so the Department of Transportation can finish the construction that wasn't complete. The work starts April 17th and with hopes to be done in two weeks. Parizek is also getting the dust control program stuff finalized and will have it on April 11th agenda along with the DOT's five-year plan.

Committee Reports were had including Seeman's update on communications tower. They are currently working with the Federal Communications Commission to obtain a private channel name for Benton County.

Primmer moved/Bierschenk seconded: To recess until the Grand Jury arrives. Motion carried.

The County Attorney Ray Lough was leading a tour of county facilities to the Grand Jury which included a brief meeting with the supervisors who then provided an overview of county activities. There was also time for other questions and discussions that arised.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

April 11, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of April 4, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142828 through 142840, ACH Deposits 52559 through 52705, handwrite 245728, vendor checks 245729 through 245735 and claims numbered 245736 through 245917. Payroll Checks numbered 142841 through 142846, ACH Deposits 52706 through 52853 and vendor checks numbered 245918 through 245924. Motion carried.

Primmer moved/Bierschenk seconded: To approve using ARPA Funds for the following claims: True North Consulting Group for \$5,904.00 and Amazon for a duplex printer in the amount of \$1,476. Motion carried.

Bierschenk moved/Primmer seconded: To approve Auditor's Quarterly Report ending March 31, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve Recorder's Quarterly Report ending March 31, 2023. Motion carried.

George Haefner, Weed Commissioner asked about posting for seasonal positions. Haefner would like two interns, which Supervisor Seeman asked if two positions were necessary while Supervisor Primmer asked about the pay. Haefner requested the pay stay same as last year at \$17 an hour and work would take place between May and June. Seeman also asked about the longer work days if they were going to do the 10-hour days all five days a week. Haefner answered they would do so when the weather cooperated with their spraying. The Board agreed for him to proceed with the position posting and come back for formal action for approval at a later date when he found the qualified candidate(s).

Jennifer Fencel of East Central Iowa Council of Governments (ECICOG) and Shelby Williams, Benton County Conservation Director presented a proposal for applying for a four-year grant. It is worth \$900 a tree. The trees would be split between Hannen, Wildcat and Rodgers Parks and if any leftover, they would go to the Atkins roundhouse for those 80 acres that need replanted. Fencel explained there is 1.1 million in funding that will be split among Marshall, Tama and Benton County. Benton County would act as the pass-through fiscal agent.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-22, Authorizing ECICOG to submit application and associated documents for funding the CDBG-DR to the IED. Motion carried.

Resolution #23-22

RESOLUTION AUTHORIZING AND DIRECTING EAST CENTRAL IOWA COUNCIL OF GOVERNMENTS (ECICOG) TO SUBMIT APPLICATION AND ASSOCIATED DOCUMENTS FOR FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY DERECHO TREE REPLACEMENT PROGRAM (CDBG-DR) TO THE IOWA ECONOMIC DEVELOPMENT (IED) AUTHORITY

WHEREAS, on August 10, 2020, communities in Benton County, Iowa experienced a derecho storm that significantly impacted the county’s tree canopy in parks and other publicly owned land; and

WHEREAS, Benton County has heretofore deemed it necessary and desirable to apply for a \$931,500 grant through the CDBG DR Tree Canopy and Tree Replanting Program to the Iowa Economic Development Authority to purchase and plant native trees on public land in the county and in partnering communities, and

WHEREAS, Benton County is supportive of this project to replace some of the tree canopy lost to the 2020 derecho storm with a more diverse mix of native trees providing a wide range of economic and mitigation benefits to the community; and

WHEREAS, accordingly, a grant application is being prepared for this project and documents have been presented to the Benton County Board of Directors for the approval necessary to submit the grant applications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the City of Benton, Iowa, that the Chair is hereby authorized and directed to sign and execute on behalf of the County of Benton, the additional documents required for the application, as presented to the Board of Supervisors, and ECICOG is hereby authorized to submit the CDBG DR application and the associated documents for the above-named project to the Iowa Economic Development Authority on or before April 28, 2023.

Passed this 11th day of April, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Supervisor Seeman and Auditor Rippel updated the board on some of the projects that were discussed and approved at the 3/27/2023 ARPA Committee meeting. The Conservation project for a shower house at Wildcat Park was one of the bigger ones along with two-way radios for the secondary roads and weed department. Agreed to go up to \$200,000 towards the cost so they can be compatible with the new E911 Radio Tower Project in the works. Other smaller projects such as finishing the courthouse boiler, network wiring and a few other small needs that can be approved as the invoices come through.

Primmer moved/Bierschenk seconded: To approve using ARPA Funds for Wildcat Shower House Project and authorizing Shelby Williams, Conservation Director to move forward. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-23, FY23 Service Area(s) Amendments. Motion carried.

RESOLUTION #23-23

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 service area(s) 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 1) \$10,000 moved from 0001-99 to 0001-28
\$15,000 moved from 0040-99 to 0002-61
Service Area 3) * + \$12,000 from 0004-99 to 0002-61(Service Area 9)
Service Area 9) \$29,656.51 moved from 0002-16 to 0006-16 (Function 9040)
\$26,900 moved from 0004-99 to 0002-99
*-\$12,000 moved from 0004-99 to Service Area 3 -0002-61

IT IS FURTHER RESOLVED that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 11th day of April, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To set the 2023 MC-70 Dust Control fees. The first 400 feet is \$1,500.00 and \$2.50 per foot after that with a minimum of 50-foot increments. Motion carried.

Engineer Myron Parizek provided the break down one year at a time for the five-year program. Discussed design work for upcoming bridge replacements along with widening shoulders and replacing culverts. A number of roads will also be resurfaced.

Bierschenk moved/Primmer seconded: To approve the Iowa Department of Transportation (IDOT) Five-Year Proposed Plan for Secondary Road Construction Program FY 24-FY28. Motion carried.

Bierschenk moved/Primmer seconded: To approve the FY 24 IDOT Secondary Road Budget. Motion carried.

Bierschenk moved/Primmer seconded: To approve utility permit for Alliant Energy in Jackson and Cedar Townships. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

April 18, 2023

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 April 11, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Sheriff's Quarterly Report ending March 31, 2023. Motion carried.

Seeman made the motion, with Primmer to abstain and Bierschenk seconded: To approve Resolution #23-24, 2023 Noxious Weeds. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Resolution #23-24 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, 2023** and as often thereafter as is necessary to prevent seed production:

| Primary Noxious Weeds: Destroy by: May 1, 2023 | Secondary Noxious Weeds: Destroy By: May 1, 2023 |
|---|---|
| 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, Buckthorn 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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Dated this 18th day of April 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve a 3-year contract renewal with Cost Advisory Services, Inc. in the amount of \$4,450. Motion carried.

Primmer moved/Bierschenk seconded: To approve and sign documents pertaining to the CDBG-DR Deracho funding pass-through: East Central Iowa Council of Governments (ECICOG) Service Agreement, Federal Assurances Page, Subrecipient Assurances and Subrogation Agreement and Duplication of Benefits Certification. Motion carried.

The time being 9:30 a.m. and that being the set time for the FY 23 Budget Hearing was opened up for discussion. No comments were heard before today's meeting. Al Schafbuch, Benton County Farm Bureau Member was present and told the board they were doing a pretty good job but voiced his concern about upcoming budget years and assessments. Auditor Rippel explained the impact some of the legislative changes made on current budget and explained how the county is always working with three valuation years: 1) Treasurer file-2021 Values, what we are currently collecting taxes on Payable 22/23. 2) Auditor file is the 2022 values is what the upcoming FY 24 Budgets are estimating their revenue on for collection 23/24. 3) Assessor's file 2023 values in reference to most recent assessment notices that went out. Those are the amounts we will use for FY 25 Budgets. Supervisor Seeman also asked Rippel to explain the fund balances and how the non-levied funds and levied funds work. Currently Benton County has American Rescue Plan Act (ARPA) Local Assistance and Tribal Consistency Fund (LATCF) and other pass throughs. It is important to have fund balance reserves for operating expenses to keep us going when the new fiscal year starts July 1 and taxes aren't due until September 30. Hearing no further comments, Primmer moved/Bierschenk seconded to close the FY24 Budget Hearing at 9:42 a.m. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-25, Adopting FY 24 Budget. Motion carried.

RESOLUTION #23-25 ADOPTION OF THE FY24 COUNTY BUDGET

BE IT REMEMBERED that on this, the 18th day of April 2023, 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 2023-24 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 FY24 salaries for elected officials and as set forth and adopted in Resolution #23-5 is included in the FY24 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 - \$622,000 equipment/vehicle replacement, Emergency response, infrastructure
Rural Services Fund - \$32,000 land use administrator vehicle replacement
EMS Revolving Loan Fund - \$125,000 for emergency services loans
LOSST Fund - \$115,000 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 2023-24 (without gas and electric):

| | |
|----------------------|-------------|
| General Basic | \$5,987,994 |
| General Supplemental | \$3,918,697 |
| Rural Services Basic | \$4,339,178 |
| Debt Service | \$799,157 |

IT IS THEREFORE RESOLVED, by the Benton County Board of Supervisors that the FY24 budget is hereby adopted.

Dated this 18th day of April, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Auditor

Primmer pointed out the 7% increase for the elected officials' salaries included in Resolution #23-5, and how that trickles down to different aspects such as those elected officials' deputies. Due to the inflationary trend he recommended giving all county employees a 7% increase instead of the 5% that was previously approved on January 25, 2023 as long as each department stays within their individual budgeted amounts. Rippel asked if that included Unions, and Primmer answered yes that it would.

Primmer moved/Bierschenk seconded: To give 7% to all Benton County Employees. Motion carried.

Maggie Mangold, Chairman of the Benton County Board of Health provided an update regarding their recent action and recommendations for working towards a county-based health program. Currently Benton County contracts with Virginia Gay Hospital, but were given notice they wanted to cut ties. Mangold said at the time of their last meeting held last week, the Health Board voted to take the route of a county-based department and hire an administrator. Barb Greenlee brought up a recent conversation she had with Buchanan County that took place after the recent BOH meeting about possibly sub-contracting with them for a year, to help guide us and get a better feel for a budget and then maybe hire our own Director. An upcoming combined meeting with Buchanan County Public Health officials is planned and then this will be discussed further. Mangold reminded the Board about the grant funds and restrictions and how all purchases currently will need to be made by June 30, 2023. Discussion was hard regarding the recent vacated Human Resource Director position and possible formation of a hiring committee. Primmer pointed out that Benton County has around 130 employees, and he felt Benton County needed another director. Auditor Rippel asked if she could provide a handout with her vision and goals for this area. Pointing out that in years past, this work was always handled by the Auditor's office. The daily paperwork goes hand in hand with what employees in her office handle such as payroll and all the insurance deductions and flex spending etc. Back in 2021 when she approached the Board and asked to outsource some needs on an as needed basis was because of the added stress COVID caused in regards to lack of policies we had in place such as working from home, or the sick leave. She now has five employees counting herself and they are willing to take back the

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

duties and save the county money, stressing that the General Basic fund is already levied at the max. Asking to only outsource those personnel matters as they arise and have a non-biased professional handle those along with union negotiations for an hourly fee. Lough added he'd be happy to work on contract negotiations but adding his biggest concern for a county this size was confidentiality. He felt having someone dedicated to handle those situations is in our best interest. Primmer felt a hiring committee should be formed, and put that into motion adding that it was his turn to serve on it. Assistant Attorney Megan Hall agreed that an individual HR Director is needed so that those things can be handled by someone who specializes in this area and said she was also willing to serve on the hiring committee. Former County Auditor Jill Marlow said the HR work was always done in the Auditor's office and she felt the office was capable of handling the day-to day administration, and pointed out the office is currently handling the duties with the vacancy. Marlow also brought up concerns with upcoming budget restrictions and the future years could see a freeze like years past. Marlow also asked how often in a year's time would you have to call in outside help. The Board took a phone call from a concerned employee who asked that they get employees input as well. Recorder Lexa Speidel agreed to try it out for a year and see if it was cost saving, that employees are used to going to the Auditor's office for their needs. Supervisor Bierschenk observed there have been things that have been lax these past few years and said there is plenty of space to get everybody back up to speed but did not second the motion. Supervisor Seeman said he wants to see what is out there and would second the motion adding he didn't want it all dumped on the Auditor's lap, but felt the office should still be in charge of a lot of these things. Motion carried. Further discussion on who would serve on the hiring committee was had. Sheriff Ron Tippett was willing and Primmer asked that someone from Conservation and Secondary Roads also serve.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

April 21, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 3:30 p.m. at the conference room at the Benton County Service Center. *Unless otherwise noted, all actions were approved unanimously.*

Bierschenk moved/Primmer seconded: To enter into closed session pursuant to Iowa Code 21.5(1) c. at 3:31 p.m. Motion carried.

Bierschenk moved/Primmer seconded: To exit closed session. Motion carried at 4:26 p.m.

No action was taken.

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

Tracy Seeman, Chairman

ATTEST: _____

Nancy Jorgensen, Deputy Benton County Auditor

April 25, 2023

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

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday May 23, 2023 at 9:15 a.m. for Cory Haney in Parcel A in the NW ¼ of the SW ¼ of Section 15-86-9. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of April 18, 2023 and April 21, 2023. Primmer asked to change some verbiage pertaining to the HR discussion. Motion carried.

Primmer moved/Bierschenk seconded: To approve General Assistance Quarterly Report ending March 31, 2023. Motion carried.

Globe Life Family Heritage representatives were in attendance to present supplemental insurance. Primmer asked that they wait until we get another HR director hired and then come discuss with them.

Hayley Rippel brought up the topic regarding the vacant HR position. During this interim time, what is her office supposed to do regarding personnel matters. Primmer stated that Heartland Insurance Risk Pool has provided an individual that we can reach out to. Rippel pointed out that too comes with a fee, and hence referred back to the original proposal she brought forward last week. Primmer proceeded to say he did not want to enter into any new contracts that would cost and he would check with Heartland to see if and what that fee currently is. Rippel stated that they could agree to disagree and needed to move on.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142847 through 142854, ACH Deposits 52854 through 53005, claims numbered 245926 through 246044 and vendor checks numbered 246045 and 246052. Motion carried.

Primmer moved/Bierschenk seconded: To approve claim for True North in the amount of \$5,0904.00 using ARPA Funds. Motion carried.

There was no action taken on abating taxes on parcel #110-06150.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To clarify the motion made in last week’s meeting regarding increasing the prior approved 5% increase to reflect 7% increase to all employees leaving the previously mentioned exceptions as is: Jessica Meyer to \$23 an hour, Deb Cummings-\$44,000 a year, Ben Turnis-\$96,000 a year and Justin Birker to receive 90% of the Maintenance Director’s salary. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the contract amendment to DCAT-41-024, Community Partnership for Protecting Children and Decategorization Services pursuant to Iowa HF2578. Iowa Department of Human Services is merging with the Iowa Department of Public Health to become the Iowa Department of Health and Human Services, effective July 1, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-26, Employment status change for Baylie Grubic in Sheriff’s Office. Motion carried.

RESOLUTION # 23-26

WHEREAS, the Benton County Sheriff has a need for a full-time Communications Specialist at the Sheriff’s Office; and

WHEREAS, Baylie Grubic who has been employed by Benton County since September, 2022 and has been filling the position part-time;

WHEREAS, the Sheriff recommended that Baylie Grubic have her employment status be changed from part-time to full-time Communications Specialist for the Sheriff’s office, effective April 25, 2023 at the hourly rate of \$19.70 that is set by the union contract.

Passed this 25th day of April, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To acknowledge the resolution of Hunter Jensen, Weed department effective May 5, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Veterans Affairs Quarterly Report ending March 31, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To authorize out of state training for Cara Martin for National Training in June, 2023. Motion carried.

The time of 9:30 a.m. being the time and date set for the first consideration of a Resolution for declaring EMS as an essential service in Benton County. Anna DeMuth of the North Benton Ambulance and President of the Benton County EMS Association provided a few handouts and explained the system standards goals and how they have a plan for forming an advisory committee and working to get meetings set up. Passing the Resolution to declare this as essential is the key in getting this passed. The goal is to bring it before voters this upcoming November. Other members of the EMS Association were present, along with Scott Geissinger, Tami Stark and Michele Schoonover. There were not other comments heard before today’s meeting. After hearing no further comments, Auditor Rippel read the first reading of the resolution, based on Chapter 422D.1 of the Iowa Code.

Primmer moved/Bierschenk seconded: To approve the first reading declaring Emergency Medical Services (EMS) as an essential service. Motion carried.

Primmer moved/Seeman seconded: To approve and authorize Chairman’s signature regarding the recommendation of the construction permit application for a confinement feeding operation submitted by Matt Simon to increase the cattle head count on a proposed site in Section 25 of Leroy Township. All members voting aye. Motion carried.

Mona Onken and Mae Hintgen met with the board in regards to the memorandum of understanding between Benton County and the East Central Region Council of Governments regarding mental health. Sheriff Ron Tippett and County Attorney Ray Lough were also present for the discussion. The use of the Community Services Network (CSN) in dealing with clients, as well as confidentiality was brought up. Action was tabled until the May 2, 2023 meeting so that would allow time for the Sheriff to gather some answers he had. Barb Greenlee reported that there was nothing new to report regarding public health. They are still gathering information for their options moving forward.

Clay McBride with McBride Mobile Taps LLC discussed obtaining a vending machine waiver. He operates a portable trailer with various beers on tap. He is asking for a letter of support to allow him to operate within Benton County. He would reach out to the State what they require and ask for examples that have been done in other counties and ask that the Board waive it for one year. McBride would email the Auditor and get it put back on for approval next week.

Primmer moved/Bierschenk seconded: To approve utility permit for Alliant Energy south of HWY 30 to bore lines in the County’s Right of Way in Florence Township. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge Scott Gladson’s retirement from Secondary Roads effective in March, 2023. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Myron asked about clarification on wages pertaining to negotiating with secondary roads Union. The Board told him that was put onto him to take care of getting things handled.

Rick Wood, Maintenance Director presented some quotes he obtained for a new lawnmower. These prices reflect the trade in value for the 2015 John Deere Z665.

- Koop’s Sales and Service for an Exmark Lazer Z 60 inch in the amount of \$10,336

-Bodensteiner Implement Co. for a John Deere Z930M ZTrak in the amount of \$11,350.

Primmer moved/Bierschenk seconded: To approve the lawnmower purchase from Koop’s in the amount of \$10,336. Motion carried. The board recessed until 1:00 P.M. for an afternoon meeting.

Primmer spoke up to the subject of the call he made to Heartland Insurance during lunch break. In regards to the fees being charged for HR Services that were brought up earlier in the meeting. He reported that there is a \$190 hourly fee to utilize that individual mentioned.

The Board proceeded to take up the matter of the proposed lease modification brought forward by the Cedar Valley Ranch. They had a work session along with County Attorney Ray Lough to discuss what areas needed to be modified and adjusted. Lough prepared a rough draft to look over. Auditor Rippel would get another joint meeting set up maybe yet this week with members of the Cedar Valley Ranch’s Board. No action was taken in regards.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

April 28, 2023

The Benton County Board of Supervisors met in a special joint session with Supervisors Seeman, Primmer and Bierschenk present, along with members of the Cedar Valley Ranch Board. The meeting was called to order at 8:30 a.m. at the Cedar Valley Ranch Care Center’s Conference Room. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor’s office and at: www.bentoncountyia.gov*

The purpose of today’s meeting, was to continue discussing the needed revision to the lease agreement between Benton County and the Cedar Valley Ranch. Benton County owns the building and the Cedar Valley Ranch leases the facility. The two boards discussed in length how to come up with a fair monthly lease amount along with what will be the responsibility of the tenant or landlord. Ray Lough, County Attorney will finalize the revisions and get it formally approved on a future board meeting.

Primmer moved/Bierschenk seconded: To adjourn at 9:30 a.m. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 1, 2023

The Benton County Board of Supervisors met in a special joint session with Supervisors Seeman, Primmer and Bierschenk present, along with members of the Benton County Board of Health. The meeting was called to order at 10:30 a.m. at the Benton County Service Center Conference Room. *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>)*

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

The purpose of today’s joint meeting, was to continue discussing the route needed to go regarding Benton County Public Health. Members of the Board of Health present were Chairman, Dr. Maggie Mangold, Lisa Staab and Braxton Morrison. Maggie Mangold provided the update from their recent board meeting. In prior topic, they were looking into Buchanan County as an option to see if there was interest to sub-contract. Buchanan county does not have the capacity for that but would be willing to mentor. So back to the structure of how things are currently and the two options moving forward towards being county based again for providing public health. Mangold provided handouts with two options, making note that Board of Health recently voted to go with the 2nd option. The first option was similar to the current situation with Supervisors and Board of Health both having control over the Environmental Health and the BOH being over a Public Health Administrator in which currently we are contracting with Virginia Gay Hospital and Katie Cox is the Public Health Nurse. The 2nd option would be that the Supervisors would keep control over the Land Use Administrator and the BOH would oversee both the Public Health Staff along with Environmental Health. There was also discussion regarding the budget and office space. Lisa Staab reported on the earlier sub-committee meeting this morning, herself along with BOH member Kaitlin Emrich had with Auditor Hayley Rippel. Rippel explained the current spending authority and how the areas fall within the different funds and service areas. Staab understands the dollar amount they have to work with in both areas of public health and environmental health and trying to come up with a salary and other items needed. The county could amend and build line items accordingly going forward. Barb Greenlee and Matt Even, Benton County Land Use and Health Department employees also spoke up stating they would like it to continue as is for the environmental health department. Currently their salaries are split between Land Use and Health Department in the county budget. Former Land Use Administrator Marc Greenlee oversaw both the Land Use and Health Department. Supervisors controlled the Land Use portion of the budget and the BOH controlled the Health Department portion. Time is dwindling down, and the BOH would like to get a job description together and salary pinned down so they could advertise for the position or positions depending what is decided moving forward, along with where they will house the individual and where the existing Public Health supplies and equipment will need to go as well. Supervisor Primmer suggested another board meeting with just the 3 supervisors tomorrow afternoon and then reporting back to the Board Of Health so they can act accordingly at their upcoming meeting.

Primmer moved/Bierschenk seconded: To adjourn at 11:33 a.m. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 2, 2023

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

Primmer moved/Bierschenk seconded: To approve the minutes of April 25, 2023, April 28, 2023 and May 1, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To authorize a letter and signature for obtaining a vending machine waiver to the State of Iowa requested by McBride Mobile Taps. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To approve Resolution #23-27, Abatement of Taxes. Motion carried.

RESOLUTION #23-27

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: |
|-----------|------------|
| 870-44700 | \$18.00 |

Dated this 2nd day of May, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve the April 2023 Coronavirus State and Local Recovery Funds project ending March 31, 2023. Motion carried.

Mona Onken was in the office regarding the tabled action from last week’s MOU between Benton County and the Region referring to the Advocate position and duties. Mae Hintgen called in. Assistant Attorney Tim Dille brought up one concern being the agenda referred to the item as Exhibit A and it should be Exhibit B. Also referring Iowa Code 229.14 and the duties listed. Discussion regarding the roles of the county and the region with the reporting requirements along with the quality assurance program. Action was tabled again until things can be worked out and agreed up before being put back on an agenda.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-28, Proclamation for May being Community Action Month. Motion carried.

Resolution #23-28

WHEREAS, Community Action has made essential contributions to individuals and families across this Nation by creating economic opportunities and strengthening communities; and

WHEREAS, Community Action is a robust state and local force connecting people to lifechanging services and creating pathways to prosperity in 99% of all-American counties; and

WHEREAS, Community Action builds and promotes economic stability as an essential aspect of enabling and enhancing stronger communities and stable homes; and

WHEREAS, Community Action promotes community-wide solutions to challenges throughout our cities, suburbs, and rural areas; and

WHEREAS, Community Action delivers innovative services and supports that create greater opportunities for families and children to succeed; and

WHEREAS, Community Action insists on community participation and involvement ensuring that all sectors of the community have a voice and will be heard; and

WHEREAS, Community Action is celebrating 59 years of innovation, impact, and providing proven results for Americans.

