

April 23, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk, Seeman and Primmer present. Supervisor Primmer called the meeting 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>. *Summarized Resolutions will be available in the Auditor's office and at: [www.bentoncountya.gov](http://www.bentoncountya.gov)*

**Seeman moved/Bierschenk seconded:** To approve the agenda. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve the minutes from April 16, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Payroll checks numbered 143219 through 143228, ACH Deposits 56743 through 56897, claims numbered 249602 through 249746 and vendor checks numbered 249747 through 249753. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve claims to True North Consulting Group for \$5,904.00, Three-D Kitchens for \$3,839.00, and Premier Portable Buildings in the amount of \$7,095.00 using ARPA Funds. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #24-34 Destruction of Noxious Weeds. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

**Resolution #24-34  
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, 2024** and as often thereafter as is necessary to prevent seed production:

<b>Primary Noxious Weeds:</b> Destroy by: May 1, 2024	<b>Secondary Noxious Weeds:</b> Destroy By: May 1, 2024
Quack grass ( <i>Elymus repens</i> )	Butterprint, ( <i>Abutilon theophrasti</i> ) annual
Perennial Sow thistle ( <i>Sonchus arvensis</i> )	Cocklebur ( <i>Xanthium strumarium</i> ) annual
Canada Thistle ( <i>Cirsium arvensis</i> )	Wild Mustard ( <i>Sinapis arvensis</i> ) annual
Bull Thistle ( <i>Cirsium lanceolatum</i> )	Wild Carrot ( <i>Daucus carota</i> ) biennial
Field Bindweed ( <i>Convolvulus arvensis</i> )	Sheep Sorrel ( <i>Rumex acetosella</i> ) perennial
Horse nettle ( <i>Solanum carolinense</i> )	Sour Dock ( <i>Rumex crispus</i> ) perennial
Leafy Spurge ( <i>Euphorbia esula</i> )	Smooth Dock ( <i>Rumex altissimus</i> ) perennial
Perennial Peppergrass ( <i>Cardaria draba</i> )	Poison Hemlock ( <i>Conium maculatum</i> )
Russian Knapweed ( <i>Acroptilon repens</i> )	Multiflora Rose ( <i>Rosa multiflora</i> )
Buckthorn (Not to include <i>Rhamnus frangula</i> )	Wild Sunflower (wild strain of <i>Helianthus annus L.</i> ) annual
All other species of thistles belonging in the genera of <i>Cirsium</i>	Puncturevine ( <i>Tribulus terrestris</i> ) annual
And <i>Carduus</i>	Teasel ( <i>Dipsacus spp.</i> ) biennial
Palmer Amaranth ( <i>Amaranthus palmeri</i> )	Shattercane ( <i>Sorghum bicolor</i> ) annual

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: Quack grass, Perennial sow thistle, Canada Thistle, European morning glory or field bindweed, Horse nettle, Leafy Spurge, Perennial pepper-grass, Russian Knapweed, Buckthorn, All other species of thistles belonging in general of *Cirsium* and *Carduus*, Palmer Amaranth.
- (b) Secondary Noxious Weeds: Butterprint, Cocklebur, Wild Mustard, Wild carrot, Buckthorn, Sheep Sorrel, Sour Dock, Smooth Dock, Poison Hemlock, Multiflora rose, Wild Sunflower, Puncture vine, Teasel 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 Weed Commissioner is hereby directed to cause notice of the making and entering of the foregoing order by one publication in each of the official newspapers of the County.

Dated this 23<sup>rd</sup> day of April, 2024.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Gina Edler, Deputy Benton County Auditor

Gina Edler asked for clarification on Election Workers Pay starting FY25. Motion was made in March setting the wages for Chairman to be \$375/day and Election workers \$250/day. Edler questioned if it was the intent of the board to increase both wages since they only increased the Chairman’s wage by \$50. The current wages for Chairman is \$325/day and \$250/day. Seeman stated he thought they were increasing both wages by \$25.

**Seeman moved/Bierschenk seconded:** To set Precinct Chairman wages to \$350 and \$275 for Election workers along with \$25 training rate and mileage at the current federal rate effective July 1, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Class C Alcohol License for Watkins Community Athletic Association effective May 29, 2024 through May 28, 2025. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

The time being 9:15 a.m. and that being the set time for the FY25 Budget Hearing was opened up for discussion. Brad Havran had questions regarding 2023 increased property valuations, EMS tax levy and tax credits. Edler discussed the 2023 assessment notice that was sent to all residents, explained tax credits that were available and how the budget was figured up as a worst case scenario. All the revenues aren’t always put into the budget because they sometimes don’t know if or when they will receive that money. Jill Marlow questioned the board on several areas of the budget, ARPA fund, legal and court related costs, public health, HR IT software, and increasing Fund balances. Marlow requested the Board to reduce the levies today to \$3. Seeman responded he is wanting to wait till next year to back off the levies.