NOW, THEREFORE, The Benton County Supervisors do hereby proclaim May 2023 as Community Action Month in recognition of the hard work and dedication of all [CITY AND/OR STATE] Community Action Agencies.

Signed this 2nd day of May, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve the second consideration of declaring EMS as an Essential Service in Benton County. Motion carried.

Seeman moved/Bierschenk seconded: To appoint the following members to the HR Director Hiring Committee: Sheriff Ron Tippet, Karen Uthoff, Doug Kearns, Shelby Williams, Megan Hill, Rick Primmer and Beth Geater. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on the IDOT Detour Agreement for IA HWY 150 Roundabout project. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Primmer seconded: To approve Resolution #23-29, Bridge Embargo Removal. Motion carried. Resolution #23-29

Bridge Embargo Removal

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:

FL-3910 0.1 mile west of the NE corner of section 10-82N-9W (Florence Township) on 75th Street

Signed this 2nd day of May, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve and authorize signature on the IDOT Detour Agreement for IA HWY 150 Bridge Replacement Project in 2024. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the resignation of George Haefner, Weed Commissioner effective May 5, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To recess until 1:00 p.m. Motion carried.

The Board Reconvened the meeting at 1:00 p.m.

Discussion was had over the revised lease agreement following Friday's meeting.

Primmer moved/Bierschenk seconded: To approve and authorize Chairman's signature on the Benton County Business Lease Agreement with Cedar Valley Ranch with a few changes such as striking 4.1 in its entirety and revising the wording in section 3.1. Motion carried.

Barb Greenlee requested to go into closed session to discuss her employment conditions.

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

Primmer moved/Bierschenk seconded: To Exit closed session at 1:53 p.m. Motion carried.

Primmer moved/Bierschenk seconded: To go with option one based on the two options the Board of Health provided. To hire a Public Health Administrator along with approaching Virginia Gay Hospital and see if they would be willing to grant a short extension if we don't have an administrator hired by July 1. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

May 9, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Bierschenk present. Primmer called in to the meeting. The meeting was called to order at 9:00 a.m. at the conference room at the Benton County Service Center. Members of the 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 (https://www.youtube.com/bentoncountyiowa)

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To approve the minutes of May 2, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve payroll checks numbered 142855 through 142864, ACH Deposits 53006 through 53155, claims numbered 246053 through 246201 and vendor checks numbered 246202 and 246208. Motion carried.

Primmer moved/Bierschenk seconded: To approve 22.5 vacation hours carryover for Cara Martin to be used by September 1, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class C Liquor License for Blairstown Sauerkraut Days Beer Tent for May 24, 2023 through June 6, 2023. Motion carried.

Maggie Mangold and Lisa Staab, both members on the Board of Health met with the supervisors to provide another update after their recent meeting. They also asked for a possible budget amendment for next fiscal year to accommodate the structure the supervisors chose to go with. They need to be able to financially support a full-time public health individual and an additional possible part-time to assist along with the other necessary expenses to provide the services. The Board agreed that this amount could be determined this fall with an amendment, once they know what all it will involve.

Bierschenk moved/Primmer seconded: To approve Resolution #23-30, Proclamation of Crisis Intervention Awareness Month. Motion carried.

**RESOLUTION #23-30
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 for the survivor(s) but also for the family and friends, and community of the survivor(s); and

WHEREAS, since critical incidents may happen to anyone at any time 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 2023 is hereby proclaimed as:
“CRISIS INTERVENTION AWARENESS MONTH”

Signed this 9th day of May, 2023.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To acknowledge and authorize chairman’s signature on the FY 2022 Cost Allocation Plan. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-31, Declaring Emergency Medical Services (EMS) to be an Essential Service. Motion carried.

RESOLUTION #23-31 DECLARING EMERGENCY MEDICAL SERVICES TO BE AN ESSENTIAL SERVICE

A resolution by Benton County to declare emergency medical services (EMS) to be an essential county service as authorized by Iowa Code Section 422D.1.

WHEREAS, Benton County supports EMS to its residents.

WHEREAS, ensuring efficient and effective EMS coverage is essential for maintaining the health and welfare of its residents.

WHEREAS, in order to be able to efficiently and effectively provide EMS to its residents, the Board of Supervisors will proceed with the process under Iowa Code Section 422D.1 to declare emergency medical services as an essential county service in order to allow an ad valorem property tax for EMS and the creation of a county emergency medical services system advisory council to assist in researching and assessing the service needs of the county and guiding implementation of the same.

NOW, THEREFORE, BE IT RESOLVED, Benton County hereby declares emergency medical services to be an essential county service.

BE IT FURTHER RESOLVED, Benton County directs that notice of the first meeting to consider this resolution be made and any other actions be taken as necessary to proceed with the process under Iowa Code Section 422D.1 to declare EMS be an essential county service.

HEREBY RESOLVED by the Board of Supervisors for Benton County on this 9th day of May, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Committee reports: Auditor Rippel attended last week's Heartland Insurance Meeting in Tama. Supervisor Seeman provided an update from the Conservation's meeting and was happy to report that Marlyn and Ann Jorgensen donated 40 acres of ground known as the Garrison Paha. They also got to tour the ground adjoining Wildcat that they are trying to obtain.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 16, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of May 9, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve and sign memorandum of understanding between Benton County and Virginia Gay Hospital to participate in the 340B Program.

Bierschenk moved/Primmer seconded: To set land use hearing for Tuesday June 13, 2023 at 9:15 a.m. for Joseph and Emily Damaro in part of Parcel A in the SE ¼ SE ¼ of 7-85-11. Motion carried.

Primmer moved/Bierschenk seconded: To approve use of Courthouse lawn by the Vinton Park and Rec Department for June 15, 2023 and October 28, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve and certify the tax suspension list to the Department of Human Services. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Primmer seconded: To approve Resolution #23-32, Wage and Classification change for Chris Moessner. Motion carried.

RESOLUTION #23-32

Wage and Classification Change

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 Chris Moessner be set at \$25.37 effective May 21, 2023. This position carries a Labor Grade VB classification.

Dated the 16th day of May, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Discussion was brought up regarding the per diem rate for meals and incidentals when employees travel in state and out of state. The \$30 rate has been in place since 2007. Myron Parizek brought up out of state traveling and the gsc guidelines that are available and listed per state.

Primmer moved/Bierschenk seconded: To increase the per diem meal reimbursement amount from \$30-\$60 as stated in the handbook and to follow the U.S. General Services Administration guidelines set for out of state traveling effective July 1, 2023. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To appoint the following individuals to the EMS Advisory Council for Benton County: Motion carried.

Transporting Services

Elana Johnson-Belle Plaine Area Ambulance Director
Cindy Pattee-Belle Plaine Area Ambulance Voting Member
Mindy Fisher-Blairstown Ambulance Director
Ben Darling-Blairstown Ambulance Voting Member
Anna Demuth-North Benton Ambulance Director
Scott Geissinger-North Benton Ambulance Voting Member

First Responders

Ben Kurka-Atkins First Responders
TBD-Atkins First Responders Voting Member
Shelly Docherty-Cedar, Mt. Auburn Fire & EMS
Dean Vrba-Cedar, Mt. Auburn Fire & EMS Voting Member
Mark Lint-Garrison First Responders
Erica Flickinger-Garrison First Responders Voting Member
Richard Loy-Keystone First Responders
TBD-Keystone First Responders Voting Member
Emily Peterson-Newhall Fire Department
Trent Claeys-Newhall Fire Department Voting Member
Marj Becker-Norway Fire & Rescue
Jim Nelson-Norway Fire & Rescue Voting Member
Kaila Cooper-Shellsburg First Responders
Vicky Hill-Shellsburg First Responders Voting Member
Nathan Johnson-Urbana, Polk Township Fire Department
Mike McFarlane-Urbana, Polk Township Fire Department Voting Member
Jeremy Hlas-Van Horne First Responders
Linda Hlas-Van Horne First Responders Voting Member

Medical Director Representatives

Brian Meeker
Angie Fults
Brad Wisnousky
Tim Sagers
Josh Pruitt

Benton County

Rick Primmer-Board of Supervisors District 1
Tracy Seeman-Board of Supervisors District 2
Gary Bierschenk-Board of Supervisors District 3
Scott Hansen-Emergency Management Member
Hayley Rippel-Clerk

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To approve Resolution #23-33 Hiring Paralegal in Attorney’s Office. Motion carried.
RESOLUTION #23-33

HIRING PARALEGAL IN COUNTY ATTORNEY OFFICE

WHEREAS: Benton County Attorney’s office has a full-time position to fill and

WHEREAS: Applications were accepted for the position and

WHEREAS: These applications have been narrowed to one.

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that Joyce Bane be hired to fill the position of Paralegal in the Attorney’s office at a starting salary of \$42,500 effective May 16th, 2023. She will be awarded 37 ½ hours of sick leave. Joyce Bane’s employment is governed by all other applicable parts of the Benton County Employee Handbook as well.

Dated the 16th day of May, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

The Board discussed vacancies in the weed department and Human Resources. The Weed Department is definitely under staffed are during this spray season. They are going to be advertising for positions and the need for CDL drivers currently is the biggest obstacle. Shelby Williams provide the update regarding the recent Brush Chipper purchase and how to proceed with obtaining the grant reimbursement for it. Williams agreed to help out during the interim, and help with areas such as turning in invoices for payment and helping get the Auditor get the job opening posted.

With the HR Director vacancy and some ongoing matters that still need resolved, Department Heads wanted clarification how to proceed. Shelby Williams, Conservation Director said she has always started with the Auditor’s office, and then reached out for outside advice who they then told her she needed to seek the Auditors office. Nancy Jorgensen, Deputy Auditor, whom has handled most of the HR duties in the past spoke up on the topic and also confronted the supervisors regarding someone speaking outside of the meetings and telling others she doesn’t know the duties. Jorgensen asked that he come to her first if he has future questions and she would be glad to explain things and can refer him to areas of the county handbook that the Auditor’s office uses for guidance. Supervisors agreed to continue having the Auditor’s office handle things and outsource if needed for the personnel matters through Heartland Insurance.

Judi Haymaker, Heartland Insurance Risk Pool and Mary Griffin, Account Executive for Holmes Murphy presented the 2023/2024 Property Renewal Comparisons. The County would be getting \$11,746 in premium credit this year. The mod factor increased from 1.20 last year to 1.38. The Board was previously given the recommendations of the new appraised values of the structures and were asked to go over all the contents. Haymaker and Griffin asked that with all those changes, to have all departments look things over one more time and notify them of any other changes.

The Board left the conference room to meet up at the Weed Department Office and look at some of the spraying equipment.

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

May 22, 2023

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

Primmer moved/Bierschenk seconded: To approve Resolution #23-34, Amending Services Areas in the FY 23 Budget. Motion carried.

RESOLUTION #23-34

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 service area(s) 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 1) \$5,000 moved from 0025-99 to 0001-28

Service Area 3) \$10,000 from 0002-60 to 0002-61

IT IS FURTHER RESOLVED that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 22nd day of May, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

County Attorney Ray Lough along with Deb Fleming, from the collections office came to discuss adding on new contracts to the Collections Department. Lough said that after loosing a county, he has been busy making some phone calls and has an opportunity with possibly three counties: Henry, Delaware and Dubuque. If those three counties agree and enter into contract with us, there would be a need for more employees with the added work load. Continued discussion was had regarding the thresholds they would need to meet in order to get the kick back. The state is currently doing the collections for these counties, and they don't receive any payment back, so this would benefit them as well as Benton County. The Board agreed to move forward with these as possible three year contracts and hope the income will offset the costs. Fleming explained how this would all have to be done and in place by June 30th. They will come back at a future meeting with the contracts if all parties agree.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

May 23, 2023

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 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.bentoncountya.gov (https://www.youtube.com/bentoncountyiowa)

Bierschenk moved/Primmer seconded: To approve the minutes of May 16, 2023 and May 22, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142865 through 142877, ACH Deposits 53156 through 53303, claims numbered 246209 through 246357 and vendor checks numbered 246358 and 246365. Motion carried.
Primmer moved/Bierschenk seconded: To approve ARPA claims for All Temp Refrigeration, \$23,922.75, Benton County Title Co - \$495.00, East Central Iowa REC -\$3,943.41, True North Consulting Group, LLC-\$4,428.00 and Racom Corporation-\$410,125.20. Motion carried.
Bierschenk moved/Primmer seconded: To approve Resolution #23-35, Abatement of Taxes. Motion carried.

RESOLUTION #23-35

WHEREAS, the State of Iowa 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.

Table with 2 columns: Parcel #, Taxes plus interest and costs Due:
830-11620 \$28.00

Dated 23rd day of May, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Class C Retail Alcohol license for McBride Mobile Taps. Motion carried.
Bierschenk moved/Primmer seconded: To approve Cigarette Permit for Kimm's Mini Mart. Motion carried.
Discussion regarding a proposed agreement from Virginia Gay Hospital to provide immunization audits was discussed, Braxton Morrison, Board of Health Member read an email from Kaitlin Emrich who couldn't attend the meeting. Per Iowa Code Chapter 137, outlining the duties of local boards of health. The agreement should be between the Board of Health rather than the county. No action was taken.
The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Cory Haney in part of Parcel A the NW 1/4 SW 1/4 of 5-86-9. Haney was present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Haney would like to change 1 Acre of land to allow for a new single-family dwelling. This site is not in production, CSR is 40. They share a driveway with neighboring property to the north. An easement is on record and the driveway appears to have adequate sight distance. A private water well and septic system will be needed. The required notifications were sent to six adjacent landowner's and published in the official newspapers. No comments were heard prior to today's meeting. Hearing no other further comments, the public hearing was closed.
Primmer moved/Bierschenk seconded: To approve the land use change for Cory Haney in Parcel A the NW 1/4 SW 1/4 of 5-86-9. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-36, No Parking on 25th Ave. Dr. in Taylor Township. Motion carried.

Resolution #23-36

WHEREAS, 25th Avenue Drive along the east corporate limits of Vinton has experienced a problem with vehicles being parked on the traveled portion of the roadway, and

WHEREAS, it is desirous that all vehicles not be parked on the traveled portion of the roadway, and

WHEREAS, it is also desirous that all vehicles use the parking area provided instead

THEREFORE BE IT RESOLVED by The Benton County Board of Supervisors that the regulatory sign "NO PARKING" be placed along the roadway on 25th Avenue Drive, and

BE IT FURTHER RESOLVED that parking along 25th Avenue Drive be prohibited from 61st Street Lane south approximately 1000 feet.

Signed this 23rd day of May, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve the 3-year Labor Contract with Secondary Roads, PPME local 2003 and authorize signature to be effective July 1, 2023 through June 30, 2026. Motion carried. Committee Reports were had.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

May 30, 2023

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 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.bentoncountya.gov (https://www.youtube.com/bentoncountyiowa)

Bierschenk moved/Primmer seconded: To approve the minutes of May 23, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on the Heartland Insurance risk Pool Client Authorization to Bind Coverage for FY 24. Motion carried.

Primmer moved/Bierschenk seconded: To replace Gary Bierschenk with Sarah Wagner on the Heritage Area Agency on Aging Board. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize chairman to sign the East Central Iowa Council of Governments (ECICOG) purchase of service contract for FY 24 for Benton County Transportation. Motion carried. Committee Reports were had including Communication Towers, dust control progress, Juvenile Detention and Opioid Seminar. Charlie Garwood, Vinton Fire Chief had inquired about the fire fighter mural that is currently on the Governor Sherman Building that will need to come down due to remodeling. They would like to place this mural on the west wall of the law enforcement center. Primmer reported he had talked with Sheriff Tippett and they felt this was a good fit.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve and authorize moving the fire fighter mural to get put onto the law enforcement center. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 31, 2023

The Benton County Board of Supervisors met in a special joint session with the EMS Advisory Council. Supervisors Seeman, Primmer and Bierschenk were present. The meeting was called to order at 7:00 p.m. at the conference room at the Benton County Service Center. Members of the 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.bentoncountya.gov*

The meeting was started with an introduction around the those in attendance in the room along with those listening via zoom. Anna Demuth, North Benton Ambulance Service Director explained the Iowa EMS system standard goals and what it means to have EMS be declared as an essential service.

Auditor Rippel explained the additional publication requirement for the ballot language needed for a public notice to voters for this specific public measure. She also shared examples from the county wide valuations and how the levy rates are configured. The maximum amount allowed for an EMS levy is .75 per thousand with a 15 year maximum time frame.

Continued discussion about how to inform the public and compile data to compare inflation over the years regarding the amount of calls per location or the amount of time it can take to respond to those calls. DeMuth would like all this gathered ahead of the next meeting so she can have time to put into all into a graph or pie chart. This information would allow them all a better idea of how to determine the asking levy amount needed for the ballot language for the November 7, 2023 Election.

Primmer moved/Bierschenk seconded: To set the next joint meeting with the EMS Advisory Council for Wednesday, June 15, 2023 at 7:00 P.M. at the EMA conference room at the Law Enforcement Center. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

June 6, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of May 30, 2023 and May 31, 2023. Motion carried.

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

Primmer moved/Bierschenk seconded: To approve Class C Retail Alcohol License for The Topsy Traveler's LLC. Motion carried.

Primmer moved/Bierschenk seconded: To Approve 28E Contract with Dubuque County for Collections. Motion carried.

Primmer moved/Bierschenk seconded: To approve farm exemption application for Ivan and Peggy Craig in part of the SE ¼ NW ¼ of section 14-84-11. Motion carried.

Supervisor Primmer reported they have received 31 applicants for Human Resource Director, they met last Friday and have narrowed down the field. They are conducting interviews all day on Friday the 9th.

Supervisor Seeman reported they have received 5-6 applications for the weed department, waiting till Friday to see if there is more. Seeman wants all 3 supervisors to go over them next week. Primmer asked if the applications/resumes can be forwarded over to them ahead of meeting. Seeman stated he will make copies and forward them to the other supervisors.

Seeman also reported that Conservation is looking into the IRM grant for the chipper. If they get the grant the chipper can only be used for the IRM and no other department. The grant is for \$15,000.00. Conservation tore into the well at the campground N side of the lake, campers are not able to use the bathrooms there and they are flushing the well. The building also got started at the Hannen Lake.

Primmer moved/Bierschenk seconded: To Authorize chairman to sign revision of Exhibit A of MOU from MH/DS East Central Region. Motion carried.

Bierschenk moved/Primmer seconded: To approve Exhibit B for MOU from MH/DS East Central Region. Motion carried.

Rex Maile, Pat Miles and Wayne Gibney came to the Board to discuss their road being seal coated. (74th Street) They are looking at sharing the cost with the County. They currently dust control 1,200 feet and are looking at seal coating the same amount. Myron Parizek, County Engineer, looked at the area and stated with winter maintenance they would need to find a driveway to turnaround, they would need 50-100 feet beyond the 1,200 feet to allow a turnaround. There is a driveway nearby that is approximately 70 feet.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Parizek stated 2 years ago the cost was about \$120,000 for a strong ½ mile. Since then the rock base has gone up 3 times, seal coating hasn't gone up much. They might be looking at \$60-\$65,000.00 for an estimate on this area. It would cost the 3 residents approximately \$11,000.00 each. More discussion was had on how long the seal coating would last and maintenance after the seal coating was applied. Parizek was instructed to get a better estimate and contact the residents.

Primmer moved/Bierschenk seconded: To approve Utility Permit for Alliant Energy to place gas line in the right of way in Leroy Township. Motion carried.

Bierschenk moved/Primmer seconded: To approve IDOT Federal-aid Agreement for a County Bridge Program Project: Agreement No 6-23-HBP-S-012 and IDOT Federal-aid Agreement for a County Bridge Program Project: Agreement No 6-23-HBP-S-013. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler, Benton County Deputy Auditor

June 13, 2023

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

Bierschenk moved/Seeman seconded: To approve the minutes of June 6, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve payroll checks numbered 142878 voided, 142879 replacement check and 142880 through 142889, ACH Deposits 53304 through 53455, vendor checks numbered 246366 through 246372 and claims numbered 246373 through 246555. Motion carried.

Bierschenk moved/Seeman seconded: To set land use hearing date for Tuesday, July 11, 2023 at 9:15 a.m. for Jennifer & Bryan Bearbower in part of the SE ¼ of the SE ¼ of 25-85-10. Motion carried.

Treasurer Melinda Schoettmer reported that her office on Tuesday July 18, 2023 will be closed to the public so that everyone can attend their District 6 training in Cedar Rapids.

Bierschenk moved/Seeman seconded: To approve special Class C Retail Alcohol License for the Belle Plaine 4th of July Committee. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Joseph and Emily Damaro in part of Parcel A the SE ¼ SE ¼ of 7-85-11. Jeremy Sills was present to represent the Damaro's. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Damaro's would like to change 1 Acre of land to allow for a new single-family dwelling and pole building. This site is not in production, CSR ranges from 60-68. The applicants proposed widening an existing field driveway and that has been reviewed and approved. A private water well and septic system will be needed. The required notifications were sent to five adjacent landowner's and published in the official newspapers. There were two comments received prior to today's meeting. James Fleming stated that he was not in support of disturbing the timber area, but was not in opposition to the proposal. Daniel Bathurst called stating he was in support. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use change for Joseph and Emily Damaro in part of Parcel A the SE ¼ SE ¼ of 7-85-11. Motion carried.

Chairman Seeman gave an update from his recent Conservation meeting. They have raised around \$210,000 towards the Wildcat project.

Cara Martin, Veterans Affairs Director along with Dale Henry, Chairman of the Veterans Affairs Commission discussed revising the VA office hours. The VA Commission voted unanimously for modifying from full-time to part-time hours with a minimum of 20 hours per week. Martin explained how efficiently she works and wants to be fiscally responsible. If there is work to keep her more than 20 hours she will accommodate, but would probably work from 8-noon and be flexible for other needed times also. Her FY 24 salary was approved at \$58,850 so hourly that would be \$28.29. The two board members who were present were on board. There will need to be an agenda item to change Martin's employment status at a future meeting.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

June 14, 2023

The Benton County Board of Supervisors met in a special joint session with the EMS Advisory Council. Supervisors Seeman, Primmer and Bierschenk were present. The meeting was called to order at 7:00 p.m. at the conference room at the Benton County Emergency Operations Center.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyiowa.gov

The purpose of the Emergency Medical Services Advisory Council is to take all the different factors to determine what the cost for EMS services in Benton County a year is. Using the data that Anna DeMuth, Director of North Benton Ambulance collected after last meeting and put together a presentation. The rough estimated costs for EMS in a year throughout all of Benton County was \$1,150,000 not including Keystone, Mt. Auburn or Shellsburg. Demuth used the call history and other documentation to provide this oversight with various costs from the varied salaries, vehicles and supply costs. The amount of write-offs from Medicare/Medicaid was also concerning and how the revenue concerns play a huge factor with keeping these services available. Trying to determine a levy amount that would be most effective in helping offset the shortages for all. The Council looked at different tax impact options knowing that levy amount cannot go above .75 per \$1,000. The unanimous top concerns and issues from all was definitely the staffing, recruitment and retention of employees. Training costs and continued education for the staff along with cost of replacing equipment. These things all led to other important discussions such as mandated levy for fire but not for EMS. Good Samaritan laws, workman's comp and how important it is having first responders or an ambulance show up when those calls come in. We need more individuals with a passion for rural EMS, and how hard it is for smaller communities to retain the employees they have so they don't leave for bigger and better pay elsewhere. Not having the resources and people to staff these services could mean a life or death situation to any of us. It is not a matter of if, but when it does take place for ourselves or a family member. You are expecting an ambulance or first responder to show up whether you are on a farm or live in town. Things we all take for granted!

The next joint meeting with the EMS Advisory Council for Thursday, July 15, 2023 at 7:00 P.M. at the EMA conference room at the Law Enforcement Center. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

June 16, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 1:00 p.m. at the conference room 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 (<https://www.youtube.com/bentoncountyiowa>)*

Primmer moved/Bierschenk seconded: To approve provider contract for FY 24 Service and Rates for the HUB. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class C Retail Alcohol License for Kacena Farms for July 24, 2023 through July 23, 2024. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Retail Alcohol License for McBride Mobile Taps for July 17-21, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To appoint David Eilander as a Medical Examiner Investigator. Motion carried.

Maggie Mangold brought the Public Health Board's recommendation for their choice for the Public Health Administrator. Grace Petrezelka Gage is willing to start as early as Monday if we can make it work within the current budget. Auditor Rippel explained doing a service area amendment to get us by that first pay period in the current fiscal year. This would allow Grace to overlap with Katie Cox, Virginia Gay Hospital for a few weeks. The Supervisors will need to find office space for her to move all the computers and equipment that will need to be housed along with her. They will try and get something handled and hopefully be prepared within the next two weeks and let them know.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-37, Hiring Public Health Administrator. Motion carried.
RESOLUTION #23-37

HIRING PUBLIC HEALTH ADMINISTRATOR

WHEREAS: Benton County has a need for a full-time Public Health Administrator;

WHEREAS: Benton County Health Board accepted applications for the position and

WHEREAS: These applications have been narrowed to one.

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that Grace Petrezelka Gage be hired to fill the position of Public Health Administrator at a starting salary of \$75,000 effective June 19, 2023. Grace's employment is governed by all other applicable parts of the Benton County Employee Handbook as well.

Dated the 16th day of June, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve FY24 CPPC and DECAT Services Contract. Motion carried.
Jim Fleming presented a concern to the Supervisors regarding his pond that was done through the Watershed. There is water going under the State HWY 218. Fleming's fence around the pond is also in the state's right of way and will need to be moved. With the Middle Cedar Watershed no longer active, and funds are done, who is responsible to pay to get this taken care of. The Supervisors referred to the contract and how it says to contact the NRCS for technical assistance. Fleming will go talk to the NRCS office, and Seeman will make some phone calls and after the meeting is over he will come out to the site and look things over.
The Board looked over applications they received for the Weed Department. They narrowed down to two they want to interview for the Weed Commissioner position, and agreed to then include the new hire to go through the applications received for the part-time and seasonal positions. They will get a meeting set up to do these interviews in the near future.
Bierschenk moved/Seeman seconded: To adjourn. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

June 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 1:00 p.m. at the conference room at the Benton County Service Center. Members of the public are invited to join in during open session. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyia.gov*

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

June 20, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of June 13, June 14, and June 16, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-38, Changing employment status of Cara Martin, Veterans Affairs Director from full-time to part-time employment effective July 1, 2023. Motion carried.

RESOLUTION # 23-38

WHEREAS, the Veterans Affairs Director is currently a full-time county employee and the current job description's workweek is 40 hours; and

WHEREAS, Cara Martin who has been employed by Benton County since May 24, 2021, and has been filling the position full-time;

WHEREAS, the Veterans Affairs Commission has recommended that Cara Martin have her employment status be changed from full-time to part-time Veterans Affairs Director, working a minimum of 20 hours per week but more as deemed necessary to meet the needs of the county Veterans; effective July 1, 2023 at the hourly rate of \$28.29.

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING policies and job description are amended accordingly and adopted for the Office of the Benton County Veterans Affairs:

1. In accordance with Iowa Code Chapter 35B.6(4)(b)(1), the Benton County Veterans Affairs Director, shall be employed as a part-time county employee and work a minimum of 20 hours per week, paid at an hourly rate of \$28.29, effective July 1, 2023.

Passed this 20th day of June, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To set the dates for Flood Plain Ordinance #79 considerations as follows: First Reading July, 25, 2023 at 9:30 a.m. and the second and final of August 1, 2023 and waive the third. Motion carried.

Bierschenk moved/Primmer seconded: To approve handwrite claim # 246556 for Thys Motor Company for (3) 2023 Dodge Ram 1500 Crew Cabs in the amount of \$116,460. Motion carried.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, July 25, 2023 at 9:15 a.m. for Bryce and Michelle Nemitz in Parcel A in NW ¼ NW ¼ of 3-84-9. Motion carried.

The Human Resource Director Hiring Committee came to present their recommendation for their choice candidate to hire. They received 31 applicants and narrowed it down to five to interview with a unanimous decision to hire one. They did have one veteran who applied, and sadly has since passed away before an interview could be scheduled.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-39, Hiring Suanne Wilber as Human Resource Director. Motion carried.

RESOLUTION #23-39

HIRING HUMAN RESOURCES DIRECTOR

WHEREAS: Benton County had a need to hire for the Human Resources position; and

WHEREAS: A Human Resources Committee was created and applications were accepted for the position; and

WHEREAS: The Human Resources Committee has requested that it be as an employment agreement;

WHEREAS: The Human Resources Hiring Committee has narrowed the applications down to one.

THEREFORE, BE IT RESOLVED By the Benton County Board of Supervisors that Suanne Wilber be hired to fill the position as Human Resources Director at a starting salary of \$80,000 effective July 17, 2023. She will be awarded 37.5 hours of sick leave and four weeks of vacation per year starting immediately. Suanne’s employment is governed by all other applicable parts of the Benton County Employee Handbook and Employee Contract as well.

Dated the 20th day of June, 2023.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

The Engineer brought bids received for a new commercial zero grade turn lawn mower as follows:

P & K Midwest John Deere Z950R for \$13,900

Koops Exmark Lazer Z XSeries-\$15,979

Koops Exmark Radius X-series-\$19,964

Kromminga Hustler X One-\$10,490

Primmer moved/Bierschenk seconded: To award bid to Kromminga per Engineer’s recommendation for the Hustler X-One in the amount of \$10,490. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-40, Amending Service Area(s). Motion carried.

RESOLUTION #23-40
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 service area(s) 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 1) \$6,100 moved from 0001-05 to 0090-43

Service Area 3) \$2,900 from 0001-10 to 0001-23

\$600 from 0002-10 to 0002-23

IT IS FURTHER RESOLVED that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 20th day of June, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

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

Tracy Seeman, Chairman

ATTEST: _____
Hayley Rippel, Benton County Auditor

June 27, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of June 20, 2023. Motion carried. Discussion for a meeting next week with the 4th of July holiday falling on a normal meeting day. The Board agreed to skip next week and have a meeting on Friday June 30, 2023 instead.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142890 through 142905, ACH Deposits 53456 through 53609, handwrite 24556 on 6/20/23, vendor checks numbered 246557 through 246564 and claims numbered 246565 through 246714. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-41, Approve hiring of Darren Stien, Roadside Manger for the Weed Department effective July 1, 2023. Motion carried.

RESOLUTION #23-41

APPROVING HIRE IN ROADSIDE MANAGEMENT AND WEED DEPARTMENT

IT IS HEREBY RESOLVED that the Weed Commission has a vacancy for the position of a full time Roadside Manager, and;

WHEREAS applications were received and interviews have been conducted;

WHEREAS, Darren Stien has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Darren Stein be hired as a full-time Roadside Manager in the Weed Commission department, effective July 3, 2023 with an annual salary of \$56,000.

Date this 27th day of June, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Hayley Rippel, Auditor and Commissioner of Elections along with her Elections Deputy Gina Edler explained the need for new Election Equipment. The current optical scan readers can no longer receive upgrades. Edler presented a hand out explaining we currently have 22 machines they will take in on trade, but with the reduction of precincts do to the re-districting, we are only looking at 20 new machines. The voters shouldn't see much difference when they vote at the polls, but just like any computers or electronic devices, they all become outdated over time and need upgraded. Rippel asked for a verbal approval so that her office could let the vendor know and possibly receive the new equipment in time to use at the upcoming November Election. This would allow them along with election workers to get familiar with it before the 2024 Elections. Supervisor Primmer agreed that made sense before the large General Election and also questioned what warranty the machines would come with. The estimated cost is \$99,000 and there would still be an annual maintenance fee as usual. Rippel asked if it was necessary, they could get an ARPA committee meeting scheduled in the upcoming weeks to see about using ARPA Funds for payment or she has inquired with the vendor about dividing the cost over three fiscal years interest free. The Board agreed to pursue, and bring back the contract agreement for formal approval which would also explain the warranty and maintenance portion.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-42, Certification of the FY 24 Deputy Salaries of the County Attorney, Auditor, Recorder, Sheriff and Treasurer. Motion carried.

RESOLUTION #23-42

CERTIFICATION OF DEPUTY/ASSISTANTS SALARIES FOR FY24

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 –70% of the principal officer
 Courtney Long-68% of the principal officer
 Alisha Burmeister-66% of the principal officer

Recorder's Office:

Marla Sutton-85% 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
 Karen Uthoff-Office Administrator-\$68,000

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-\$88,275.00

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Dated this 27th day of June 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #23-43, FY 24 Departmental Appropriations. Motion carried.
RESOLUTION # 23-43
APPROPRIATIONS

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2023, 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 2023/2024 on April 18, 2024, be and are itemized by service area to each department on the budgets filed in the office of the county auditor on July 1, 2023 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, 2023.

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 2023-2024 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 2023-2024 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 26, 2024, 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, 2024, for payroll expenses occurring after the date stated in Section 7, for the final processing of expenses submitted on or before June 19, 2024, and for any expenses approved by the Board of Supervisors subsequent to June 25, 2024. All appropriations will lapse at the close of business June 30, 2024.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 27, 2023.

 Tracy Seeman, Chairman

 Gary Bierschenk

 Rick Primmer

ATTEST:

 Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #23-44, FY 24 Bank Depositories. Motion carried.

Resolution #23-44
 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 2024.

| | |
|------------------------------|---------------|
| 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 | \$ 13,000,000 |
| Central State Bank | |
| Walford | \$ 2,000,000 |
| Atkins Savings Bank & Trust | |
| Atkins | \$ 1,000,000 |
| Keystone Savings Bank | |

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

| | |
|----------------------------|--------------|
| Keystone | \$ 3,000,000 |
| Dysart State Bank | |
| Dysart | \$ 500,000 |
| First Federal Credit Union | |
| Urbana | \$ 2,000,000 |

Signed this 27th day of June, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #23-45, FY 24 Official Bank Depositories. Motion carried.

RESOLUTION #23-45

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 Tippett, Sheriff | |

| | |
|---------------------------------------|------------|
| Farmers Savings Bank & Trust – Vinton | \$ 500,000 |
| Ron Tippett, Sheriff | |

| | |
|---------------------------------|----------|
| US Bank | \$ 1,000 |
| Dean Vrba, Transportation Dept. | |

| | |
|------------------------------------|----------|
| Midwest One Bank | \$ 2,500 |
| Signed this 20th day of June, 2023 | |

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Ann Jorgensen, Commission member of the Integrated Vegetation Roadside Management (IVRM) came to discuss the program with the Supervisors. Jorgensen gave a brief history how the program got its start in Benton County about 10 years ago and what the benefits are for. However she felt the program has not been functioning appropriately lately. It is critical to pay attention to our environment and why the program was established was to help cut down on herbicides and keep a safe and healthy roadside. Jorgensen said if they can't keep it going doing what it was designed to do, she would rather see doing away with it. Primmer said it was hard to keep everyone happy, but they can do what's best for the county environment. Chairman Seeman explained how they just hired a new Weed Commissioner, who would start work next week and allow him time to get familiar with the program and get a meeting set up. Jorgensen asked about what the county's long term objectives are and asked to be provided a copy of the revised job description of the weed commissioner. She thanked the board for her time and would look forward to an upcoming IRVM meeting soon.

Sheriff Tippett provided an update that the sheriff Union Memorandum of Understanding was voted and approved and he would come back with the official signed copy for a later meeting for formal action.

Bierschenk moved/Primmer seconded: To approve Resolution #23-46, Hiring (2) full-time positions in the Benton County Attorney's Collection Office. Motion carried.

RESOLUTION #23-46

HIRING IN COUNTY ATTORNEY OFFICE

WHEREAS: Benton County Attorney's Collection Office has a need for (2) full-time positions; and

WHEREAS: Applications were accepted for the position and

WHEREAS: These applications have been narrowed to two.

THEREFORE BE IT RESOLVED By the Benton County Board of Supervisors that Ronald James Parmenter and Kelsey Robbins be hired to fill the positions in the Attorney's Collection office at a starting salary of \$35,750 effective July 10, 2023. Their employment is governed by all other applicable parts of the Benton County Employee Handbook.

Dated the 27th day of June, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-47, Enter into a 28E Agreement with Bremer County for delinquent court debt collections. Motion carried.

**RESOLUTION #23-47
AMEND RESOLUTION #16-52
RESOLUTION TO ENTER INTO 28E AGREEMENT WITH BREMER COUNTY REGARDING DELINQUENT COURT DEBT
COLLECTIONS**

WHEREAS, Benton County and Bremer County have elected to participate in the collection of delinquent court obligations on the county level since July 2016 with Resolution #16-52 ; and

WHEREAS, the Benton County Attorney and Bremer County Attorney have discussed entering into a revised 28E Agreement with each other regarding delinquent court debt collections and have determined that it would be in the best interest of both counties to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE BENTON COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

Resolution #16-52, is voided and replaced with Resolution #23-47, The proposal to enter into a revised 28E Agreement with Bremer County for the collection of delinquent court debt is hereby approved and the Chairman of the Board of Supervisors for Benton County is hereby authorized to execute said 28E Agreement on behalf of Benton County.

PASSED AND ADOPTED THIS 27th DAY OF JUNE, 2023.

Tracy Seeman, Chair

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

**28E Agreement for Benton County & Bremer County Collection
of Delinquent Court Obligations**

WHEREAS Benton County and Bremer County have elected to participate in the collection of delinquent court obligations on the county level, including collections under the County Attorney payment plan for driver's license reinstatement, under Iowa Code §321.210B; and

WHEREAS each county has filed with the Clerk of Court for their respective county the required annual notice of full commitment to collect delinquent court debt for all cases assigned to that county for collection by the court, in accordance with Iowa Code §602.8107(4); and

WHEREAS, according to the 2021 Census, the population of Benton County is 25,691 and the population of Bremer County is 23,081; and

WHEREAS, pursuant to Iowa Code §§602.8107(4)(c)(2)(e) and 602.8107(4)(e)(2), and annual delinquent debt collection threshold of \$50,000.00 will apply collectively to Benton and Bremer County under this 28E Agreement; and

WHEREAS Benton County and Bremer County will each devote the appropriate administrative resources to comply with their obligations to collect delinquent court debt, pursuant to Iowa Code §602.8107 and Chapter 28E; and

WHEREAS the Board of Supervisors for each County has passed Resolution approving this Agreement and authorizing their respective Chairperson to execute this Agreement.

IT IS THEREFORE AGREED by and between Benton County and Bremer County as follows:

1. Benton County and Bremer County shall share and consolidate their delinquent court debt obligation collections, pursuant to Iowa Code §602.8107(4)(e) and Iowa Code Chapter 28E.
2. Each County shall devote the necessary time of their County Attorney and the County Attorney's staff to collect delinquent court obligations, pursuant to Iowa Code §602.8107(4), but Benton County will provide training and assistance to Bremer County in collecting monies owed in Bremer County cases. This includes the use of Benton County Collection staff for preparation of documents and filings. The Bremer County Attorney's Office shall make all necessary court appearances in Bremer County.
3. Benton County shall remain responsible for its entire collection participation for monies owed in Benton County and will retain one hundred percent (100%) of income received in conjunction with money collected in Benton County cases and other counties excluding Bremer County.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

4. Each County shall provide the necessary resources, including, but not limited to, computer equipment, computer software, postage, paper, envelopes, and other office supplies to collect delinquent court obligations.
5. For the fiscal year ending June 30, 2024 the monies distributed to Bremer County pursuant to Iowa Code Section 602.8107 shall be distributed forty-six percent (46%) to Benton County and fifty-nine percent (59%) to Bremer County, with the agreement regarding those amounts that the Benton County Attorney's Office shall be entitled to one (1%) of Benton County's over the threshold amount and the Bremer County Attorney's Office shall be entitled to four (4%) over the threshold amount. The delinquent court obligations owed and collected in each respective county shall be accounted for separately so that said monies received from the State as a result of said collection efforts can be attributed to the appropriate respective county. Disbursements of said monies to Benton County from Bremer County shall be made on a monthly basis and within ten (10) days of their receipt.
6. In the event that the Counties determine that it would be mutually beneficial to share the use of any personal property, with said property to be utilized by the County Attorneys in their collection efforts, then said purchase must be approved by the Board of Supervisors for both Counties, if the total purchase price of the item, or multiple items obtained through a combined purchase, exceeds \$800.00. Each county will provide one-half of the funds for the purchase of said personal property. If said personal property is later sold, then each county shall receive one-half of the net sale proceeds from the sale of said property.
7. The County Attorneys and their respective staff members shall share information and resources which will facilitate the collection of delinquent financial obligations in the counties.
8. The annual delinquent debt collection threshold of \$50,000.00 shall apply to the combined collection efforts under this Agreement and pursuant to Iowa Code §602.8107(4)(e)(2).
9. This Agreement shall become effective upon all parties hereto signing, and shall be effective through June 30, 2024.
10. This Agreement shall automatically renew, under the fifty-percent (50%) to each county and county attorney's office agreement, unless either County to this Agreement renegotiates this agreement or gives the other County written notice of termination of this Agreement no later than May 1 of the respective fiscal year.

 Tracy Seeman, Chairman
 Benton County Board of Supervisors

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

 Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

June 30, 2023

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

Primmer moved/Bierschenk seconded: To approve the minutes of June 27, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve the use of courthouse lawn for the Vinton Cruise Committee on September 23, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve use of the courthouse lawn for Vinton Unlimited for the Boomtown festivities to be held on August 26, 2023. Motion carried.

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

Bierschenk moved/Primmer seconded: To approve service agreement to participate in the Iowa State Association of Counties (ISAC) HIPPA Program. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-48, Enter into 28E with Dubuque County regarding delinquent court debt collections. Motion carried.

**RESOLUTION #23-48
RESOLUTION TO ENTER INTO 28E AGREEMENT WITH DUBUQUE COUNTY REGARDING DELINQUENT COURT DEBT COLLECTIONS**

WHEREAS, Benton County and Dubuque County have elected to participate in the collection of delinquent court obligations on the county level; and

WHEREAS, by combining their efforts under a 28E Agreement, Benton County and Dubuque County will return unpaid debt to the State, Benton and Dubuque Counties, and will return unpaid victim restitution to the victims of crime in both counties; and

WHEREAS, the Benton County Attorney and Dubuque County Attorney have discussed entering into a 28E Agreement with each other regarding delinquent court debt collections and have determined that it would be in the best interest of both counties to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE BENTON COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

The proposal to enter into a 28E Agreement with Dubuque County for the collection of delinquent court debt was hereby approved by a motion in the minutes on June 6, 2023 and the Chairman of the Board of Supervisors for Benton County is hereby authorized to execute said 28E Agreement on behalf of Benton County.

PASSED AND ADOPTED THIS 30th DAY OF JUNE, 2023.

Tracy Seeman, Chair

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

28E Agreement for Benton and Dubuque County Collection Of
Delinquent Court Obligations

WHEREAS Benton County and Dubuque County have elected to participate in the collection of delinquent court obligations on the county level, including collections under the County Attorney payment plan for driver's license reinstatement, under Iowa Code § 321.210B; and

WHEREAS Dubuque county has filed with the Clerk of Court for their respective county the required notice of full commitment to collect delinquent court debt for all cases assigned to that county for collection by the court, in accordance with Iowa Code § 602.8107(4); and

WHEREAS, according to the State Data Center of Iowa, the most recent population of Dubuque County is 98,677 and

WHEREAS, pursuant to Iowa Code §§ 602.8107(4)(c)(2)(e) and 602.8107(4)(e)(2), an annual delinquent debt collection threshold of \$300, 000.00 will apply to Benton and Dubuque County under this 28E Agreement; and

WHEREAS Benton County and Dubuque County will each devote the appropriate administrative resources to comply with their obligations to collect delinquent court debt, pursuant to Iowa Code § 602.8107 and Chapter 28E; and

WHEREAS the Board of Supervisors for each County has passed a Resolution approving this Agreement and authorizing their respective Chairpersons to execute this Agreement.

IT IS THEREFORE AGREED by and between Benton County and Dubuque County as follows:

1. Benton County and Dubuque County shall share and consolidate their delinquent court debt obligation collections, pursuant to Iowa Code § 602.8107(4)(e) and Iowa Code Chapter 28E.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

2. Each County shall devote the necessary time of their County Attorney and the County Attorney's staff to collect delinquent court obligations, pursuant to Iowa Code § 602.8107(4), but Benton County will provide assistance to Dubuque County in collecting monies owed in Dubuque County cases. This includes the use of Benton County Collection staff for the daily collections of any money owed to Dubuque County. Benton County agrees to assist with the preparation of documents and filings. The Dubuque County Attorney's Office shall make all necessary court appearances in Dubuque County.
3. Benton County shall remain responsible for its entire collection participation for monies owed in Benton County cases and will retain one hundred percent (100%) of income received in conjunction with money collected in Benton County cases and other counties excluding Dubuque County.
4. Each County shall provide the necessary resources, including, but not limited to, computer equipment, computer software, postage, paper, envelopes, and other office supplies to collect delinquent court obligations.
5. For the fiscal year beginning July 1, 2023, the monies distributed to Dubuque County pursuant to Iowa Code Section 602.8107 shall be distributed fifty percent (50%) to Benton County and fifty percent (50%) to Dubuque County. This distribution percentage shall remain the same for each and every year this agreement is in effect, and can only be modified as described in this agreement. The delinquent court obligations owed and collected in each respective county shall be accounted for separately so that said monies received from the State as a result of said collection efforts can be attributed to the appropriate respective county. Disbursements of said monies to Benton County from Dubuque County shall be invoiced on a quarterly basis and are due within twenty (20) days of the receipt of said invoice.
6. The County Attorneys and their respective staff member shall share information and resources which will facilitate the collection of delinquent financial obligations in the counties.
7. This Agreement shall become effective upon all parties hereto signing, and shall be effective through June 30, 2026.
8. At the conclusion of the initial three year period this agreement shall automatically renew for a period of one year under the same terms and conditions, unless either County to this Agreement gives the other County written notice of termination of this Agreement no later than April 1 of the respective fiscal year.
9. If any County elects to terminate this Agreement pursuant to Paragraph 8 above, then said County shall provide the other County and that county's County Attorney with written notice of said election to terminate this Agreement. Written notices shall be sent by certified mail to the following respective addresses:
- Benton County Board of
Supervisors Benton
County Courthouse
111 East 4th Street
Vinton, IA 52349

Benton County Attorney
Benton County Courthouse
111 East 4th Street
Vinton, IA 52349

Dubuque County Board of
Supervisors Dubuque County
Courthouse
720 Central Ave
Dubuque, Iowa 52001

Dubuque County Attorney
Dubuque County Courthouse
720 Central Ave
Dubuque, Iowa 52001
10. If any terms or provisions of this Agreement shall be held to be invalid or unenforceable for any reason, then the remaining terms and provisions shall continue to remain in full force and effect. If a court finds that any term or provision of this Agreement is invalid or unenforceable, but that such term or provision could be limited and thereby be considered valid and enforceable, then such term or provision shall be deemed to be written, construed, and enforced in accordance with said limitation.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

11. This Agreement is the complete agreement between the parties. Any amendment to this Agreement must be made in writing and must be approved by the Board of Supervisors for each County before going into effect. Any amendment made shall also require the approval of the County attorney for each County.

Entered into on this 6th day of June, 2023.

Tracy Seeman, Chairman
Benton County Board of Supervisors
STATE OF IOWA, COUNTY OF BENTON, SS:

Be it remembered that on this 6th day of June, 2023 before me a notary public in and for Benton County, Iowa, personally appeared Tracy Seeman, Chairman of the Board of Supervisors of Benton County, Iowa to me know to be the person named in and who executed the foregoing instrument and acknowledge that he executed the same as his voluntary act and deed and on behalf of Benton County, Iowa.

Notary Public in and for the State of Iowa

Chairman
Dubuque County Board of Supervisors
STATE OF IOWA, COUNTY OF DUBUQUE, SS:

Be it remember that on this 30th day of May, 2023, before me, a notary in and for Dubuque County, Iowa, personally appeared Harley Pothoof, Chairman of the Board of Supervisors of Dubuque County, Iowa, to me known to be the person named in and who executed the foregoing instrument and acknowledge that he executed the same as his voluntary act and deed and on behalf of Dubuque County, Iowa.