**Seeman moved/Bierschenk seconded:** To close budget hearing at 9:46 a.m. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #24-35, Adoption of the FY25 County Budget. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

RESOLUTION #24-35  
ADOPTION OF THE FY25 COUNTY BUDGET

**BE IT REMEMBERED** that on this, the 23rd day of April 2024, 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 2024-25 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 FY25 salaries for elected officials and as set forth and adopted in Resolution #24-22 is included in the FY25 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** - \$37,000 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 2024-25 (without gas and electric):

General Basic    \$6,181,864

General Supplemental	\$4,220,978
Rural Services Basic	\$4,516,393
Debt Service	\$800,170
Voted Emergency Medical Services	\$1,225,070

**IT IS THEREFORE RESOLVED**, by the Benton County Board of Supervisors that the FY25 budget is hereby adopted.

Dated this 23rd day of April, 2024.

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Rick Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Gina Edler, Deputy Benton County Auditor

**Seeman moved/Primmer seconded:** To approve Resolution #24-36 Amending Resolution #24-3, Benton County Early Retirement Incentive. Voting aye were Primmer, Bierschenk and Seeman. Motion carried

RESOLUTION #24-36  
Amending RESOLUTION #24-3, BENTON COUNTY EARLY RETIREMENT INCENTIVE

WHEREAS the Benton County Board of Supervisors adopted Resolution #24-3 on January 2, 2024;

WHEREAS Paragraph #7, had \$75% and should state 75%;

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the correction be made to Resolution #24-3 with that change and that all other parts of said resolution remain in full force and effect.

Dated this 23rd<sup>nd</sup> day of April 2024.

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Richard Primmer, Chairman

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Gary Bierschenk

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Tracy Seeman

ATTEST:

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Gina Edler, Benton County Deputy Auditor

At 9:51 the Public Hearing was opened for vacating part of 24<sup>th</sup> Ave in Harrison Township-Pursuant to Chapter 306 for discussion. Myron Parizek, Engineer, stated he published in the paper and he has heard no feedback for opposition.

**Seeman moved/Bierschenk seconded:** To close public hearing at 9:53 a.m. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

**Seeman moved/Bierschenk seconded:** To approve Resolution #24-37. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.  
**Resolution #24-37**

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

That portion remaining on "51<sup>st</sup> Street", commencing 2 rods west of the NW corner of the NE ¼ of Section 9, T86N, R10W, thence west 38 rods. Said road described as being 40 feet wide, lying half in both Sections 4 & 9, T86N, R10W, Harrison Township.

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

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

Signed this 23<sup>rd</sup> day of April, 2024.

Benton County Board of Supervisors

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Rick Primmer, Chairman

\_\_\_\_\_  
Gary Bierschenk

\_\_\_\_\_  
Tracy Seeman

ATTEST: \_\_\_\_\_  
Gina Edler, Deputy Auditor

**Bierschenk moved/Seeman seconded:** To accept bids from IDOT April 16<sup>th</sup> letting for Bridge Replacement Project on 17<sup>st</sup> Ave. (BROS-CO06(127 &128)--8J-06 as follows: Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Taylor Construction, Inc. - \$727,665.00

Jim Schroeder Construction, Inc. - \$743,488.39

Iowa Bridge & Culvert, L.C. - \$813,495.01

Peterson Contractors Inc. - \$816,070.19

Boulder Contracting, LLC. -\$906,558.26

**Seeman moved/Bierschenk seconded:** To award the lowest bid to Taylor Construction, Inc. In the amount of \$727,665.00. Voting aye was Primmer, Seeman and Bierschenk. Motion carried.

**Bierschenk moved/Seeman seconded:** To approve Resolution #24-38. Voting aye was Primmer, Seeman and Bierschenk. Motion carried.

**RESOLUTION #24-38**

**WHEREAS**, the Benton County Board of Supervisors, hereafter referred to as "the Board", believes the Proposal 06-C006-128 [BROS-C006(127)--8J-06 and BROS-C006(128)--8J-06], hereafter referred to as "the project" is in the best interest of Benton County, Iowa, and the residents thereof. The project is defined as RCB Culvert Replacement-Twin Box on V54 over Prairie Creek and Bridge Replacement-PPCB on 17<sup>th</sup> Ave over Prairie Creek; and

**WHEREAS**, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

**WHEREAS**, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Benton County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

**IT IS THEREFORE RESOLVED** by Board to accept the bid from Taylor Construction, Inc. in the amount of \$727,665.00 and awards the associated contract(s) to the same;

**BE IT FURTHER RESOLVED** that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

**BE IT FURTHER RESOLVED** by the Board of Supervisors of Benton County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Myron L Parizek, the County Engineer for Benton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Benton County, Iowa, this 23<sup>rd</sup> day of April, 2024.

Board of Supervisors of Benton County, Iowa

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ATTEST:

SEAL

By \_\_\_\_\_  
County Auditor - Deputy

**Bierschenk moved/Seeman seconded:** To Adjourn at 10:21 a.m. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

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Richard Primmer, Chairman

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

Gina Edler, Deputy Benton County Auditor