Notary Public in and for the State of Iowa

Primmer moved/Bierschenk seconded: To approve annual Special Class C Retail Alcohol License for Bloomsbury Farm Inc. Motion carried.

Primer moved/Bierschenk seconded: To approve Special Class C Retail Alcohol License for MidWest Sips for July 15-19th, 2023. Motion carried.

Primer moved/Bierschenk seconded: To approve Special Class C Retail Alcohol License for Peach Cart Co. for July 18-22, 2023. Motion carried.

The Board discussed a last minute firework permit that will need to be a call in meeting next weekend since the event is taking place July 8 along with a few committee reports.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)(c) at 10:30 a.m. to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would likely to prejudice or disadvantage the position of the governmental body in the litigation in accordance with Iowa Code Section 622.10 to discuss attorney/client privileged and attorney work product matters with legal counsel. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Primmer moved/Bierschenk seconded: Exit closed session at 11:47 a.m. 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 “S-S”

July 5, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer present, Bierschenk was absent. The meeting was called to order at 9:00 a.m. in the Auditor's Office of the Courthouse. Members of the public are invited to attend. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyia.gov*

Primmer moved/Seeman seconded: To approve the minutes of June 30, 2023. Motion carried.

Primmer moved/Seeman seconded: To approve the Fireworks permit submitted by Chris Herr for the Watkins Community Athletic Association's celebration on July 8, 2023. Motion

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

July 11, 2023

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

Primmer moved/Bierschenk seconded: To approve the minutes of July 5, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve payroll checks numbered 142906 through 142917, ACH Deposits 53610 through 53762, vendor checks numbered 246715 through 246721 and claims numbered 246722 through 246848. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Darren Stein as Benton County Weed Commissioner pursuant to Iowa Code 317.3. Motion carried.

Primmer moved/Bierschenk seconded: To approve the use of courthouse lawn for the Vinton Cruise Committee on September 23, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Special Class C Retail Alcohol License for The Tippy Traveler's LLC for August 2-6, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve farm exemption application for Timothy Stainbrook in part of the SE ¼ of Section 24-86-10. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #23-50, Approving Ludden Second Addition Final Plat in Benton County, Iowa. Motion carried.

RESOLUTION #23-50

AMENDING 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 and previously approved by the Benton County Board of Supervisors on November 14, 2022 by Resolution #22-107,

WHEREAS, Ludden Second Addition to Benton County, Iowa, 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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

- 3. 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 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 11th day of July, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Auditor’s Quarterly Report ending June 30, 2023. Motion carried.
Bierschenk moved/Seeman seconded: To approve General Assistance Quarterly Report ending June 30, 2023. Motion carried.
The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jennifer and Bryan Bearbower in part of the SE ¼ NE ¼ of 24-85-10. Bryan Bearbower was present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Bearbower would like to change 2 acres for a new residence. The site is not in production and has a CSR of 85. There is an existing driveway that meets all policy requirements. This location will need a new well and septic. The required notifications were sent to 8 adjacent landowner’s and published in the official newspapers. There was no comments heard for or against prior to today’s hearing and Even felt this proposal should not have any negative impacts to the surrounding farm operations. Allowing time for public input, adjacent owner Eric Legue voiced his concerns with the poor water quality in the area and how another residence nearby could affect the value of his property. Barb Greenlee replied to the water concerns asking if it was pump problems or aesthetics of the water. Unfortunately the minerals and odors of the water would be a private issue. The nearby pond was also discussed and how it has been empty for a few years. Another adjacent property owner, Doris Walker also had concerns with the privacy if another residence is nearby along with the dust control in the area. Supervisor Seeman reported with how dry it is, that dust is a concern everywhere. Hearing no other further comments, the public hearing was closed.
Bierschenk moved/Seeman seconded: To approve the land use change for Jennifer and Bryan Bearbower in part of the SE ¼ NE ¼ of 24-85-10. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.
Bierschenk moved/Seeman seconded: To approve Sheriff’s Quarterly Report ending June 30, 2023. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To approve Resolution #23-51, Transfer of Funds for FY 24. Motion carried.
RESOLUTION #23-51

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 - \$265,000.00

The auditor is authorized to make the necessary adjustments to the FY24 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on July 11, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To approve Resolution #23-52, Interfund Operating Transfers for FY 24. Motion carried.

RESOLUTION #23-52

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 2023-2024 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, 2023, shall not exceed the amounts listed in the respective funds as follows:

| FROM (Fund) | TO (Fund) | AMOUNT (max.) |
|----------------------|------------------|----------------|
| General Basic | Secondary Road | \$ 270,000.00 |
| Rural Services Basic | Secondary Road | \$ 3,100,00.00 |
| General Basic | Land Acquisition | \$ 200,000.00 |

Section 2. The auditor shall order a transfer each quarter of fiscal year 2023-2024. 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 July 11, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

The Board looked at the County Handbook, and the Auditor’s office needed some clarification on some recent revisions in personal paid holidays, particularly for all the new employees. The handbook that was posted on line from prior Human Resources Director had some revisions that weren’t all approved by the Supervisors. Nancy Jorgensen, Deputy Auditor pointed out those areas and provided copies. The county employees last version that they were asked to sign was in 2019. The Board agreed to proceed using that version that employees signed off on and in particularly referencing for the 4th of July holiday pay which is affected in this next payroll. Ben Turnis, IT Director was inquiring on a new county ID system. The state no longer issues them and there are two different suggestions to switch to. The one being the Salamandar system numerous counties are using statewide. No action was taken as they find out more on the costs and what will be our best option. Auditor Rippel reminded them that county credit card policy requires a county ID be shown when using them, so we can’t wait too long. Committee reports were had for Supervisor Seeman’s conservation meeting, and Supervisor Primmer’s Heartland Insurance Risk Pool. Topics included the funds raised for the Wildcat project along with upcoming training dates for all employees.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

July 13, 2023

The Benton County Board of Supervisors met in a special joint session with the EMS Advisory Council. Supervisors Seeman and Bierschenk were present, Supervisor Primmer attended through zoom. The meeting was called to order at 7:00 p.m. at the conference room at the Benton County Emergency Operations Center.

Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountiowa.gov

The Board of Supervisors along with the Emergency Medical Services Advisory Council discussed all the different factors to determine what the cost for EMS services in Benton County is. How costs have increased, and staffing concerns were at the top and also the largest expense. Discussing the different levy amounts using the current county taxable valuations and what the possible revenue a year could be is helping the Advisory council determine a levy amount that would be most effective in helping offset the shortages for all. Looking at the long term scheme of things, for a 15 year maximum and how important it is to have these services in our county. There is definitely an EMS Crisis nationwide, but even more so in our rural communities. It is not a guarantee that a first responder or an ambulance will show up at your residence if you call 911. Looking at this tax increase as an insurance policy for protection and assurance that you would get the response if and when you are the one needing it. If these services don't have the staff and funds to pay their staff or upgrade equipment, it will be hard to keep their doors open. If they can't afford to be competitive, the locals will leave and go somewhere where they can get paid. This discussion led to what if scenarios, if the county would have to absorb these services someday and how much greater that cost could be. Other ideas for promoting EMT programs as early as in our local high schools to get more people interested along with training agreements in place. The older population is dwindling down working in this field, or others are getting burned out from staffing shortages. There is a great need for personnel so these services can be continued. Treating this as one big entity similar to a business, how can EMS grow if it doesn't have the funding to do so. The Advisory council is asking for all voting members or their replacement be at the upcoming EMA meeting to agree to a levy amount they will provide the Board of Supervisors for requesting a special election. Time is dwindling, and proper procedures have to take place by a certain timeline.

Bierschenk moved/Seeman seconded: To set the next joint meeting with the EMS Advisory Council for Wednesday, July 26, 2023 at 7:00 P.M. at the EMA conference room at the Law Enforcement Center. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

July 18, 2023

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 are invited to join in during open session or watch the livestream at <https://www.youtube.com/bentoncountiowa>. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at:*

www.bentoncountiowa.gov

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

Primmer moved/Bierschenk seconded: To approve the minutes of July 11, 2023 and July 13, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To accept resignation of Erika Hodgson to the Benton County Landfill Commission. Motion carried.

Bierschenk moved/Primmer seconded: To accept resignation of Jonathon Gingerich from the Weed Department effective July 17, 2023. Motion carried.

Seeman moved/Primmer seconded: To approve farm exemption application for Dennis Junge for Parcel A in the SW ¼ of Section 3-83-12, with the exception that the applicant will fill out the formal reason on the form. Motion carried.

Primmer moved/Bierschenk seconded: To approve farm exemption application for Wes Kaufman in the West ½ of Section 1-84-12. Motion carried.

Primmer moved/Bierschenk seconded: To re-appoint Peggy Schott and appoint Russ Glime to the Benton County Historic Preservation Commission. Motion carried.

Primmer moved/Bierschenk seconded: To approve Recorder's Quarterly Report ending June 30, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Veteran's Affairs Quarterly Report ending June 30, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve the use of Courthouse Grounds for the Vinton Kiwanis to use for Boomtown on 8/26/2023. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-53, Committing Fund Balances ending June 30, 2023 in accordance with GASB 54. Motion carried.

RESOLUTION #23-53
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, 2023:

COMMITTED FUND BALANCES:

General Fund:

- \$37,000 sanitarian vehicle replacement;
\$50,000 election equipment replacement;
\$50,000 emergency response;
\$500,000 infrastructure upgrades;

Rural Services Fund - \$37,000 land use administrator vehicle replacement

Conservation Land Acquisition Fund-\$121,450 conservation building at Hannen

EMS Revolving Loan Fund – \$126,135 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, 2023, are hereby uncommitted as of June 30, 2023, 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 18th of July, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

- Primmer moved/Bierschenk seconded: To recess until 10:00 A.M. Motion carried.
Primmer moved/Bierschenk seconded: To reconvene the meeting. Motion carried.
Sheriff Tippett shared a letter he received from an employee requesting a closed session to discuss their employment situation.
Primmer moved/Bierschenk seconded: To enter closed session pursuant to Iowa Code 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Voting aye were Primmer, Bierschenk and Seeman. Motion carried at 10:02 a.m.
Primmer moved/Bierschenk seconded: To exit closed session at 10:20 a.m.
Primmer moved/Bierschenk seconded: To approve actions that were discussed in closed session. Motion carried.
Bierschenk moved/Primmer seconded: To adjourn. Motion carried.

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

July 25, 2023

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

Bierschenk moved/Primmer seconded: To approve Treasurer's Semi Annual Report ending June 30, 2023. Motion carried. Melinda Schoettmer, Treasurer explained to the board about the ability her office has to add a \$10 service fee to out of county residents for license fees. Schoettmer said other counties have already implemented it and aren't having any issues. The Board agreed this was her decision to make.

Primmer moved/Bierschenk seconded: To set land use hearing date of Tuesday, August 22, 2023 at 9:15 a.m. for Michael & Shelley Crow in part of the SW ¼ SE ¼ of Section 14-82-11. Motion carried.

Bierschenk moved/Primmer seconded: To approve the minutes of July 18, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142918 through 142930, ACH Deposits 53763 through 53916, vendor checks numbered 246849 through 246856 and claims numbered 246857 through 246994. Motion carried.

Primmer moved/Bierschenk seconded: To approve the claims for Streff Electric, Inc. for \$196.00 and Speidel & Sons Well & Pump Co. for \$4,400 in the above list using ARPA Funds. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Bryce and Michelle Nemitz in part of Parcel A in the NW ¼ NW ¼ of 3-84-9. Bryce Nemitz was present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Even stated the land is currently in hay crop with a CSR of 58 and this area also has some steep slopes near other rural dwellings. Nemitz would like to change 1.15 acres for a new single-family dwelling and shop. There is an existing driveway that meets requirements on the north side of this parcel. A private well and septic will be needed. Seven notices were sent to the adjacent landowner's and was published in the official newspapers. There was no public comments before today and this proposal should not have any negative impacts on surrounding farm operations. Hearing no other further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change for Bryce and Michelle Nemitz in part of Parcel A in the NW ¼ NW ¼ of 3-84-9. Motion carried.

The time of 9:45 a.m. having arrived, and this being the time and date for a public hearing on the first consideration of proposed ordinance #79, floodplain management. The Ordinance is a revision of Benton County's existing floodplain management ordinance #75, regulating flood hazard areas in the unincorporated areas of Benton County. The Board reviewed the proposed summary and referred to Iowa Code Section 331.302(5). The ordinance also attempts to minimize adverse effects caused by occupancy of flood hazard areas. The ordinance will require a permit to be issued by the floodplain administrator prior to any floodplain development mapped in a flood zone area. A violation of this ordinance shall be a county infraction. Copies of the full ordinance is available in the Auditor's office. If the new ordinance is passed, the old ordinance #75 will be repealed in its entirety. There were two people from the public present. Jill Marlow was concerned about this ordinance doesn't have an appeal process if an application for a variance is denied, referring to Iowa Chapter 335, Zoning authority to counties. Marlow stated she knows this Ordinance is created by the DNR and has reached out to the Ray Lough, County Attorney for guidance as to Section 6 in said proposed Ordinance. Another concerned resident who lives south of Mud Creek was in attendance with some questions about how this new ordinance would affect her house/flood insurance costs. Barb Greenlee suggested an elevation certificate might be an option for her to obtain. There was further discussion whether doing improvements or not would keep them compliant if they don't have any intentions to make changes. Matt Even, Land Use Office was going to reach out to the DNR and provide more information and try and get some answers for the second reading next week. After hearing no further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the first consideration of Ordinance #79, Floodplain Management. Motion carried.

Pioneer Cemetery Commission members Isaac Harthorn and Roy Schulze came to discuss the need for a budget amendment for FY 24. They had a claim they intended to pay last fiscal year come in late and didn't want to cut their current budget short for the projects and needs they have. They are asking to consider an additional \$1,050.00 in spending authority when the supervisors amend the current FY 24 budget.

Primmer moved/Bierschenk seconded: To approve the new commercial lease agreement between Squiers Storage Rentals and Benton County Transportation effective January 1, 2024 through December 31, 2024 in the amount of \$500 a month. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

July 26, 2023

The Benton County Board of Supervisors met in a special joint session with the EMS Advisory Council. Supervisors Seeman and Bierschenk were present, Primmer attended via zoom. The meeting was called to order at 7:00 p.m. at the conference room at the Benton County Emergency Operations Center.

Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyia.gov

The Emergency Medical Services Advisory Council met with the supervisors to provide the language they would like on the upcoming November election. They had their quarterly EMS meeting last week and discussed at length the levy asking amount that would work best to allow room for growth and sustainability. In 2022 there was 2327 EMS calls for service in Benton County. When these services are already working with deficits, it makes it more and more difficult to sustain financially. As these call numbers continually increase so does the cost for needed equipment and vehicles to be able to provide these services. Not to mention all the required training and the importance to retain employees and volunteers in these positions.

Primmer moved/Bierschenk seconded: To approve Resolution #23-54, Imposing a Voter-Approved EMS Tax Pursuant to Iowa Code 422D. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #23-54

RESOLUTION TO DIRECT THE COUNTY COMMISSIONER OF ELECTIONS TO SUBMIT THE QUESTION OF ADOPTING A LEVY AND IMPOSING A VOTER-APPROVED EMERGENCY MEDICAL SERVICES (EMS) AD VALOREM PROPERTY TAX PURSUANT TO IOWA CODE CHAPTER 422D

WHEREAS, Benton County Board of Supervisors declared Emergency Medical Services (EMS) to be an essential service in Benton County, pursuant to Resolution #23-31, adopted on May 9, 2023, recognizing that EMS is essential to preserve the health, safety and welfare of Benton County citizens; and

WHEREAS, the Board appointed the Benton County EMS System Advisory Council to provide guidance to the County on how to preserve and improve the local EMS system; and

WHEREAS, on July 26, 2023, the Advisory Council advised the Board of Supervisors of steps to preserve and improve the County EMS system through an ad valorem tax pursuant to Iowa Code Chapter 422D; and

NOW, THEREFORE, BE IT RESOLVED, by the Benton County Board of Supervisors, that the following proposition is approved, and the Board of Supervisors shall file the proposition for the ballot with the Benton County Commissioner of Elections at least sixty (60) days prior to the election.

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED? PROPOSITION ____

YES [] NO []

Shall the Benton County Board of Supervisors, upon recommendation by the Benton County EMS Advisory Council, for the purpose of funding Emergency Medical Services in Benton County including, but not limited to, ambulance service, personnel, and equipment be authorized, for a period of fifteen (15) years, to levy and impose an ad valorem tax not exceeding Sixty-Eight Cents (\$.68) per One Thousand Dollars (\$1,000.00) of assessed valuation on all taxable property within Benton County commencing with the levy of property taxes for collection in the fiscal year ending June 30, 2024?

[END BALLOT LANGUAGE]

NOW, LET IT BE FURTHER RESOLVED, that the County Commissioner of Elections shall make publication of the Notice of Election in a legal newspaper in the County once at least sixty (60) days prior to the date of the election, as required by Iowa Code section 422D.1, and shall prepare all ballots and election registers and other supplies necessary for the proper and legal conduct of this election.

Adopted this 26th day of July, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

This meeting’s discussion wrapped up with ways the council will need to educate the public on how this levy will benefit everyone and the importance to have EMS services available when its needed.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

August 1, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of July 25, 2023 and July 26, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve the Memorandum of Understanding (MOU) between the Iowa Department of Revenue and Benton County Social Services regarding the State Setoff Program. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class C Retail Alcohol License for Topsy Travelers for August 11-15, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class C Retail Alcohol License for Topsy Travelers for August 25-29, 2023. Motion carried.

Committee Reports were had including the Emergency Management and tower update from Supervisor Seeman. Supervisor Bierschenk reported on his Mental Health Regional meeting and Primmer’s recent Juvenile Detention.

The time of 9:15 a.m. having arrived, and this being the time and date for a public hearing on the second consideration of proposed ordinance #75, floodplain management. The Ordinance is a revision of Benton County’s existing floodplain management ordinance #75, regulating flood hazard areas in the unincorporated areas of Benton County. Matt Even presented the proposed summary and explained the input received for the appeal process and how at the county level we can decide if charges would be an infraction vs misdemeanor. The first review of this is always No public was present to voice their opinion, so the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve second and final consideration for Ordinance #79. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-55, Repealing Ordinance #75 and adopting the revised Floodplain Ordinance #79. Motion carried.

RESOLUTION #23-55
REPEALING ORDINANCE #75, ADOPTION OF ORDINANCE #79
FLOODPLAIN MANAGEMENT

WHEREAS: On October 22, 2019, the Benton County Board of Supervisors adopted Ordinance #75, Floodplain Management Ordinance;

WHEREAS, the Benton County Board of Supervisors desires to adopt Ordinance #79, a revision of Floodplain Management Ordinance;

WHEREAS: The Board of Supervisors considered repealing Ordinance #75 in its entirety on this date; and

WHEREAS; The Board of Supervisors would like to Adopt Ordinance #79, repealing Ordinance #75; and

WHEREAS; Adoption of Ordinance #79 by the Board of Supervisors is necessary to adopt the new Flood Insurance Rate Maps (FIRMs) and the Benton County Flood Insurance Study (FIS) that become effective on September 21, 2023; and

WHEREAS, two readings of Ordinance #79 were held on July 25, 2023 and August 1, 2023; and

WHEREAS, publication of the hearings was made according to Iowa Code; and

WHEREAS, a copy of said Ordinance #79 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 BENTON COUNTY FLOODPLAIN MANAGEMENT ORDINANCE #79 be fully adopted. The Benton County Auditor is directed to publish a summary of Ordinance #79 in the official newspapers of Benton County.

ADOPTED AND PASSED this 1st day of August, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To approve Resolution #23-56, Hiring Roadside Technician in Weed Department. Motion carried.

RESOLUTION #23-56

APPROVING HIRE ROADSIDE TECHNICIAN IN WEED DEPARTMENT

IT IS HEREBY RESOLVED that the Weed Department has a vacancy for the position of a Roadside Technician, and;

WHEREAS: Applications were accepted for the position and

WHEREAS: These applications have been narrowed to one.

WHEREAS Chad Galli has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Chad Galli be hired as a full-time Roadside Technician in the Weed Commission department, effective August 16, 2023 at an hourly rate of \$24. Once he obtains some needed certifications, his wage can go up by 50 cents increments, \$24.50 and then \$25.

Date this 1st day of August, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Resolution #23-57, Hiring Mechanic at Secondary Roads. Motion carried.

RESOLUTION #23-57

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 Cody Jones be hired to fill a position of Mechanic at a starting wage of \$26.05 per hour starting August 2, 2023. This is an Equipment Operator III classification with a Labor Grade VA.

Signed this 1st day of August, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Sue Wilber, Human Resource Director reported to the Board how she was getting things set up for an upcoming in-person all employee training on Tuesday, September 12, 2023. She is excited to get this back into place after COVID, and getting the employees their required trainings along with going over necessary insurance paperwork. Wilber will also encourage employees to participate in the Wellness program and would like to possibly create a policy that explains the need to fund food expenses for such meetings as this and how that is a public purpose. Wilber and Auditor Rippel have been discussing the topic and will keep the Board updated. There will be a payroll stuffer so that employees can plan and save that date.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

August 8, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of August 1, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142931 through 142942, ACH Deposits 53917 through 54068, vendor checks numbered 246995 through 247001 and claims numbered 247002 through 247119. Motion carried.

Primmer moved/Bierschenk seconded: to approve Class C Retail Liquor License for McBride Mobile Taps, LLC for September 11-15, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-58, Entering into revised 28E with Bremer County for County Attorney's Collection. Motion carried.

**RESOLUTION #23-58
AMEND RESOLUTION #23-47
RESOLUTION TO ENTER INTO 28E AGREEMENT WITH BREMER COUNTY REGARDING DELINQUENT COURT DEBT
COLLECTIONS**

WHEREAS, Benton County and Bremer County have elected to participate in the collection of delinquent court obligations on the county level since July 2016 with Resolution #16-52 ; and more recently Resolution #23-47 on June 27, 2023 ,

WHEREAS, the Benton County Attorney and Bremer County Attorney have discussed entering into another revised 28E Agreement with each other regarding delinquent court debt collections and have determined that it would be in the best interest of both counties to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE BENTON COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

Resolution #23-47, is voided and replaced with Resolution #23-58, The proposal to enter into a revised 28E Agreement with Bremer County for the collection of delinquent court debt is hereby approved and the Chairman of the Board of Supervisors for Benton County is hereby authorized to execute said 28E Agreement on behalf of Benton County.

PASSED AND ADOPTED THIS 8th DAY OF August, 2023.

Tracy Seeman, Chair

Rick Primmer

Gary Bierschenk

ATTEST:

Nancy Jorgensen, Benton County Deputy Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

28E Agreement for Benton County & Bremer County Collection of Delinquent Court Obligations

WHEREAS Benton County and Bremer County have elected to participate in the collection of delinquent court obligations on the county level, including collections under the County Attorney payment plan for driver’s license reinstatement, under Iowa Code §321.210B; and

WHEREAS each county has filed with the Clerk of Court for their respective county the required annual notice of full commitment to collect delinquent court debt for all cases assigned to that county for collection by the court, in accordance with Iowa Code §602.8107(4); and

WHEREAS, according to the 2021 Census, the population of Benton County is 25,691 and the population of Bremer County is 23,081; and

WHEREAS, pursuant to Iowa Code §§602.8107(4)(c)(2)(e) and 602.8107(4)(e)(2), and annual delinquent debt collection threshold of \$50,000.00 will apply collectively to Benton and Bremer County under this 28E Agreement; and

WHEREAS Benton County and Bremer County will each devote the appropriate administrative resources to comply with their obligations to collect delinquent court debt, pursuant to Iowa Code §602.8107 and Chapter 28E; and

WHEREAS the Board of Supervisors for each County has passed Resolution approving this Agreement and authorizing their respective Chairperson to execute this Agreement.

IT IS THEREFORE AGREED by and between Benton County and Bremer County as follows:

1. Benton County and Bremer County shall share and consolidate their delinquent court debt obligation collections, pursuant to Iowa Code §602.8107(4)(e) and Iowa Code Chapter 28E.
2. Each County shall devote the necessary time of their County Attorney and the County Attorney’s staff to collect delinquent court obligations, pursuant to Iowa Code §602.8107(4), but Benton County will provide training and assistance to Bremer County in collecting monies owed in Bremer County cases. This includes the use of Benton County Collection staff for preparation of documents and filings. The Bremer County Attorney’s Office shall make all necessary court appearances in Bremer County.
3. Benton County shall remain responsible for its entire collection participation for monies owed in Benton County and will retain one hundred percent (100%) of income received in conjunction with money collected in Benton County cases and other counties excluding Bremer County.
4. Each County shall provide the necessary resources, including, but not limited to, computer equipment, computer software, postage, paper, envelopes, and other office supplies to collect delinquent court obligations.
5. For the fiscal year ending June 30, 2024 the monies distributed to Bremer County pursuant to Iowa Code Section 602.8107 shall be distributed forty-five percent (45%) to Benton County and fifty-five percent (55%) to Bremer County, with the agreement regarding those amounts collected and split between the respective county attorney offices that the Benton County Attorney’s Office shall be entitled to one (1%) of Benton County’s over the threshold amount and the Bremer County Attorney’s Office shall be entitled to four (4%) over the threshold amount. The delinquent court obligations owed and collected in each respective county shall be accounted for separately so that said monies received from the State as a result of said collection efforts can be attributed to the appropriate respective county. Disbursements of said monies to Benton County from Bremer County shall be made on a monthly basis and within ten (10) days of their receipt.
6. In the event that the Counties determine that it would be mutually beneficial to share the use of any personal property, with said property to be utilized by the County Attorneys in their collection efforts, then said purchase must be approved by the Board of Supervisors for both Counties, if the total purchase price of the item, or multiple items obtained through a combined purchase, exceeds \$800.00. Each county will provide one-half of the funds for the purchase of said personal property. If said personal property is later sold, then each county shall receive one-half of the net sale proceeds from the sale of said property.
7. The County Attorneys and their respective staff members shall share information and resources which will facilitate the collection of delinquent financial obligations in the counties.
8. The annual delinquent debt collection threshold of \$50,000.00 shall apply to the combined collection efforts under this Agreement and pursuant to Iowa Code §602.8107(4)(e)(2).
9. This Agreement shall become effective upon all parties hereto signing, and shall be effective through June 30, 2024.
10. This Agreement shall automatically renew, under the fifty-percent (50%) to each county and county attorney’s office agreement, unless either County to this Agreement renegotiates this agreement or gives the other County written notice of termination of this Agreement no later than May 1 of the respective fiscal year.

Tracy Seeman, Chairman
Benton County Board of Supervisors

Reports were given on the following committees:

Tracy Seeman; E911 Tower – Moving Norway to the front of the “list” to get the fencing there done this week.

Tracy Seeman; Conservation – Hannen Park building is completely enclosed now.

Tracy Seeman, Landfill; The crew from Texas is here to work on putting the new liner down and seam it.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

At 9:30 a.m., the Board met with Jerry Ahrenstein and Joan Cooling, from ACT I, to tour the south side of the Old West School building that ACT I currently owns. ACT I is wanting to sell this building. All Board members, Deputy Auditor Nancy Jorgensen and Sheriff Ron Tippet were present for the tour. Discussion of insurance cost, accessibility, upkeep costs and physical structure of the building were a part of the tour.

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

Tracy Seeman, Chairman

ATTEST: _____

Nancy Jorgensen, Deputy Benton County Auditor

August 15, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of August 8, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve 40 hours of vacation carryover for Dean Vrba to be used by October 15, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-59, Changing employment status for Paige Rambo in the Sheriff's office. Motion carried.

RESOLUTION # 23-59

WHEREAS, the Benton County Sheriff has a need for full-time communication specialists; and

WHEREAS, Paige Rambo has been employed by Benton County as part-time since October 1, 2019 and April 4, 2021;

WHEREAS, Rambo has been currently performing the duties of the above-mentioned position; and

WHEREAS, the Sheriff recommended that Paige Rambo have her employment status be changed from part-time to full-time communication specialists in the Sheriff's office, effective August 26, 2023 at the hourly rate of \$20.29.

Passed this 15th day of August, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST: _____

Hayley Rippel, Benton County Auditor

Benton County Attorney Ray Lough was not able to attend the meeting. So the Opioid Task Force discussion will be on next week's agenda.

Auditor Rippel provided a few of the tax statements that came to the County. Rippel also showed the Board how to view the tax information from the Beacon website after a parcel is searched, they can view the breakdown under the tax distribution tab at the upper right. She also reminded them that the new homestead exemptions that needed to be signed by July 1st does not go into effect until the next tax year.

Supervisor Bierschenk reported on the Norway Tower getting started and how he recently checked on the Hannen Lake Project. Supervisor Seeman reported on the recent REAP meeting with Conservation and the grant reporting that will be involved with that.

Primmer moved/Bierschenk seconded: To acknowledge the employment separation from Darric McLeod in secondary roads effective today. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

August 22, 2023

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

Bierschenk moved/Primmer seconded: To approve the minutes of August 15, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve the purchase of a new van in the amount of \$43,000 for the Benton County Transportation department and the title will transfer to East Central Iowa Council of Government (ECICOG). Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize chairman's signature on the DCBG-DR Tree Canopy Award for BentonCo.20-DR1-25. Motion carried.

Primmer moved/Bierschenk seconded: to approve the Benton County Urban Renewal Report with Zero outstanding debt. Motion carried.

Bierschenk moved/Primmer seconded: To approve Class C Retail Alcohol License for Traveling Tapster, LLC. For September 22, 2023 through September 26, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Retail Alcohol License for Kacena Family Farms, LLC. for 9-17-23 through 5-17-24. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Retail Alcohol License for The Sippin Six for August 31, 2023 through September 4, 2023. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Michael & Shelley Crow in the SW ¼ SE ¼ of 14-82-11. Michael and Shelley Crow were present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Even stated the land is currently in production with an average CSR of 65. Crow's would like to change 1 acre for a new single-family dwelling. There is an existing driveway that will be widened and used for this access which has been reviewed and approved. Currently this is connected to the City of Blairstown's public water supply but there will need to be a new septic installed. Two notices were sent to the adjacent landowner's and was published in the official newspapers. There was no public comments before today and this proposal should not have any negative impacts on surrounding farm operations. Hearing no other further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change for Michael & Shelley Crow in the SW ¼ SE ¼ of 14-82-11. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142943 through 142959, ACH Deposits 54069 through 54225, vendor checks numbered 247120 through 247127 and claims numbered 247128 through 247263. Motion carried.

Bierschenk moved/Primmer seconded: To set FY 24 Budget Amendment Hearing date of Tuesday, October 3, 2023 at 9:30 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To approve the claim for True North Consulting Group in the amount of \$2,952.00 using ARPA funds. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-60, Abatement of Taxes. Motion carried.

RESOLUTION #23-60

WHEREAS, these Governmental entities have 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 2023 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.

Table with 3 columns: Deed Holder, Parcel #, Taxes Due. Rows include Benton County Conservation, Belle Plaine Schools, City of Shellsburg, and United States Fish & Wildlife Service.

Dated this 22nd day of August, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

County Attorney Ray Lough updated the board about the Opioid money Benton County has received so far and the amount currently is around \$105,000 with an estimated amount to be over \$325,000 before it is all said and done.

Primmer moved/Bierschenk seconded: To appoint the following members to the Opioid Task Force: Dr. Brian Meeker, Ben Parmater, John Lindaman, Chelsea Hurber, Grace Petrezelka, James Bieschke, Cindy Pattee, Ray Lough and Hayley Rippel. Motion carried.

Bierschenk moved/Primmer seconded: To approve and sign final IDOT Progress Voucher for Project BVROSCHBP-CO06(110)—GA-06 in the amount of \$19,494.57. (Bridge Replacement on 24th Ave. Dr.) Motion carried.

Bierschenk moved/Primmer seconded: To approve and sign final IDOT Progress Voucher for Project BRS-CHBP-CO06(115)—GB-06. (RCB Twin Box Culvert on 16th Ave) Motion carried.

Bierschenk moved/Primmer seconded: To approve and sign final IDOT Progress Voucher for Project BROSCHBP-CO06(116)—GA-06 in the amount of \$10,505.43. (Bridge Replacement on 22nd Ave.) Motion carried.

Bierschenk moved/Primmer seconded: To approve and sign final IDOT Progress Voucher for Project BRS-SWAP-CO06(107)—Ff-06 in the amount of \$11,470.50. (RCB Twin Box Culvert on 61st St Ln.) Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

August 29, 2023

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve the minutes of August 22, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To approve Resolution #23-61, Abatement of Taxes. Motion carried.

RESOLUTION #23-61

WHEREAS, the City of Vinton 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 2023 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.

Table with 2 columns: Parcel #, Taxes Due. Rows include 870-39560 (\$594.00), 240-52650 (\$844.00), and 240-92925 (\$250.00).

Dated this 29th day of August, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Class C Retail Alcohol License for Blairstown Sauerkraut Days Beer Tent. Motion carried.

The Sheriff's agenda items have been tabled for a later date.

Committee Reports were given along with a member of the public reporting about witnessing dumping in the County's right of way and inquiring if it was legal. Auditor Rippel cited Ordinance #21- It reads, "Littering Prohibited. 1. It shall be unlawful for any person to scatter, place, or burn any refuse, or hazardous and/or industrial wastes upon or along any public right-of-ways, stream, body of water, or upon any other public place within Benton County unless permitted by Law." The resident was going to follow up with the sheriff's office for his complaint.

The Engineer received bids for a 1/2 ton 4WD pickup truck as follows:

- Thys Automotive, Belle Plaine-2023 Ram 1500 Bighorn -\$48,561
Thys Automotive, Belle Plaine-2024 Ram 1500 Bighorn-\$49,710
Thys Automotive, Blairstown-2024 Chevrolet 1500 -\$50,835.10
Ervin Motors, Vinton-2024 GMS Sierra 1500-\$50,900

Primmer moved/Bierschenk seconded: To approve the low bid with Thys Automotive, Belle Plaine for a 2023 Ram 1500 Bighorn for \$48,561. Motion carried.

Bids were also received for a 1 ton cab/chassis pick up as follows:

- Ervin Motors, Vinton-2024 GMC Sierra 3500 Crew Cab-\$47,440
Thys Automotive, Blairstown-2024 Chevrolet Silverado 3500 HD -\$49,991
Thys Automotive, Belle Plaine-2024 Ram 3500-\$50,363

Primmer moved/Bierschenk seconded: To approve the low bid from Ervin Motors, Vinton for the 2024 GMC Sierra 3500 Crew Cab for \$47,440. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

September 5, 2023

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 are

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

Primmer moved/Bierschenk seconded: To approve new dispatch software contract for Transportation Department called Tripmaster with an initial fee of \$36,000. Motion carried.
Bierschenk moved/Primmer seconded: To approve the minutes of August 28, 2023. Motion carried.
Primmer moved/Bierschenk seconded: To approve Resolution #23-62, Proclamation of April being Suicide Prevention Awareness Month. Motion carried.

RESOLUTION #23-62
PROCLAMATION OF SUICIDE PREVENTION AWARENESS MONTH

WHEREAS, suicide has the ability to affect anyone of all racial, cultural, and economic backgrounds; and
WHEREAS, in addition to the immediate physical and emotional costs, suicide may have ripple effects on family and community members contributing to substance use disorder, major depressive disorder, generalized anxiety disorder, and future suicidality; and
WHEREAS, suicide is the eighth leading cause of death among Iowans and has been elevated in Benton County in recent years; and
WHEREAS, deaths by suicide are preventable with awareness, recognition, training, and outreach.
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 September 2023 is hereby proclaimed as:
“SUICIDE PREVENTION AWARENESS MONTH”

Signed this 5th day of September, 202.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Sue Wilber, Human Resources director explained a new format to the board for employee performance evaluations, and how the form includes feedback from both employee and employer. The department heads all recently met and came up with one everyone agreed upon. Wilber also talked about purchasing an addition to our current payroll software to utilize paperless time sheets. She also discussed outsourcing background checks and driving records since the Sheriff’s office is busy, and this would also help with out of state information when needed. There is a fee charged with each investigation. The Board felt this was a good idea, but wanted more options to look at. Depending on where these items get paid out of, they could be included in the FY 24 Budget amendment. These topics will get brought up at the all employee meeting being held Tuesday, September 12, 2023.
Primmer moved/Bierschenk seconded: To approve the policy for Benton County Employee Performance Evaluations. Motion carried.
Primmer moved/Bierschenk seconded: To approve purchasing the additional software from Tyler Technologies and utilize paperless timesheets known as time and attendance. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Primmer seconded: To approve Resolution #23-63, Amending Resolution #23-59, Correction on hiring date and rate of pay for Paige Rambo. Motion carried.

RESOLUTION # 23-63

Amending Resolution #23-59

WHEREAS, the Benton County Supervisors approved Resolution #23-59 on August 15, 2023 and it had the wrong pay rate and hire date and is hereby replaced with those corrections;

WHEREAS, the Benton County Sheriff has a need for full-time communication specialists; and

WHEREAS, Paige Rambo has been employed by Benton County as part-time since March 21, 2023;

WHEREAS, Rambo has been currently performing the duties of the above-mentioned position; and

WHEREAS, the Sheriff recommended that Paige Rambo have her employment status be changed from part-time to full-time communication specialists in the Sheriff's office, effective August 26, 2023 at the hourly rate of \$21.08.

Passed this 5th day of September, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To increase the Veterans Affairs credit card limit to \$2500, to approve Public Health Department to obtain their own card with a \$2500 limit and to temporarily increase the Conservation's limit to \$6000 until the Hannen project is done and then will reduce it back down to \$2500. Motion carried.

Rick Wood, Maintenance Director discussed the need to repair the courthouse basement floor. He was estimating \$10,000 to have the paint chips ground down and repainted. He has funds to do so in his budget. The Board agreed to have him pursue getting this taken care of.

Bierschenk moved/Primmer seconded: To approve Fireworks permit for Bloomsbury Farm, Inc for Wednesday, September 27, 2023. Motion carried.

Sheriff Tippett reported that he was not ready to hire the part-time security officers until after September 9, cut off date.

Primmer moved/Bierschenk seconded: To approve purchasing 2 used replacement vehicles; Ervin Motor-\$27,300 for a 2017 GMC Acadia, and Thys, Belle Plaine-\$35,873 for a 2021 Dodge Durango. Motion carried.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)c: To discuss strategy with counsel in matters that are presently in litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session at 10:20 a.m. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

2023

September 12,

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer and Bierschenk present. The meeting was called to order at 7:30 a.m. at the Vinton Skate and Activity 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:

Primmer moved/Seeman seconded: To approve the minutes of September 5, 2023. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Primmer seconded: To approve payroll (Aug 31) checks numbered 142960 through 142969, ACH Deposits 54226 through 54377, vendor checks numbered 247264 through 247270 and handwrite 247271, payroll (Sept 14) checks numbered 142970 through 142982, ACH Deposits 54378 through 54529, claims numbered 247272 through 247441 and vendor checks numbered 247442 through 247448. Motion carried.

Primmer moved/Seeman seconded: To approve Resolution #23-64, Wage and classification change for Rodney Schmuecker. Motion carried.

**RESOLUTION #23-64
Wage and Classification Change**

WHEREAS, Benton County has an employee that has been employed by Benton County for 18 months.

WHEREAS, the employee has been operating the Blirstown motor grader for some time filling in for an employee extended absence and he has also attended a three day training put on by a heavy equipment trainer which he performed well at.

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hourly base wage of Rodney Schmuecker be set at \$27.73 effective September 11, 2023. This position carries a Labor Grade IVD classification.

Signed this 12th day of September, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To approve Resolution #23-65, Wage and classification change for James Kane. Motion carried.

**RESOLUTION #23-65
Wage and Classification Change**

WHEREAS, Benton County has an employee that has been employed by Benton County for one year and 10 months.

WHEREAS, the employee has been operating the Bruce Center Shed motor grader. He attended a three day training put on by a heavy equipment trainer which he performed well at.

THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hourly base wage of James Kane be set at \$27.73 effective September 11,2023. This position carries a Labor Grade IVD classification.

Signed this 12th day of September, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

The Supervisors all three attended the all employee required training.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

September 19, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer and Bierschenk present. The meeting was called to order at 7:30 a.m. at the Vinton Skate and Activity 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:*

Primmer moved/Bierschenk seconded: To approve the minutes of September 12, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To accept Lindsey Upah’s resignation effective September 8, 2023. Motion carried.

Primmer moved/Seeman seconded: To approve Resolution #23-65, Voter Registration Proclamation. Motion carried.

Resolution #23-66

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 2023 as National Voter Registration Month and Tuesday, September 19th, 2023, as National Voter Registration Day.

Signed this 19th day of September, 2022.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Primmer seconded: To set land use hearing date for Tuesday, October 17, 2023 at 9:15 a.m. for Ryan and Jennifer Rozek in a part of the NE ¼ SE ¼ of Sec 16-85-9. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Retail Alcohol License for Textile Brewery, LLC for October 13-17, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve the utility permit for GenoSource in Leroy Township. Motion carried. Mona Onken and Sarah Wagner provided an update to the board regarding the temporary changes and the regional approach to social services department. Sarah is helping fill in at Johnson County a few days a week to help handle caseloads. They wanted to be transparent and explain how she will balance the duties between there and Benton County. The region will provide the vehicle and everything is reimbursable.

Grace Petrezelka, Public Health Director for Benton County talked to the board about importance of cross-coverage for public health and environmental health, focusing on what to do if she is ever gone. Long term, goal is to get another additional person hired and also plan on contracting with Virginia Gay Hospital and disease investigations. The Board was in agreement to get the sub contract with Virginia Gay Hospital worked out and go from there. This discussion also included the need to amend FY 24 Budget’s spending authority for the department. With so many changes happening last minute after FY 24 Budget was adopted. Petrezelka provided a spread sheet detailing out those additional needs.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve the Canvass of the Special City of Newhall Election read as follows:
Newhall City Public Measure A:

Shall the terms of office for the City Council Members of the City of Newhall, Iowa be changed from a term of two (2) years to a term of four (4) years, and the Council members terms be staggered in accordance with the provisions of Iowa Code Chapter 376.2?

Yes-27

No-28

Public Measure A failed. Motion carried.

Bierschenk moved/Primmer seconded: To enter into closed session pursuant to Iowa Code 21.5(1)c: To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Voting aye were Primmer, Bierschenk and Seeman. Motion carried at 10:02 a.m.

Primmer moved/Bierschenk seconded: To exit closed session at 10:50 a.m. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

September 26, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer and Bierschenk present. The meeting was called to order at 7:30 a.m. at the Vinton Skate and Activity 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:*

Primmer moved/Bierschenk seconded: To approve the minutes of September 19, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To authorize a credit card for the Benton County Relief department with a credit limit of \$1,000. Motion carried.

Seeman moved/Primmer seconded: To approve payroll checks numbered 142983 through 143005, ACH Deposits 54530 through 54684, claims numbered 247449 through 247578 and vendor checks numbered 247579 through 247586 with the exception of fixing one line item and descriptions for a vendor and checking into another payment to be made quarterly instead of yearly. Motion carried.

Bierschenk moved/Primmer seconded: To approve ARPA claim for \$ to Henry Adkins & Son, Inc. for \$99,140.00 for new election equipment. Motion carried.

Seeman moved/Primmer seconded: To set land use hearing date for Tuesday, October 24, 2023 at 9:15 a.m. for David Wilson in a part of the NE ¼ NE ¼ of Sec 13-84-12. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-67, Amending Resolution #23-38, Veterans Affairs Office Hours. Motion carried.

RESOLUTION #23-67

AMENDING RESOLUTION # 23-38

WHEREAS, Cara Martin, has been employed by Benton County as the Veterans Affairs Director since May 24, 2021;

WHEREAS, the VA Director was a full-time position until July 1, 2023, at which time it became a part-time position with the requirement to work a minimum of 20 hours per week and any additional as necessary to meet the needs of the office and county Veterans;

WHEREAS, the Veterans Affairs Director is currently a part-time county employee who works a minimum of 20 hours per week and does not receive any paid time off for vacation or sick leave;

WHEREAS, the Veterans Affairs Commission has recommended that Cara Martin work a minimum of 20 hours per week, but more as deemed necessary to meet the needs of the county Veterans, excluding any extended time off that needs to be taken for illness or vacation;

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING policies and job description are amended accordingly and adopted for the Office of the Benton County Veterans Affairs:

1. In accordance with Iowa Code Chapter 35B.6(4)(b)(1), the Benton County Veterans Affairs Director, shall be employed as a part-time county employee and work a minimum of 20 hours per week, excluding any extended time off that needs to be taken for either illness or vacation.
- 2.

Passed this 26th day of September, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Primmer seconded: To approve Resolution #23-68, Abatement of Taxes. Motion carried.

RESOLUTION #23-68

WHEREAS, the City of Blairstown 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 2023 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.

| <u>Parcel #</u> | <u>Taxes Due:</u> |
|-----------------|-------------------|
| 050-06550 | \$458.00 |

Dated this 26th day of September, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Darren Stein, Weed Commissioner presented a quote from Future Line Truck Bodies for a new truck bed/body.

Primmer moved/Bierschenk seconded: To approve the purchase of the new truck/body from Future Line Truck for the Weed department with the addition of electric tarp. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge Hayley Pringle's resignation as a correctional officer at the sheriff's office effective September 15, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To hire Pat Jorgensen as a part-time courthouse security officer for \$21.08 an hour effective October 2, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-69, Approve the 2E for Mental Health/Disability Services of the East Central Region (ECR). Motion carried.

RESOLUTION #23-69

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. 22-68, passed on August 9, 2022;

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.

Signed this 26th day of September, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

**See 28E

Rick Wood, Courthouse Maintenance Director presented quotes he obtained for repairing the basement floor. The quotes were as follows: Wood said the one that was more expensive is because they were willing to grind and fill cracks that need to be done also.

PolishMaxx-\$9,640.00

TSR Concrete Coatings-\$9,442.55

Claussen Painting-\$9,696.00

Primmer moved/Bierschenk seconded: To approve the recommendation from Rick Wood to accept the bid from Claussen, for the amount of \$9,696.00 to repair the courthouse basement with a 50% deposit due up front. Motion carried.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)j: To evaluate the professional competence of an individual whose appointment, hiring, performance, or discharge is being considered when necessary Voting aye were Primmer, Bierschenk and Seeman. Motion carried at 10:02 a.m.

Primmer moved/Bierschenk seconded: To exit closed session at 10:47 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To act as discussed in closed session. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

October 3, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer and Bierschenk present. The meeting was called to order at 7:30 a.m. at the Vinton Skate and Activity 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:*

Bierschenk moved/Primmer seconded: To approve the minutes of September 26, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To accept resignation with reluctancy from Megan Hall, Assistant County Attorney effective November 10, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To set land use hearing date for Tuesday, October 31, 2023 at 9:15 a.m. for Cody & Jessica Randall in a part of Parel A, in the SE ¼ of the NW ¼ of Sec 36-85-9. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Retail Alcohol License for Topsy Travelers LLC for October 28, 2023, November 1, 2023, November 4, 2023 and November 8, 2023. Motion carried.

Matt Simon representing Genosource came to discuss road conditions on 78th Street south on 22nd and about 2600 feet of concern with the increased traffic. They were inquiring on possibly paving it. The Board would like to discuss this further with the Engineer so no action was taken, but they told Simon they would get back to him on this matter.

Anna Demuth presented a letter from the EMS Advisory Council met to discuss a scrivener's error on the language, which doesn't change the intent of the question just the year of tax collections.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-70, Amending Resolution #23-54, changing year date on the proposition language. Motion carried.

RESOLUTION #23-70
Amending RESOLUTION #23-54

RESOLUTION TO DIRECT THE COUNTY COMMISSIONER OF ELECTIONS TO SUBMIT THE QUESTION OF ADOPTING A LEVY AND IMPOSING A VOTER-APPROVED EMERGENCY MEDICAL SERVICES (EMS) AD VALOREM PROPERTY TAX PURSUANT TO IOWA CODE CHAPTER 422D

WHEREAS, Benton County Board of Supervisors declared Emergency Medical Services (EMS) to be an essential service in Benton County, pursuant to Resolution #23-31, adopted on May 9, 2023, recognizing that EMS is essential to preserve the health, safety and welfare of Benton County citizens; and

WHEREAS, the Board of Supervisors passed a Resolution #23-54, Approving the Public Measure Language;

WHEREAS, there was a Scribner's error on the original proposition with fiscal year end date stating June 30, 2024 and should read June 30, 2025:

WHEREAS, the Board appointed the Benton County EMS System Advisory Council to provide guidance to the County on how to preserve and improve the local EMS system; and

WHEREAS, on July 26, 2023, the Advisory Council advised the Board of Supervisors of steps to preserve and improve the County EMS system through an ad valorem tax pursuant to Iowa Code Chapter 422D; and

NOW, THEREFORE, BE IT RESOLVED, by the Benton County Board of Supervisors, that the following proposition is previously approved, and the Board of Supervisors shall file the proposition for the ballot with the Benton County Commissioner of Elections at least sixty (60) days prior to the election.

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED?
PROPOSITION ____

YES []
NO []

Shall the Benton County Board of Supervisors, upon recommendation by the Benton County EMS Advisory Council, for the purpose of funding Emergency Medical Services in Benton County including, but not limited to, ambulance service, personnel, and equipment be authorized, for a period of fifteen (15) years, to levy and impose an ad valorem tax not exceeding Sixty-Eight Cents (\$.68) per One Thousand Dollars (\$1,000.00) of assessed valuation on all taxable property within Benton County commencing with the levy of property taxes for collection in the fiscal year ending June 30, 2025?

[END BALLOT LANGUAGE]

NOW, LET IT BE FURTHER RESOLVED, that the County Commissioner of Elections did the official publication of the Notice of Election in a legal newspaper in the County once at least sixty (60) days prior to the date of the election, as required by Iowa Code section 422D.1, and shall prepare all ballots and election registers and other supplies necessary for the proper and legal conduct of this election using the language correcting the year to say 2025.

Adopted this 3rd day of October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Committee reports were had about the Eastern Iowa Trust Fund, ECICOG and their remodeling project along with some WMA talk and tower project discussion.

With the time set for 9:30 A.M. for FY 24 Budget Amendment, the chairman declared the hearing open. Auditor Rippel summarized some of the specifics included in the amendment. There were no members of the public present. Hearing no further comments or discussion, the public hearing was declared closed.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To approve Resolution #23-71, Amending FY 24 Budget. Motion carried.
RESOLUTION #23-71

BE IT REMEMBERED on this, the 3rd day of October, 2023, 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 April 18, 2023. 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 | \$ 78,948 |
| Physical Health & Social Services | \$ 208,062 |
| Mental Health | \$ 0 |
| County Environment & Education | \$ 65,009 |
| Roads & Transportation | \$ 0 |
| Government Services to Residents | \$ 15,000 |
| Administration | \$ 123,164 |
| Non-Program | \$ 18,784 |
| Debt Service | \$ 0 |
| Capital Projects | \$ 125,000 |
| Operating Transfers Out | \$ 260,932 |

| <u>REVENUES</u> | <u>Amount</u> |
|---------------------------------|---------------|
| Intergovernmental | \$ 60,000 |
| Licenses & Permits | \$ 0 |
| Charges for Services | \$ 0 |
| Use of Money & Property | \$ 0 |
| Miscellaneous | \$ 125,000 |
| General Long-Term Debt Proceeds | \$ 0 |
| Operating Transfers – In | \$ 260,932 |
| Proceeds of Fixed Assets | \$ 0 |

Dated this 3rd day of October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Sue Wilber explained a change she would like to see made on the evaluation policy. Those department heads that are governed by another board such as Veterans Affairs, Assessor, Public Health and Conservation would be exempt from this policy along with the Elected Officials.

Primmer moved/Bierschenk seconded: To approve the revised Employee Evaluation Policy making that one change regarding what department heads are exempt as discussed. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-72, Wage and Classification Change for Cody Mattison. Motion carried.

RESOLUTION #23-72

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 Cody Mattison be set at \$27.73 per hour effective October 10, 2023. This position (equipment operator) carries a Labor Grade classification IVD.

Dated this 3rd day of October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve and authorize signature on the Project FM-CO06(121)—55-06-Bridge Replacement on 63rd St. In Big Grove Township. Motion carried.

Bierschenk moved/Primmer seconded: To approve and authorize signature on permanent & temporary easement(s) for bridge project on 17th Ave in the amount of \$2,683.00. Motion carried.

The Board spoke to Myron on a few things to look into such as signs for new lots/cabins. Also concerns about signage that where HWY 30 /218 and highway ends, there have been some bad accidents. Also check into parcel #590-16800 and if we still need that ground. Tracy will follow up with Myron on these issues in a few days.

Bierschenk moved/Primmer seconded: To enter into closed session pursuant to Iowa Code 21.5(1)c: to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion carried at 10:16 a.m.

Primmer moved/Bierschenk seconded: To exit closed session at 11:15 a.m. Motion carried.

Primmer moved/Bierschenk seconded: To act on matters proposed with Human Resource Director in closed session and to grant authority to Sue Wilber to implement that with appropriate timeline. Motion carried.

Primmer moved/Bierschenk seconded: To enter closed session at 11:18 a.m. pursuant to Iowa Code 21.5(1)c: to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Primmer moved/Bierschenk seconded: To exit closed session.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

October 9, 2023

The Benton County Board of Supervisors met in a special work session with Conservation Board Members. The meeting was called to order at 11:30 a.m. at the Rodgers Park Grilling Garden for lunch. The Tour of the conservation properties started around noon viewing Rodgers Park area which led to a drive through of the shoreline and other Hoefle-Dulin projects. Next stop was to the Wildcat Bluff Recreation Area and Addition. Discussions regarding how their funding of the area was planned including using some ARPA funds for expenses. One of the last areas on the tour was towards Blairstown to Toured the new Hannen Lake Park shop and drove by the Old Creamery Nature Trail along the way back to Rodgers Park. The Tour concluded at 4:15 p.m.

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

Tracy Seeman, Chairman

ATTEST: _____

Shelby Williams, Benton County Conservation Director

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

October 10, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman and Primmer and Bierschenk present. The meeting was called to order at 7:30 a.m. at the Vinton Skate and Activity 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:*

Bierschenk moved/Primmer seconded: To approve the minutes of October 3, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve using ARPA Funds to pay the following (3) claims: DNR for public water supply for \$200, Short Elliott Hendrickson, Inc. for Wildcat Bluff Water Improvements in the amount of \$963.86 and Construction Materials, Inc. for \$882.63 Motion carried.

Primmer moved/Bierschenk seconded: To approve claims numbered 247587 through 247727, payroll checks numbered 143006 through 143013, ACH Deposits 54685 through 54834 and vendor checks numbered 247728 through 247734. Motion carried. The Board received a request for a driveway variance from Charles Overby Overby's daughter Jessica and Cody Randall would like to get a prefabricated home onto the property and found out the driveway needs to be widened. Barb Greenlee read the secondary roads driveway report which said it does not meet the county's criteria. The report looked at requirements for site distance and if a driveway is to be altered, it has to meet the distance policy. County Engineer Myron Parizek was present for the conversation and suggested widening the driveway to get the house in and then taking it back out. This would also require culvert work which would be at the owner's expense. Overby was stating other driveways in the area that are not in compliance, however the board pointed out that those driveways weren't being altered. The variance request was withdrawn and all parties agreed to deal with this temporary driveway request at the land use hearing date for Jessica and Cody Randall on Tuesday October 31, 2023. So no action was taken.

Primmer moved/Bierschenk seconded: To approve and authorize signature on plan sets for Project bro-s-CO06(127)—8J-06-RCB Culvert Replacement-Twin Box on 17th Ave. in Big Grove Township and Project BROS0CO06(128)—8J-06—Bridge Replacement - PPCB on 17th Ave in Big Grove Township. Motion carried.

Primmer moved/Bierschenk seconded: To approve Class C Retail Alcohol License for Traveling Tapster LLC for November 3-7, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Special Class C Retail Alcohol License for McBride Mobile Taps, LLC for November 7-11, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Auditor's Quarterly Report for period ending September 30, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Recorder's Quarterly Report for period ending September 30, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Sheriff's Quarterly Report for period ending September 30, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To accept resignation from Mary Halstead, Transportation driver effective October 1, 2023 and thank her for her many years of service. Motion carried.

Mae Hintgen, CEO of the MH/DS of East Central Region provided a regional update along with FY 24 Priority Initiatives. She talked about the representation on the regional board, term lengths and regional finances along with reducing fund balances. Hintgen had some handouts outlining the FY 24 financial plan and that includes a financial assistant to help free up Deb Guard's time so that she can perform more comprehensive financial analysis of the overall budget maintenance and forecasting. This year they are working with \$29.4 million dollars.

Barb Greenlee requested to go into closed session to do her employee evaluation.

Primmer moved/Bierschenk seconded: To enter closed session at 10:23 a.m. pursuant to Iowa Code 21.5(1): to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session.

Myron Parizek requested to enter into closed session for his employee evaluation.

Primmer moved/Bierschenk seconded: To enter closed session pursuant to Iowa Code 21.5(1): to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session

Sarah Wagner requested to enter into a closed session for her employee evaluation.

Primmer moved/Bierschenk seconded: To enter closed session pursuant to Iowa Code 21.5(1): to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session

Mona Onken requested a closed session for her employee evaluation.

Primmer moved/Bierschenk seconded: To enter closed session pursuant to Iowa Code 21.5(1): to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried.

Primmer moved/Bierschenk seconded: To exit closed session

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

October 17, 2023

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 Vinton Skate and Activity 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:*

Bierschenk moved/Primmer seconded: To approve the minutes of October 9, 2023 and October 10, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve General Assistance Quarterly Report ending September 30, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve and authorize signature on Shared Area Radio Agreement (SARA) 28E Agreement. Motion carried.

Primmer moved/Bierschenk seconded: To table appointment to the SARA Board and put on a future agenda. Motion carried.

Primmer moved/Bierschenk seconded: To approve Quote from Renaissance Roofing and authorize signature approving the needed repairs to the Courthouse. Gutter and Ledge estimate is \$19,500 and the Slate Roof repairs amount is \$14,900 with \$4,000 down up front. Motion carried.

Primmer moved/Bierschenk seconded: To table action on appointing Barb Greenlee as the Department Head for Sanitarian/Land Use Department. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing Ryan and Jennifer Rozek in part of the NE ¼ of the SE ¼ of 16-85-9. This area is part of Lot 2 of Auditor's Plat #23 which is 4.10 acres. Jennifer Rozek was present. Eric Ockenfels and Taran White were also members of the public present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. The ground is mostly timber area and not been in production with a CSR of 70. Rozek's would like to purchase the entire parcel to build a new home. There is an existing driveway that meets policy requirements. A private water well and septic system will need to be installed. Five notices were sent to the adjacent landowner's and was published in the official newspapers. There were no public comments before today, the one question that was asked during the hearing was about the existing dwelling located within the parcel. This proposal should not have any negative impacts on surrounding area. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Primmer seconded: To approve the land use change for Ryan and Jennifer Rozek in part of the NE ¼ of the SE ¼ of 16-85-9. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Seeman seconded: To approve Resolution #23-73, Approving Final Plat for Bowman Addition to Benton County, Iowa. Motion carried.

RESOLUTION #23-73
RESOLUTION ACCEPTING AND APPROVING BOWMAN ADDITION FINAL PLAT, IN BENTON COUNTY, IOWA

WHEREAS, A Final Plat of Bowman 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:

That part of Parcel "A" in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) in Section One (1), Township Eighty-two (82) North, Range Nine (9) West of the Fifth Principal Meridian, Benton County, Iowa, more particularly described as follows:

Beginning at the Northwest corner of said Parcel "A"; thence North 86°36'28" East along the north line of said Parcel "A" 301.40 feet; thence South 01°52'02" East, 340.12 feet to the south line of said Parcel "A" also being the south line of said Southwest Quarter; thence South 87°43'01" West along said south line 302.90 feet to the west line of said Parcel "A"; thence North 01°35'37" West along said west line 334.30 feet (334.13 feet-record) to the point of beginning; containing 2.34 acres, more or less, including 0.13 acres, more or less, within presently established road right-of-way.

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 Bowman 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 Bowman 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:

4. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.
5. Any new private water supply system will be constructed with the approval of the Benton County Health Department.
6. Any new private on-site sewage treatment system will be constructed with the approval of the Benton County Health Department.
- 7.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that said board, on April 5, 2022, at the request of Casey Bowman, did grant a variance waiving the following items regarding the submission of the Bowman Addition Final Plat:

Article IV, Sections 4.01 through 4.05; Article V, sections 5.01 through 5.07, Article VI, 6.2 through 6.03 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 17th day of October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #23-74, Transfer of Funds. Motion carried.
RESOLUTION #23-74
TRANSFER OF FUNDS

BE IT RESOLVED by the Benton County Board of Supervisors that the following interfund funds are ordered:

Fund 0010-Fund 0006 Mental Health \$627.71

Fund 1551-Fund 1513 Capital Projects \$8,659.67

Fund 0021 (WMA)-Fund 0001 (General Basic)-\$929.47

The auditor is authorized to make the necessary adjustments to the FY24 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on October 17, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Law Enforcement Contract with City of Norway 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. Jerry Greif addressed the Board and Sheriff regarding the cost of courthouse security to Benton County Taxpayers and questioned why it was needed. Sheriff Tippett explained the courthouse restrictions of weapons and buildings that restrict weapons are required to have security by state law. Benton County has chosen to protect not just the court area, but also the employees. Greif asked what the threat was and Tippett responded with the threat is what you don't know. Greif concluded this was extreme to spend this kind of money on something he didn't believe is needed. He suggested it get put to a vote to the taxpayers and also commented on other counties he visited that did or did not have security. Auditor Rippel sent him some of the counties policy's via email.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To approve Resolution #23-75, Approving 28E agreement for Victim Witness Coordinator/Sexual Assault Response Team. Motion carried.

RESOLUTION #23-75

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 17th day of October, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

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

This 28E Agreement is made on this 27th day of June, 2023, 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

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Coordinator/SART Assistant.

2. **TERM:** This agreement is expected to last from July 1, 2023 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 are utilizing the Victim Witness Coordinator and SART Assistant roles. Clayton County and Delaware County will each be responsible for \$3,250.
 - b. Buchanan County, Benton County and Jones County will be utilizing the SART Assistant and not the Victim Witness Coordinator services in their counties. Buchanan County and Benton County will each be responsible for \$1,625. Jones County will be responsible for \$1,825.85.
 - c. Each county shall make payment in full to Clayton County Auditor by August 1, 2023.
 - 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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

IN WITNESS THEREOF, the parties hereto have executed this agreement the day and year above written.

APPROVED BY THE DELAWARE COUNTY BOARD OF SUPERVISORS

Jeff Madlom, 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 COUNTY BOARD OF SUPERVISORS

Jeff Swisher, Chairperson

ATTEST: _____
Auditor

APPROVED BY BUCHANAN COUNTY

Shawn M. Harden
Buchanan County Attorney

ATTEST: _____
Auditor

Primmer moved/Bierschenk seconded: To authorize a second Benton County Secondary Roads Credit Card specifically for the parts department with a credit limit of \$5,000. Motion carried.
Bierschenk moved/Primmer seconded: to approve and authorize signature on plan set for Project BROS-CO06(122)—8J-06 Bridge Replacement-CCS on 21st Ave. Dr. in Big Grove Township. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Seeman seconded: To approve Resolution #23-76, Temporary Road Closure. Motion carried. RESOLUTION #23-76

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from October 23, 2023, through the completion of the project.

From 27th Avenue Drive east 1.25 miles to 29th Avenue along 52nd Street in Harrison & Polk Townships.

signed this 17th day of October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

No action was taken on purchase agreements. Bierschenk moved/Primmer seconded: To adjourn. Motion carried.

Tracy Seeman, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

October 24, 2023

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 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.bentoncountytia.gov

Primmer moved/Bierschenk seconded: To approve the farm exemption application for Elana Janss in part of the NE 1/4 of the NE 1/4 of Section 29-82-12. Motion carried. Primmer moved/Bierschenk seconded: To approve and sign letter of support for Conservation to apply for grant funding to be used for water trails along the Cedar River. Motion carried. Bierschenk moved/Primmer seconded: To approve the minutes of October 17, 2023 with one typo correction. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To approve Resolution #23-77, Abatement of Taxes pursuant to Iowa Code 435.23(3). Motion carried.

RESOLUTION #23-77

WHEREAS, the Benton County Treasurer has reported that six mobile homes have been deemed to have no value by the Timber Ridge Mobile Home Court pursuant to Iowa Code 435.23(3): and

WHEREAS, there are currently tax liens filed against the properties and has determined that it is impractical to pursue collection of the total amount of tax due through the tax sale and the personal judgment remedies and has recommended that the board of supervisors abate the tax on these parcels,

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on the below listed parcels and unpaid through the 2022 county system.

| | |
|--|-----------------------------------|
| #G3802- \$1438 in tax, penalty and interest | Tax Sale Certificate CH00685 2018 |
| #288AB- \$2805 in tax, penalty, and interest | Tax Sale Certificate CH00676 2017 |
| #0130284S- \$962 in tax, penalty and interest | Tax Sale Certificate CH00704 2022 |
| #11177-\$1207 in tax, penalty and interest | Tax Sale Certificate CH00692 2021 |
| #18B102LS1873- \$2445 in tax, penalty and interest | Tax Sale Certificate 150154 2015 |
| #G2719-\$1077 in tax, penalty and interest | Tax Sale Certificate CH00696 2021 |

Dated this 24th day October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Melinda Schoettmer, Treasurer also reported that effective November 6, her office will be open to the public from 8 am until 4:30 p.m.

Primmer moved/Bierschenk seconded: To approve claims numbered 247735 through 247877, payroll checks numbered 143014 through 143021, ACH Deposits 54835 through 54984 and vendor checks numbered 247878 through 247885. Motion carried.

Primmer moved/Bierschenk seconded: To approve ARPA Claims for Short Elliott Hendrickson, Inc. in the amount of \$4,127.70, RC Tech in the amount of \$40,810.30 and \$6,463.83 and True North Group Consulting Group in the amount of \$4,428. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for David Wilson in part of the NE ¼ of the NE ¼ of 13-84-12. This area is part of Lot 2 of Auditor's Plat #23 which is 4.10 acres. David Wilson was not present, but there was media and public present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. The site is not in production and the entire parcel has a CSR of 90. Wilson would like to change the use of one acre of land to allow for a single-family dwelling and machine shed. There is an existing driveway that meets policy requirements. A private water well and septic system will need to be installed. Four notices were sent to the adjacent landowner's and was published in the official newspapers. There was no public comments before today, and no comments made today in the hearing. This proposal should not have any negative impacts on surrounding area. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Primmer seconded: To approve the land use change for David Wilson in part of the NE ¼ of the NE ¼ of 13-84-12. Motion carried.

Bierschenk moved/Seeman seconded: To appoint Rick Primmer as a member to the Benton County Wellness Committee. Motion carried.

Primmer moved/Bierschenk seconded: To appoint the Sheriff to the Shared Area Radio Agreement (SARA) Committee and the EMA Director as the alternate. Motion carried.

Primmer moved/Bierschenk seconded: To approve the Class C Liquor License for The Topsy Travelers, LLC for November 18, 2023 through November 22, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on permanent & temporary easement(s) for bridge project on 17th Avenue in the amount of \$3,596.00. Motion carried.

Primmer moved/Bierschenk seconded: To approve IDOT Federal-aid Agreements for County Highway Bridge Program Project(s): Agreement No 6-23-HBP-S-032 and Agreement No 6-23-HBP-S-033. Motion carried.

Primmer moved/Bierschenk seconded: To approve IDOT US HWY 218 Detour Agreement for RCB Culvert project in Vinton. Motion carried.

Sue Wilber, Human Resource Director discussed with the supervisors the board position vacancies needed to fill on the Public Health Board and Conservation Board. A revised application form is available on the county website.

Rick Wood asked that his employee evaluation be in closed session.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)j: To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried at 9:58 a.m.

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

Dean Vrba requested that his employee evaluation be in closed session.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)j: To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried at 10:31 a.m.

Primmer moved/Bierschenk seconded: To exit closed session at 10:55 a.m. Motion carried.
Ben Turnis requested a closed session for his employee evaluation.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)j: To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried at 11:01 a.m.

Primmer moved/Seeman seconded: To exit closed session at 11:27 a.m. Motion carried.
Darren Stein requested the board go into closed session to do his employee evaluation.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)j: To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried at 11:35 a.m.

Bierschenk moved/Primmer seconded: To exit closed session at 12:02 p.m. Motion carried.

Primmer moved/Bierschenk seconded: To accept the resignation from Darren Stein as the Weed Commissioner effective immediately. Motion carried.

The Board called Joe Gamble, Attorney from Duncan Green, P.C.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1) a and c: To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion carried at 12:07: p.m.

Primmer moved/Bierschenk seconded: To exit closed session at 12:31 p.m. Motion carried.

Primmer moved/Seeman seconded: Follow the advice given from outside counsel pursuant to Iowa Code 622.10. Motion carried.

Doug Cook, member of the public asked questions regarding the Boards action relating to eliminating the positions on the Benton County Public Health Board. Seeman responded there will be another closed session at the upcoming meeting starting at 1:00 p.m. in depth regarding that topic. We can't answer questions at this time until we can get information from our County Attorney.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

October 24, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 1:00 p.m. at the Benton County Service Center. Members of the public are invited to join in during open session. *Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyia.gov*

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Primmer seconded: To approve Resolution #23-78, Hiring Equipment Operator for Secondary Roads. Motion carried.

RESOLUTION #23-78

WHEREAS: Benton County Secondary Road Department has an opening to fill for an Equipment Operator for Secondary Roads; 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 Benjamin Wood be hired to fill one position of Equipment Operator at a starting wage of \$26.35 per hour starting November 13, 2023. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 24th day of October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)c: To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion carried at 1:07: p.m.

Primmer move/Bierschenk seconded: To Exit closed session at 1:38 p.m.. Motion carried.

Rick Primmer asked Sue Wilber, Benton County HR Director to read a statement as follows:

"We wish to clarify previous actions related to the Board of Health to clarify that the primary reason for the action was to reverse the 130% increase in the budget implemented by the Benton County Board of Health and accordingly, we would ask the county attorney to prepare and release a statement."

Primmer moved/Bierschenk seconded: To authorize the County Attorney to prepare a public statement that includes the verbiage just read. Motion carried.

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

Tracy Seeman, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

October 31, 2023

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 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

Bierschenk moved/Primmer seconded: To approve both sets of minutes for October 24, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To grant approval for Mona Onken, MHDS Coordinator to attend out of state training in January, 2024. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Cody and Jessica Randall in part of the SE 1/4 of the NW 1/4 of 36-85-9. Charles Overby, the landowner was present. His daughter is wanting to change the use of approximately one acre for a new single-family dwelling. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. The site is currently in hay production with an average CSR of 66. There is an existing driveway that was found non-compliant with the driveway policy. A private water well and septic system will need to be installed. Three

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

notices were sent to the adjacent landowner's and was published in the official newspapers. There was no public comments before today, and no comments made today in the hearing. This proposal should not have any negative impacts on surrounding farm operations. The only perceived issue with this request is the driveway. Overby was in a past meeting along with the Engineer and was told he could be granted a temporary variance to widen the driveway to allow for the manufactured home to be brought in. Hearing no other further comments, the public hearing was closed.

Primmer moved/Bierschenk seconded: To approve the land use change for Cody and Jessica Randall in part of the SE 1/4 of the NW 1/4 of 36-85-9 and allow for the temporary driveway changes to accommodate the home to be brought in with the understanding it has to go back to its original state afterwards. Motion carried.

There was some committee reports from various boards the supervisors attended over the last week.

Sue Wilber spoke up for Ray Lough, County Attorney who wasn't able to attend today's meeting. Wilber provided a rough draft of a contract with Virginia Gay Hospital to the board regarding Public Health Services. The Board has scheduled a future meeting for Thursday so that they have more time to look this over and have VGH representation present. When asked if the public could see the proposed agreement, Supervisor Primmer said it is not signed, therefore it is not available to the public. No action was taken.

Primmer moved/Bierschenk seconded: To approve Resolution #23-79, Hiring Equipment Operator for Secondary Roads. Motion carried.

RESOLUTION #23-79

WHEREAS: Benton County Secondary Road Department has an opening to fill for an Equipment Operator for Secondary Roads; 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 William Beranek be hired to fill one position of Equipment Operator at a starting wage of \$26.35 per hour starting November 20, 2023. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 31st day of October, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Sue Wilber, Human Resource Director wanted to discuss the future of the weed department with the most recent resignation from the commissioner last week. They will hold off on posting this and have the department's current employee help out with secondary roads with winter coming. The action was tabled until next year.

The Board had about 10 minutes for public comments before the next timed item. Former Board of Health member Maggie Mangold read a timeline regarding the board of health and its budget. She also touched on the relationship between the county, board of health and Virginia Gay and who has the authority to enter into contract regarding public Health. Supervisor Seeman asked that Mangold attend Thursday's upcoming meeting as they were out of time, or stating they were welcome to stick around for after the upcoming closed session.

Sue Wilber requested the board go into closed session to do her employee evaluation. Supervisor Primmer directed Auditor Rippel to also exit the room for this portion of the meeting.

Primmer moved/Bierschenk seconded: To enter into closed session pursuant to Iowa Code 21.5(1)i: To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried at 10:05 a.m.

Primmer moved/Bierschenk seconded: To exit closed session at 11:00 a.m. Motion carried.

The public was welcomed back into the meeting along with Auditor Rippel.

The supervisors were tasked with numerous questions from the public regarding their actions regarding the public health board. Other topics arrived such as the dirt brought into the landfill, minutes being public and closed sessions. Primmer stressed the county was not without public health people and Seeman added that what it came down to, was trying to save the taxpayer's money.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

November 2, 2023

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk present. The meeting was called to order at 10:00 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.bentoncountyia.gov*

Bierschenk moved/Primmer seconded: To approve the of minutes for October 31, 2023 and also correction to October 24, 2023 minutes to fix the time and location of the meeting. Motion carried.

Supervisor Primmer reported on the quote regarding the white noise for privacy in the hallway at the Service Center discussed at an earlier meeting. The wiring quote was \$4,765.73.

Ray Lough, County Attorney explained that the main purpose for today's meeting was to open it up to the public to review a new proposal for health services in Benton County. The most recent contract terminated in March originated back to 1994. A new draft agreement was shared between Benton County Board of Supervisors, Benton County Board of Health and Virginia Gay Hospital. Lough referred to Iowa Code 137 and Administrative Chapter 641, which discusses the roles of each entity and how those duties are included in this draft. Lough also introduced Benton County currently has a public health director housed at the Benton County Service Center. Michele Schoonover, Virginia Gay Hospital's CEO asked to read a statement in response to the insinuations and many statements occurring on the subject matter. Following the joint meeting on February 10, 2023, The Board of Health (BOH) had wanted to change the parameters of the prior contract mainly due to the combining of the departments of Health and Human Services with the Department of Health and moving to population-based services. In order to do that, the hospital had to terminate the agreement in March and reflect some changes that are included in this new draft. Schoonover also stated that the hospital has been supporting the current public health director on a weekly basis, at no cost to taxpayers. The county still has equipment at the hospital and they have continued to provide support and interim services for back-up. They want this service to the community to be successful. Schoonover also added that they realize the new BOH would have to approve a new contract. Supervisor Seeman was assured the drafted contract was made available to the public late Wednesday.

Lough introduced Brent Hinders, attorney brought in that specializes in this area of the law.

Kurt Karr, asked for it to be on record, that originally the Board of Supervisors (BOS) denied the public to see the draft at Tuesday's meeting because Lough had advised them not to. According to Karr, the Iowa Public Information Board (IPIB) advisory says that was not correct. Lough said since there has been a complaint filed, he is not going to discuss that. Margaret Mangold then added to that, she was requesting that original copy from Tuesday's meeting before other tweaks have been made to the one today.

Former BOH members all had comments to add to the 90 minute discussion. Mangold asked the Supervisors if they ever thought to come to the Board of Health with questions before their actions? Lisa Staab referred back to the May 9, 2023 meeting where the BOH presented two structures that the Supervisors voted on which structure they wanted and that was to put Land Use under the Board of Supervisors and Public Health under the BOH.

Kaitlyn Emrich pointed out the topic of the agenda item and asked if this Board would still be entertaining this contract, if we (BOH) were not terminated? Emrich summarized the actions taken by the BOH under the direction of the BOS many times, then we were terminated after taking those actions we were told to do. Emrich also pointed out there was a similar revised drafted contract presented to them in 2018.

Morrison reminded the Board of Supervisors, they were promised some answers at today's meeting.

Ray reminded them the authority of the BOS is the funding, not the services.

Discussion continued back and forth and other members of the public also spoke up on the subject with their concerns also.

Kurt Karr stated that everyone makes mistakes. Saying they were sorry and rectifying it would be the most gratifying. Supervisor Seeman apologized to the Virginia Gay Hospital representatives but stating they would have to think about apologizing to the members of the BOH, there are a lot of factors to consider.

Due to the arguments and conflicts in the meeting, Michele Schoonover, on behalf of Virginia Gay Hospital withdrew the drafted contract offer that was on the table. Schoonover said, "It's not worth sullyng VGH's reputation or all the stress and arguing."

It was agreed that the next step necessary to move forward is to appoint members to the Board of Health. Once that Board is in place, then they could look at different options for sub-contracting. Emrich recommended if a sub-contract is the way they want to go, that a fair and open process is used to open it up to others for the equal opportunity to bid on this.

Seeman asked that the public comments be closed at this time and that it would all be revisited. Mangold reported the five members had requested a hearing in regards to their termination and that there would also be a future agenda item requesting funding for legal counsel to represent the Board of Health. Lough provided the date of the scheduled hearing and Auditor Rippel will be sending certified letters in response.

Primmer moved/Bierschenk seconded: To adjourn at 11:27 p.m. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

November 7, 2023

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 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.bentoncountya.gov

Primmer moved/Bierschenk seconded: Rick Primmer requested that all public comments be limited to three minutes during meetings per the Heartland Risk Attorney Brent Hinder's suggestion. Motion carried. Rick Primmer wanted to report that the RC Tech gave a quote of \$1,550.00 for moving antennas. Rick Primmer also reported that there is grant money available for a project like this.

Primmer moved/Bierschenk seconded: To work with RC Tech on the antenna project. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes for November 2, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve claims numbered 247886 through 248025, payroll checks numbered 143022 through 143026, ACH Deposits 54985 through 55127 and vendor checks numbered 248026 through 248032. Motion carried.

Primmer moved/Bierschenk seconded: To approve ARPA Fund claims for: RC Tech-\$3,200.60, True North Consulting Group-\$2,952.00, True North Consulting Group-\$4,428.00 (August), True North Consulting Group-\$4,428.00 (October) and Wirtanen Concrete, Inc. -\$25,930.00. Motion carried.

Melinda Schoettmer, County Treasurer presented a bid to the Board of Supervisors from Three D Kitchen to remodel the countertops and stations on the motor vehicle side. Melinda had reached out to three different companies for bids but only had one respond. Melinda stated that she had the money in her budget for the remodeling to take place.

Bierschenk moved/Primmer seconded: To approve bid from Three D Kitchens in the amount of \$10,262.00 to remodel countertops and work station for the motor vehicle office.

Maggie Mangold the former chair of the Board of Health approached the Board of Supervisors to request that the county pay for outside legal representation. Maggie explained how she was informed that there would be a conflict of interest for County Attorney Ray Lough to represent the previous Benton County Board of Health while he was representing the County. Tim Dille was on speaker phone during this conversation and was able to advise that the Board of Supervisors are not required to cover any costs for the previous Board of Health since they are now citizens and not county employees.

Primmer moved/Bierschenk seconded: To deny the request from Maggie Mangold for having the county pay for outside legal counsel for the terminated board of health members based on the advice from Heartland Insurance and our County Attorney's office. Motion carried.

Benton County Sheriff, Ron Tippett presented a bid to the Board of Supervisors to replace a detective vehicle with a Jeep Compass from Thys Automotive Family in the amount of \$25,750.

Bierschenk moved/Primmer seconded: To approve bid for used Jeep Compass from Thys Automotive Family, Blirstown in the amount of \$25,750. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #23-80, Hiring full-time equipment operator. Motion carried. RESOLUTION #23-80

WHEREAS: Benton County Secondary Road Department has an opening to fill for an Equipment Operator for Secondary Roads; 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 Caleb Stieferman be hired to fill one position of Equipment Operator at a starting wage of \$25.25 per hour starting November 13, 2023. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 7th day of November, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Courtney Long, Deputy Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Gary Bierschenk had some additional questions to follow the approval of the resolution. Gary was interested to know how many applicants were received. Myron reported that there were approximately 8-10 applicants, out of which 6 were interviewed. Myron reported that his department was wanting to hire a total of four new employees and have currently filled three of those positions. In addition, questions were asked of Myron in regards to the progress on Highway 30. Myron reported that the four way stop between Van Horne and Blairstown should be finished by the end of November. There was a discussion about stops signs and other safety measures and where the cost would fall with some of those items.

During the comments portion Doug Cook approached the Board of Supervisors and addressed Tracy Seeman. Doug asked Tracy if he felt as though he should continue to be a member of the Board of Supervisors after recent legal actions. Tracy answered with a simple, yes. Doug wanted to continue the conversation but was reminded that this time was for comments only and that Tracy was not required to answer any additional questions at this time.

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

Tracy Seeman, Chairman

ATTEST: _____

Courtney Long, Deputy Benton County Auditor

November 14, 2023

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 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.bentoncountytia.gov*

Rick Primmer reminded that all public comments be limited to three minutes during meetings.

Primmer moved/Bierschenk seconded: To approve the minutes of November 7, 2023 with corrections. Motion carried..

Primmer moved/Bierschenk seconded: To approve use of the courthouse for Vinton Unlimited on November 16, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Law Enforcement Contracts with City of Mt Auburn and City of Shellsburg. Motion carried.

Ben Turnis, IT Director, presented a quote for speaker system and a licensed radio system for the Benton County Service Center. Turnis stated he received a quote from RC Tech for \$4,755.63. He thinks it will be cheaper since they won't have to go under the building to drill holes. RC Tech requires 70% down once the quote is accepted. Pandora is a licensed radio station that if they pay yearly they get a player for free.

Primmer moved/Bierschenk seconded: To approve speaker system quote for up to \$4,755.63 and monthly licensed radio station for the Benton County Service Center. Motion carried.

Gina Edler, Deputy Auditor, presented the results of the Post- Election Audit for the Belle Plaine precinct. Post-Election Audit reported no discrepancies.

The time of 9:15 a.m. having arrived, Election Deputy Gina Edler and the board proceeded with canvassing the November 7, 2023, regular City/School Election.

Primmer moved/Bierschenk seconded: To approve the write-ins for the City of Garrison City Council for Joe Earle, Joel Earl and Joseph Earle all be counted as the same person. Motion carried.

Primmer moved/Bierschenk seconded: To approve the write-ins for the City of Mt Auburn City Council for David McGarvey and David McGarvy all be counted as the same person. Motion carried.

Primmer moved/Bierschenk seconded: To approve the write-ins for the City of Norway City Council Vacancy for Darrell A. Schulte and Darrell Schulte all be counted as the same person. Motion carried.

Primmer moved/Bierschenk seconded: To approve the write-ins for the City of Van Horne City Council for Mitch Schulte, Mitch Schulty, and Mitchell Schulte all be counted as the same person. Motion carried.

Primmer moved/Bierschenk seconded: To approve the write-ins for the City of Walford City Council for Katheryn Diane Jones and Katheryn Jones all be counted as the same person. Motion carried.

The following City Officials were elected:

City of Atkins: Council-Trevor Dursky and David Fisher

City of Belle Plaine: Mayor-Lyle Morrow, Council at-large-Garrett Landuyt, Council District 2-Charmaine Wickwire, Park Commissioner-Lonny G. Weber

City of Blairstown: Mayor-Rodney C. Kubichek, Council-Scott Metz and Nicholas T. Mokas

City of Garrison: Mayor-Garrett Flickinger, Council-Doug Kearns and Marvin Trimble

City of Keystone: Mark W. Andresen, Council-Mike L. Stoner and Rebecca Andresen

City of Luzerne: John W. Brandt, Council-Jeani Brandt, Kyla Buttikofer, Joel D. Buttikofer, Kelly W. Kendall and Barbara Shields

City of Mt Auburn: Mayor-Austin Brase, Council-Mercedes Bickel, Jared Helms, Cody Lundry, Shelby Williams and David McGarvey

City of Newhall: Mayor-Doug Boddicker, Council-Bruce Cross, Rachelle Messner, Douglas Rinderknecht, Ben Seeck and Douglas Wendel

City of Norway: Mayor-Loras Schulte, Council-Michael Schulte, Christopher J. Van Horn, Council-Vacancy-Terry L. Pickart

City of Shellsburg: Mayor-Phillip Travis, Council-Scott Hepker and Brian Reeves

City of Urbana: Mayor-Gary Benson, Council-Amanda Vaske and Jeff Bendull

City of Van Horne: Mayor-Pat Gorkow, Council-Todd Donald and Mitch Schulte

City of Vinton: Mayor-Bud Maynard, Council at Large-Tamara S. Stark, Council Ward-2-Andrew Elwick, Council Ward-3-Vacancy-Zach Parmater, Council Ward-4-Bethany Gates

Public Measure BG: Passed

Public Measure BH: Failed

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Bierschenk seconded: To declare the canvass of the City/School 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. School officials and the City of Walford officials will be certified in the second tier canvass which will be held on November 21.

Edler reported that the Auditor's office received paperwork requesting a recount for Vinton City Council Ward 2 race. To proceed with the recount the Board of Supervisors needs to approve a written order by resolution.

Primmer moved/Bierschenk seconded: To adopt Resolution #23-81. Motion carried.

RESOLUTION #23-81

WHEREAS, the Benton County Auditor's office administered the City/School Election of November 7, 2023, which included precincts in the Vinton City Council Ward 2; and

WHEREAS, the Benton County Board of Supervisors on November 14, 2023, canvassed and certified the results of said election per the Code of Iowa; and

WHEREAS, Dakota Sellers, candidate for Council Member, properly filed a request for a recount of votes in the City of Vinton, City Council Ward 2 precinct in Benton County as prescribed by Code of Iowa §50.48;

THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that a recount of said precinct be ordered and that the County Auditor and Commissioner of Elections be authorized to conduct said recount as prescribed by the Code of Iowa.

Signed this 14th day of November, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Gina Edler, Deputy Benton County Auditor

Primmer moved/Bierschenk seconded: To adopt Resolution #23-82, Approve hire of Chad Galli as Equipment Operator. Motion carried.

RESOLUTION #23-82

WHEREAS: Benton County Secondary Road Department has an opening to fill for an Equipment Operator for Secondary Roads; 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 Chad Galli be hired to fill one position of Equipment Operator at a starting wage of \$25.50 per hour starting November 14, 2023. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 14th day of November, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Gina Edler, Deputy Benton County Auditor

Primmer moved/Bierschenk seconded: To approve members to the Benton County Health Board the following applicants were as follows: Lori Mott, Tai Burkhart, Karl Holmes, Jessica Fairbanks and Mike Barnes. Doug Cook asked for a point of order and debated with the board, " you haven't had the hearing yet for the other board of health and if you haven't had that rectified yet how can you go ahead appoint members when that isn't taken care of yet?" Primmer stated I don't have an answer for that, I don't have a problem with tabling until we get legal counsel. Motion failed.

Primmer moved/Bierschenk seconded: To table appointing Board of Health members until next week (November 21st) agenda where legal council will be available. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Supervisor Seeman gave a brief update on the radio towers. Seeman attended the Conservation meeting on November 13, the Hannen shop is 99.9% done and they are starting to move in this week.

Supervisor Bierschenk stated he attended the Decat board meeting and they worked on paperwork that needs to get signed by the end of the month.

Myron Parizek, Benton County Engineer, presented the board quotes on a new tandem dump truck.

Bids were received as follows:

GATR of CR-Mack Granite 64FR-\$236,735

Truck Center Companies-Freightliner 114SD Plus-\$225,851

Primmer moved/Bierschenk seconded: To approve quote/purchase of the Freightliner tandem dump truck from Truck Center Companies in the amount of \$225,851. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler, Deputy Benton County Auditor

November 21, 2023

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 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.bentoncountytia.gov*

Primmer moved/Bierschenk seconded: To approve the minutes of November 14, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve claims numbered 248033 through 248211, payroll checks numbered 143027 through 143083, ACH Deposits 55128 through 55276 and vendor checks numbered 248212 through 248219. Motion carried.

Primmer moved/Bierschenk seconded: To approve claim for Don's Cabinetry for work in the collections office in the amount of \$3,150 to be paid out of the ARPA fund. Motion carried.

The time of 9:05 a.m. having arrived, Deputy Auditor, Courtney Long and the board proceeded with canvassing the 2nd tier of the November 7, 2023, regular City/School Election.

The following **School Board Directors** were elected:

Belle Plaine: Benjamin Reineke, Alicia Jacobi and Tylar Gallagher
Belle Plaine Public Measure BI-Passed

Benton Community: District 1-Jason Schanbacher
District 2-Theresa Thompson
District 3-Matt Nolte
District 4-Vacancy-Scott Shaw
District 7-Emily Kaiser

Vinton-Shellsburg: At Large-Le Cox
District 1-Thomas Burke and Rebecca S. Williams
District 2-Jake Fish

The following City Mayor and Council Members were elected:

City of Walford: Mayor-Todd Gibbs, Council-Randy Bauer, Matt Greiner and Katheryn Jones

Primmer moved/Bierschenk seconded: To declare the 2nd tier canvass of the City/School 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

Primmer moved/Bierschenk seconded: To approve the change with a new flex spending account and authorize signature on a new contract with Health Equity Partners effective January 1, 2024. Motion carried. This will be a cost saving to the county.

Primmer moved/Bierschenk seconded: To approve and authorize signature on the Auxiant renewal with a fee increase from \$7.50 to \$8.00. This is for the broker fees for administration of the insurance buy down. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the retirement of Marc O'Brien effective December 29, 2023. Motion carried.

Sue Wilber discussed the need for a new line item in her Human Resources Budget for outside legal fees. Auditor Rippel said there wouldn't be another formal budget amendment until later in the fiscal year since we just did one in October. The Board agreed to pay for this out of the supervisors budget for time being and approve her amendment for a later date.

Wilber also discussed the holiday schedule with the Board. With Christmas falling on a Monday this year and the State offices are allowing Tuesday the 26th to be closed for the holiday also. Supervisors will decide at their December 5, 2023 meeting if they will grant additional paid holiday time.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Primmer seconded: To adopt Resolution #23-83, Wage and classification change. Motion carried.
RESOLUTION #23-83

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 Chris Moessner be set at \$27.92 per hour effective November 21, 2023. This position (mechanic) carries a Labor Grade classification VD.

Signed this 21st day of November, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To adopt Resolution #23-84, Approve hiring an Assistant County Attorney. Motion carried.

RESOLUTION #23-84

WHEREAS: Benton County Attorney’s Office has an opening to fill for an Assistant County Attorney; 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 Patricia Lipski be hired to fill the position Assistant County Attorney at a salary of \$80,000 starting December 4, 2023.

Signed this 21st day of November, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

The time of 9:30 A.M. being the time and date set for opening bids for the sale of sheriff’s vehicles that were advertised. The bids were due to the Auditor’s office by Monday, November 20, 2023 at 4:00 p.m.
Auditor Rippel opened the one sealed bid received and read as follows:

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

2009 Impala-\$100 above highest bid not to exceed \$1,200
 2015 Impala Limited-\$100 above highest bid not to exceed \$3,500
 2016 Impala Limited (VIN583)-\$100 above highest bid not to exceed \$4,000
 2016 Impala Limited (VIN984)-\$100 above highest bid not to exceed \$4,000
 2016 Ford Explorer-\$100 above highest bid not to exceed \$1,500
 2006 Ford F150-\$100 above highest bid not to exceed \$2,500

Seeman moved/Bierschenk seconded: To accept the bid from James Primmer for a total amount of \$16,700 for all 6 vehicles. Primmer abstained. Voting aye were Seeman and Bierschenk. Motion carried.

Jerry Greif, County resident discussed code enforcement for someone who was illegal dumping. He said he has contacted the county 39 times and questions why it is taking so long when he has proof and a witness who saw it. Sheriff Tippett said they were given the opportunity to clean up, some objects still remain and they were given a citation.

Primmer moved/Bierschenk seconded: To authorize chairman to sign the final IDOT Bridge Replacement Project BRS-SWAP-CO06(114)—FF-06 with the retainage cost of \$30,000. Motion carried.

Primmer moved/Bierschenk seconded: To approve the law enforcement contracts with the City of Garrison for a yearly sum of \$5070.00 to be paid quarterly not to exceed 3 hours a week. City of Luzerne for a yearly sum of \$845.00 to be paid quarterly not to exceed 26 hours in a twelve month period and the City of Van Horne for a yearly sum of \$25,350.00 to be paid quarterly and not to exceed 15 hours a week. Motion carried.

Primmer moved/Bierschenk seconded: To approve Veterans Affairs Quarterly Report ending September 30, 2023. Motion carried.

Bierschenk moved/Primmer seconded: To approve 25.5 hours of vacation carryover for Ben Turnis to be used by April 30, 2024. Motion carried.

Primmer moved/Bierschenk seconded: Per the County Attorney’s advice, move to table action on appointing members to the Board of Health to Tuesday November 28, 2023 after the 1:00 p.m. hearing. Motion carried.

Committee Reports were given, Primmer attended the Shellsburg bridge open house last week. Seeman missed the radio tower meeting and asked the sheriff to report about it. The Sheriff said that there would be no activity in regards to replacement of equipment between the holidays.

During public comments: Vinton resident Doug Cook asked about the dirt being hauled into the Benton County Landfill from Cedar Rapids. Supervisor Seeman suggested checking with the Iowa Department of Natural Resources and also checking with Eric, the landfill manager.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler, Deputy Benton County Auditor

November 22, 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*

Gina Edler, Deputy Auditor, explained to the Board that there was a recount requested for the City of Vinton Ward 2 race. Recount was administered on November 20. There was a difference found in the recount and by Iowa Code 50.48(5) the Auditor’s office needs to notify the Board of Supervisors and need to re-canvass that race. Edler, read the canvass of votes for the City of Vinton Ward 2 race.

Primmer moved/Bierschenk seconded: Canvass of City of Vinton Ward 2 race. Motion carried.

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

Tracy Seeman, Chairman

ATTEST: _____

Gina Edler, Deputy Benton County Auditor

November 28, 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 November, 21, 2023 and, November 22, 2023 with a correction made to a date. Motion carried.

Primmer moved/Bierschenk seconded: To approve new 5 year lease agreement with Pitney Bowes, Naspo Value Point Term Rental Installment Agreement for the county postage machine housed in the Treasurers office and authorize the chairman’s signature. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Dan Rammelsberg as a member to the Shared Area Radio Agreement Board (SARA). Motion carried.

Primmer moved/Bierschenk seconded: To appoint Tim Kapucian as a Kane Township Trustee to fill a vacancy with term ending December 31, 2024. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Primmer seconded: To approve the Engineer to attend the NACE Conference in California, April 15-19, 2024. Motion carried.

Primmer moved/Bierschenk seconded: As per former Board of Health Members requested that the 1:00 pm. Meeting this afternoon be tabled for a later date. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Committee reports included EMA meeting, and applications will be advertised to replace Scott Hansen with his upcoming retirement. They also mentioned the new towers will need to be lit up soon.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel Benton County Auditor

December 5, 2023

The Benton County Board of Supervisors met in special session with Supervisors Seeman and Bierschenk present, Primmer called in. 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.bentoncountya.gov

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday December 5, 2023. Motion carried. Discussion continued on the upcoming Holiday schedule and if the county would follow the state and observe Tuesday, December 26 as a holiday. Primmer made motion to follow suit with the state, Bierschenk seconded that and motion was carried. Continued discussion after the motion was had such as how this would effect union employees who may have to work that day and how it would be paid out at time and half and could affect the Sheriff and Secondary Roads budget. Sue Wilber, Human Resource Director clarified this was originally brought up due to current handbook stating Christmas Eve being observed as a half day if it fell on Monday through Friday and the mentioning of December 26th was only if we were going to follow the State. Primmer withdrew the motion, and the chairman said to put it back on the agenda next week.

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Bierschenk moved/Primmer seconded: To approve Resolution #23-85, Employment change for Owen Hansen. Motion carried.

RESOLUTION #23-85

WHEREAS, the Benton County Sheriff has a need for full-time corrections officer and;

WHEREAS, Owen Hansen has been employed by Benton County as part-time corrections officer since August 18, 2022 and;

WHEREAS, Hansen has completed all of the training related to the above-mentioned position; and

WHEREAS, the Sheriff recommended that Hansen have his employment status be changed from part-time to full-time

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Owen Hansen be changed to a full-time corrections officer in the sheriff's office effective December 5, 2023 at the hourly rate of \$21.08 an hour.

Signed this 5th date of December, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Wilber said they were tabling the hiring of the full-time sheriff deputy.

Wilber then explained a texting program she was researching to improve the communication for county employees. Not all employees have access to emails. There are different vendors that can do texting program and send out reminders/blasts to employees for various things or in an emergency situation. Employees would have the option to opt out also. Our current phone vendor is willing to add that onto our current plan for a set up cost of \$274.90 with a monthly fee of \$24.95. It was suggested that a survey be taken of employees to see how many people are interested in this before going further. No action taken.

Scott Hansen brought up the County's early retirement policy and how it hasn't been reviewed since 2012. With his approaching retirement. He had questions about the insurance coverage and the amount of the premium that is covered for that time frame before he qualifies for Medicare. This will be put back on the agenda on December 19, to allow time to process the various amounts of health insurance premiums over the years and where that \$425 amount came into play compared to what the cost of the single premium was. Shelby Williams, Conservation Director discussed the idea of using the Local Tribal Grant Funds of \$100,000 for the Wildcat Bluff project. This grant is specific in the use and to help fund the tribal surveys of the land would be an approved use. It could possibly be used for grant matching for other funding as well.

Bierschenk moved/Primmer seconded: To commit \$100,000 Local Tribal Grant funds to use for the Wildcat Bluff project. Motion carried.

Bierschenk moved/Primmer seconded: To approve the Utility Permit for Alliant Energy to place conduit for fiber in the county's right of way in Kane, Union, Eldorado, Fremont and Florence Townships. Motion carried.

In public comments: Dana Sanders asked the board about the impact the recent \$250,000 settlement has on the insurance premiums. Board member Primmer said this should not affect it by very much. Sanders referred to the manual for County Supervisors and holding them accountable and being transparent and compliant with open meeting laws. This led to questions regarding what discipline action is taken, which is confidential. Sanders was told that all employees are required to take harassment training and that the handbook is currently going through a review process for updates.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel Benton County Auditor

December 12, 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*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday December 5, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve vendor checks numbered 248220 through 248226, payroll checks numbered 143084 through 143088, ACH Deposits 55277 through 55424 and claims numbered 248227 through 248433. Motion carried.

Primmer moved/Bierschenk seconded: To approve the following claims that are listed in the above motion to paid from the ARPA Fund: Edwards Plumbing and Heating-\$4,470.00, Schminke Excavating, LLC-\$6,350.00 and True North-\$2,952.00. Motion carried.

Primmer moved/Bierschenk seconded: To accept resignation of Larry Moody as Cedar Township Clerk. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Jerry Krug as Cedar Township Clerk and Ben Lutz as trustee. Motion carried.

Bierschenk moved/Primmer seconded: To accept Justin Bierschenk's resignation to the Pioneer Cemetery Commission. Motion carried.

Bierschenk moved/Primmer seconded: To appoint John Kreider to the Pioneer Cemetery Commission. Motion carried.

The Sheriff provided an update on recent security committee's recommendations and that is to leave things as they currently are. Sheriff also asked to table his second item.

Primmer moved/Bierschenk seconded: To table the employment change for Jeff Harnish at the Sheriff's Office. Motion carried.

Discussion continued on the upcoming Holiday schedule and if the county would observe Tuesday, December 26 as a holiday. The Board decided to keep things as stated in the handbook.

Primmer moved/Bierschenk seconded: To approve out of state training for Mona Onken to attend in St. Louis, Missouri April 14-17, 2024. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #23-86, Adopting Required Policies for CDBG Funding. Motion carried.

RESOLUTION ADOPTING REQUIRED POLICIES FOR CDBG FUNDING

RESOLUTION # 23-86

WHEREAS, the Benton County has received federal funding through the Community Development Block Grant (CDBG) program; and,

WHEREAS, all recipients of CDBG funds are required to adopt policies that 1) minimize the direct and indirect displacement of people from their homes, 2) provide equal opportunity to all employees, applicants, and program beneficiaries in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship, or sexual orientation 3) advise the public it will administer program and activities relating to housing and community development in a manner that prohibits discrimination on the basis of race, color, creed, religion, sex, national origin, disability, or familial status 4) ensure sound business judgement is utilized in all procurement procedures, and 5) ensure no conflict of interest, fraud, waste, or abuse arises from officers, employees, or agents of the Benton County.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

WHEREAS, the Benton County endorses policies that 1) minimize the direct and indirect displacement of people from their homes, 2) provide equal opportunity to all employees, applicants, and program beneficiaries in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship, or sexual orientation 3) advise the public it will administer program and activities relating to housing and community development in a manner that prohibits discrimination on the basis of race, color, creed, religion, sex, national origin, disability, or familial status 4) ensure sound business judgement is utilized in all procurement procedures, and 5) ensure no conflict of interest, fraud, waste, or abuse arises from officers, employees, or agents of the Benton County.

NOW, THEREFORE BE IT RESOLVED, the Benton County hereby adopts the following provisions as its official policy:

- 1) Residential Anti-displacement and Relocation Assistance Plan (RARA)
- 2) Equal Opportunity Policy
- 3) Affirmative Fair Housing Policy
- 4) Procurement Policy
- 5) Code of Conduct

Adopted by BENTON COUNTY this 12th day of December, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

The Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, As Amended

This Residential Anti-displacement and Relocation Assistance Plan (RARA) is prepared by the BENTON COUNTY in accordance with the Housing and Community Development Act of 1974, as amended, and HUD Regulations at 24 CFR 42.325 and is applicable to our CDBG, UDAG and/or HOME-assisted projects.

Consistent with the goals & objectives of activities assisted under the Act, the BENTON COUNTY will take the following steps to minimize the direct and indirect displacement of person from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners & tenants.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
- Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units”, as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.

The BENTON COUNTY will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG and/or HOME Programs, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

Adopted by the Board of the BENTON COUNTY this 8th day of DECEMBER 2023.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Signed (Tracy Seeman, Chair): _____

Date: _____

Attest (Hayley Rippel, Auditor): _____

Date: _____

December 12, 2023

It is the policy of Benton County to provide equal opportunity to all employees, applicants and program beneficiaries; to provide equal opportunity for advancement of employees; to provide program and employment facilities which are accessible to the handicapped and to administer its programs in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.

The Chairperson has ultimate responsibility for the overall administration of the affirmative action/equal opportunity program. The total integration of equal opportunity into all parts of personnel and program management is the Chairperson's responsibility. The Chairperson will review all policies and procedures as they affect equal opportunity and affirmative action and ensure compliance with relevant federal and state statutes.

The right of appeal and recourse is guaranteed by Benton County. Any person who feels that he or she has been denied employment, participation, representation, or services in any program administered by the (Benton County) because of race, creed, color, religion, sex, national origin, age, disability, political affiliation, sexual orientation, or citizenship has the right to file an equal opportunity complaint. Information and assistance relative to equal opportunity complaints shall be provided by Sue Wilber, who can be contacted at 319-318-0807.

This Equal Opportunity Policy of the Benton County shall be posted in conspicuous places within the facility, distributed to all employees, contractors and to the persons of all advisory and policymaking groups.

Signed: _____

Chairperson

PUBLIC NOTICE

AFFIRMATIVE FAIR HOUSING POLICY

BENTON COUNTY, IOWA

This notice is published pursuant to the requirements of Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance, and with Title VIII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in the provision of housing because of race, color, creed, religion, sex, national origin, disability or familial status.

BENTON COUNTY advises the public that it will administer its assisted programs and activities relating to housing and community development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.

BENTON COUNTY shall assist individuals who believe they have been subject to discrimination in housing through the resources of the Iowa Civil Rights Commission or the U.S. Department of Housing and Urban Development.

BENTON COUNTY has designated the following PERSON/OFFICE as the contact to coordinate efforts to comply with this policy. Inquiries should be directed to:

NAME: _Sarah Wagner_____

OFFICE: ___Social Services_____

ADDRESS: ___811 D Ave. Ste 33_____

CITY/STATE/ZIP CODE: __Vinton, IA 52349_____

PHONE NUMBER: _ 319-472-4743_____

HOURS: ___8 a.m.-4:30 p.m_____



**PROCUREMENT POLICY
FOR BENTON COUNTY, IOWA**

General (Replaces 2 CFR 200.318)

Subrecipients of the CDBG program must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The subrecipient alone shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the subrecipient of any contractual responsibilities under its contracts.

Conflicts of interest in awarding contracts (Replaces 2 CFR 200.318)

The subrecipient must maintain written standards of conduct covering and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

If the subrecipient has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

IEDA may terminate contracts with any CDBG subrecipient that violates this policy and may require full repayment of funds issued to the subrecipient.

Best Cost (Replaces 2 CFR 200.318)

The subrecipient's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

The subrecipient is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

Responsible Contractors (Replaces 2 CFR 200.318)

The subrecipient must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

Awards must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

The subrecipient must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following:

1. rationale for the method of procurement
2. selection of contract type
3. contractor selection or rejection
4. the basis for the contract price.

Competition (Replaces 2 CFR 200.319)

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or

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draft specifications, requirements, statements of work, or invitations for bids or requests for proposals shall be excluded from competing for such procurements. IEDA will consider requests for waivers of this provision. The subrecipient must make a sufficient showing that the number of contractors that provide the goods or services is insufficient that it is necessary to not exclude contractors that developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals.

Examples restrictions on competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants that are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a “brand name” product instead of allowing “an equivalent” product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

The subrecipient must conduct procurement in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal or State of Iowa law expressly mandates or encourages geographic preference. Nothing in this section preempts state licensing laws.

When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion, provided that an appropriate number of qualified firms remain, given the nature and size of the project, to compete for the contract.

The subrecipient must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided. When it is impractical or not reasonably feasible to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Types of Procurement (Replaces 2 CFR 200.320) (based on Iowa Code section 11.117 & 11.118)

The procurement method used by the subrecipient is determined by what is being procured: construction, professional services (such as architectural, engineering, or technical services), or other general goods and/or services.

For **construction**, subrecipients shall refer to and follow Iowa Code chapter 26 (<https://www.legis.iowa.gov/docs/code/2022/26.pdf>). Be aware that there are differing contract dollar thresholds depending upon the type of project and the type of subrecipient (e.g., county, city with a population of less than 50,000, city with a population over 50,000, etc.). These thresholds are periodically updated; please check the Code for the most current information. If your construction project cost is estimated to be below the threshold for competitive quotes referenced in Iowa Code chapter 26, you must follow the “other general goods and/or services” procurement guidelines listed below (most likely the Simple method).

For **professional services (such as architectural, engineering, or technical services)**, subrecipients shall use a formal *competitive selection* process to procure the services. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. For more detail, see the fourth method of procurement below, “competitive proposals.”

For **other general goods and/or services**, subrecipients shall follow the one of the four following methods depending upon anticipated total purchase cost of (a batch of) item(s) that can be procured from a similar vendor pool:

1. **Small:** Estimated annual value does not exceed \$5,000 and does not exceed \$15,000 for multiyear contracts: The subrecipient does not need to solicit competitive quotations if the subrecipient considers the price to be reasonable. To the extent practicable, the subrecipient must distribute such procurement equitably among qualified suppliers.
2. **Simple:** Estimated annual value exceeds \$5,000 but less than \$50,000 per year and does not exceed \$150,000 for multiyear contracts: The subrecipient may use an informal competitive selection process to engage a service provider. Informal selection means price or rate quotations must be obtained from an adequate number of qualified sources. The subrecipient may contact the prospective service providers in person, by telephone, fax, email or letter. The subrecipient should solicit at least three prospective service providers. The subrecipient must justify, to IEDA's satisfaction, contacting fewer than three service providers. The justification shall be included in the contract file.
3. **Sealed bids:** (formal advertising): Estimated annual value exceeds \$50,000 per year and exceeds \$150,000 for multiyear contracts: **Bids** are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible

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bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price. A complete, adequate, and realistic specification or purchase description will be developed before bidding. The following requirements apply:

- a. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, and the invitation for bids must be publicly advertised (not required for nonprofit entities);
 - b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - c. All bids will be opened at the time and place prescribed in the invitation for bids, and the bids must be opened publicly.
 - d. The subrecipient shall enter into a firm fixed price contract award with the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - e. Any or all bids may be rejected if there is a sound documented reason.
4. **Competitive Proposals (RFP):** Estimated annual value exceeds \$50,000 per year and exceeds \$150,000 for multiyear contracts: The technique of **competitive proposals** is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when a sealed bidding process is not appropriate, generally for service contracts, such as archeological services, historian services, or asbestos testing, although if the price point is below this threshold, an RFP is not required but merely recommended. Apart from **professional services** such as architectural/engineering (A/E) services or technical assistance (TA) (which uses a competitive method regardless of contract price – see note below for A/E process), this method is not commonly used for traditional CDBG projects. If you believe your projects warrants this method for anything other than the professional services identified above, please consult with your IEDA project manager prior to initiating the process. If this method is used, the following requirements apply:
- a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The subrecipient must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. The subrecipient must use competitive procedures for qualifications-based procurement (i.e., RFQ: Request for Qualifications) of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Noncompetitive proposals: Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- (1) The item is available only from a single source. This type of procurement is referred to as sole-source procurement;
- (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- (4) After solicitation of a number of sources, competition is determined inadequate. This type of procurement is referred to as single-source procurement.

Targeted Small Businesses – Minority, Disabled, and Woman Owned Businesses
(Replaces 2 CFR 200.321)

The subrecipient must take all necessary affirmative steps to ensure that minority businesses, women's business enterprises, businesses owned by disabled persons, and labor surplus area firms are used when possible. Affirmative steps must include:

- (1) Placing qualified small and minority businesses, small women's business enterprises, and small businesses owned by disabled persons on solicitation lists. Link to a directory of Targeted Small Businesses in Iowa: <https://iowaeda.microsoftcrmportals.com/tsb-search/>;
- (2) Ensuring that Targeted Small Businesses are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by Targeted Small Businesses;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by Targeted Small Businesses;

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(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration, the Minority Business Development Agency of the Department of Commerce and the Iowa Economic Development Targeted Small Business Program <https://www.iowaeconomicdevelopment.com/tsb>; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

Recycled Content and Products (Replaces 2 CFR 200.322)

When appropriate, specifications shall include requirements for the use of recovered materials and products.

The specifications shall not restrict the use of alternative materials, exclude recovered materials, or require performance standards that exclude products containing recovered materials unless the subrecipient seeking the product can document that the use of recovered materials will impede the intended use of the product.

Cost Analysis and Contract Price (Replaces 2 CFR 200.323)

The subrecipient must perform a cost or price analysis in connection with every procurement action in excess of the small, simple and professional acquisition thresholds, including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the subrecipient must make independent estimates before receiving bids or proposals.

The subrecipient must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the subrecipient under 2 CFR 200.402 - 406.

The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

Review of Procurement Documents and Procurement System (Replaces 2 CFR 200.324)

The subrecipient must make available upon request pre-procurement review; procurement documents, such as requests for proposals or invitations for bids; or independent cost estimates, when:

1. Requested by IEDA;
2. The procurement is expected to exceed the small, simple and professional acquisition thresholds and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
3. The procurement, which is expected to exceed the small, simple and professional acquisition thresholds, specifies a "brand name" product;

IEDA Certification: The subrecipient may request that IEDA certify that its procurement system meets these standards.

Self-certification: The subrecipient may self-certify its procurement system. Such self-certification shall not limit IEDA's right to review and survey the system. If a subrecipient self-certifies its procurement system, the IEDA may rely on written assurances from the subrecipient that it is complying with these standards. The subrecipient must cite specific policies, procedures, regulations, or standards as compliant with these requirements and make its system available for review.

Bonding (Replaces 2 CFR 200.325)

For construction or facility improvement contracts or subcontracts for public improvement projects and multi-family residential buildings, the minimum requirements shall be as follows:

- a. A bid guarantee from each bidder is equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- b. A performance bond for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- c. A payment bond for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to ensure that the contractor will pay as required by law all persons supplying labor and material in the execution of the work provided for in the contract.

The subrecipient may petition IEDA to accept its bonding policy, provided that IEDA has made a determination that the Federal interest is adequately protected.

Recipients are expected to comply with all state requirements regarding bonding requirements for public improvement projects: <https://www.legis.iowa.gov/docs/code/2019/573.pdf>

Recipients should consult with their legal counsel to determine how state requirements may impact their CDBG project.

Contract Provisions (Replaces 2 CFR 200.326)

The subrecipient's contracts must contain the applicable provisions set out in Appendix II of the CDBG Management Guide.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

ACKNOWLEDGEMENT AND ADOPTION

As a recipient of Community Development Block Grant (CDBG) funds, the BENTON COUNTY adopts the State of Iowa's CDBG Procurement Policies and Procedures and agrees to apply all policies and procedures to CDBG funded projects within BENTON COUNTY

Adopted by BENTON COUNTY on this 12th day of December, 2023.

Chief Elected Official:

Tracy Seeman, Chairman of the Board of Supervisors

Signature

ATTEST:

Signature

Hayley Rippel, Benton County Auditor

CODE OF CONDUCT

PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 2 CFR Part 200.318 and other applicable federal and state standards, regulations, and laws.

APPLICATION

This Code of Conduct applies to all officers, employees, or agents of BENTON COUNTY engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of BENTON COUNTY shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner;
- d. An organization that employs, or is about to employ any of the above; or has a financial or other interest in the firm selected for award.

BENTON COUNTY's officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, subcontractors, or others involved in the contract, *beyond that allowed by applicable federal and state laws.*

FRAUD, WASTE AND ABUSE

BENTON COUNTY has zero tolerance for the commission or concealment of acts of fraud, waste, or abuse. All officers, employees, or agents shall notify BENTON COUNTY of suspected actions. Allegations of such acts will be investigated and pursued to their logical conclusion, including legal action where warranted. Concerns may be reported to Ron Tippett, Sheriff at 319-472-2337.

REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against BENTON COUNTY's officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Passed and adopted this 12th of December, 2023.

Signature

Tracy Seeman, Chairman of the Board of Supervisors

ATTEST:

Hayley Rippel, County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #23-87, Adopting CDBG Required Policy on the Prohibition of the Use of Excessive Force. Motion carried.

**RESOLUTION #23-87
RESOLUTION ADOPTING CDBG REQUIRED
POLICY ON THE PROHIBITION OF THE USE OF EXCESSIVE FORCE**

WHEREAS, Benton County has received federal funding through the Community Development Block Grant (CDBG) program; and

WHEREAS, Section 519 of the Department of Veteran Affairs and U.S. Department of Housing and Urban Development, and Independent Agencies Appropriations Act of 1990 requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, all recipients of CDBG funds are further required to follow a policy of enforcing applicable state and local laws against physically barring entrances or exits to a facility that is the subject of a nonviolent protest demonstration; and

WHEREAS, the County endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy,

NOW, THEREFORE, BE IT RESOLVED, that Benton County hereby prohibits any law enforcement agency operating within its jurisdiction from using excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, the County agrees to enforce any applicable state or local laws against physically barring entrances or exits from a facility or location that is the subject of a non-violent protest demonstration. Benton County further pledges enforcement of this policy within its jurisdiction and encourages any individual or group who feels that the Benton County has not complied with this policy to file a complaint.

Information and assistance relative to excessive force complaints shall be provided by Ronald Tippett, Sheriff, which may be contacted at 319-472-2337.

Adopted by Benton County on the 12th day of December, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To authorize and approve the chairman's signature on the documents pertaining to the Community Development Block Grant Services (CDBG) service agreement. Motion carried.
Shelby Williams, Conservation Director also provided an update on Hannen Park. The construction is done and they will be hosting the January Conservation Board meeting there. The well work at Rodgers park is complete also.
Gary Bierschenk reported on his HACAP Board of Directors meeting. Supervisor Seeman reported on his Eastern Iowa Trust Fund and ECICOG meetings. The Sheriff touched a little on the radio test done last week in Marshalltown at RACOM, and said that the capabilities with the new system is very impressive.
Under Public comments:

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Elana Janss reported to the board about a recent sheriff's order to remove dangerous and vicious dogs off her property. She has wolf dog hybrids, with very low wolf content. Janss stressed she is a very responsible dog owner and fence and padlocked gates and that all her dogs are vaccinated and microchipped. The Sheriff Ron Tippet was also present and told Janss, he had received complaints about the impact on cats, chickens and some sheep in the area. Janss said she does have one problem dog, and is looking to rehome this one who occasionally gets out and runs, but didn't feel all the animals needed to be removed due to one. Sheriff Tippet suggested postponing this for a week so that the Board can read over the paperwork. It will be put back on the agenda for next week, Tuesday, December 19, 2023 at 9:30 a.m.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel Benton County Auditor

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.bentoncountytia.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 Blairstown 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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

December 26, 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*

Bierschenk moved/Primmer seconded: To approve the minutes of Tuesday December 19, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 143089 through 143095, ACH Deposits 55425 through 55569, vendor checks numbered 248434 through 248441 and claims numbered 248442 through 248566. Motion carried.

Primmer moved/Bierschenk seconded: To approve ARPA Fund Claims as follows: Racom-\$410,125.25, Edwards Plumbing and Heating-\$6,995.00 and Iowa Natural Heritage Foundation from Local Tribal-\$90,000. Motion carried.

Auditor Hayley Rippel discussed a few quotes received for a budget mailing which is required to send out critical information to taxpayers regarding the new property tax laws outlined in House File 718. This mailer has to inform taxpayers of their local school, city and county budget hearings and asking tax rates and there will be a short window from getting the information downloaded into our software from the state and uploaded to the mailing services. This could require a budget amendment for postage also. Masters Touch is the company currently used by Treasurer for the tax statements and are familiar with our software, they came in lower per mail piece than did Mail Services. Mail Services statement pricing-.074 per printed statement and Masters Touch was \$.045.

Primmer moved/Bierschenk seconded: To authorize Auditor Rippel to pursue and sign the agreement with Masters Touch Services to do the budget mailing to taxpayers due to House File 718. Motion carried.

Tracy Achenbach, Executive Director for East Central Iowa Housing Trust Fund presented their FY 25 Budget Request. The amount of asking stayed the same as last year-\$5,387.00. These funds are used toward the Trust Fund's application for state housing trust fund dollars, which requires the 25% match. In FY 24 \$272,447 was awarded in Benton County to help 29 households.

Committee reports: Tracy Seeman gave a report on the landfill and how the demolition of the old Herring Hotel added about 652 tons of debris. Supervisor Primmer reported on the Central Iowa Juvenile Detention.

Doug Cook asked the board about the dogs and progress on the gravel road that was discussed last week.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

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