

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

January 2, 2024

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 questioned if “Approve Agenda” can be added to the agendas. All the Boards he is on have that listed on the agenda. Edler stated she would have that added to the agendas.

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday December 26, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To appoint Rick Primmer as chairman for 2024. Motion carried.

Seeman moved/Primmer seconded: To appoint Gary Bierschenk as vice-chairman for 2024. Motion carried. Bierschenk abstained.

Seeman moved/Bierschenk seconded: To approve Resolution #24-1, Authorize Auditor to issue Warrants per Iowa Code 331.506 and execute ACH and financial agreements for 2024.

RESOLUTION #24-1

AUTHORIZING THE BENTON COUNTY AUDITOR TO ISSUE CHECKS AND SIGN ACH AGREEMENTS FOR 2024

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 2nd day of January, 2024.

Richard Primmer, Chairman

Gary Bierschenk

ATTEST:

Tracy Seeman

Gina Edler, Benton County Deputy Auditor

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-2, Authorize Treasurer to sign ACH Agreements for 2024. Motion carried.

RESOLUTION #24-2

AUTHORIZING THE BENTON COUNTY TREASURER TO SIGN ACH AGREEMENTS FOR 2024

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 2nd day of January, 2024.

Gary Bierschenk, Chairman

Tracy Seeman

Rick Primmer

Attest:

Gina Edler, Benton County Deputy Auditor

Grace Schmidt, Public Health Director, discussed out of state training for NACCHO in March from 25-28 in Cleveland, Ohio. Air fare, hotel, meals and registration will all be reimbursable with the PHEP grant.

Seeman moved/Bierschenk seconded: Approve out of State Training for Grace Schmidt, Public Health Director in March 25-28 to Cleveland, Ohio for NACCHO Conference. Motion approved.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To Adopt Resolution #24-3 RESOLUTION #24-3 amending resolution #12-61 Which amended RESOLUTION #10-58, AS AMENDED BY RESOLUTION #10-72 BENTON COUNTY EARLY RETIREMENT INCENTIVE. Motion carried.

RESOLUTION #24-3 amending resolution #12-61
Which amended RESOLUTION #10-58, AS AMENDED BY RESOLUTION #10-72
BENTON COUNTY EARLY RETIREMENT INCENTIVE

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that the early retirement incentive program which is offered to retiring employees of the non-bargaining unit, including elected officials and their deputies, is hereby amended subject to the following conditions:

1. The employee shall be a full-time employee of Benton County at the time of retirement.
2. The employee shall be covered under the county's health insurance plan at the time of retirement.
3. This benefit will be offered to eligible employees aged 58 through 64, who may elect to participate in this benefit by notifying the Benton County Auditor in writing that they are retiring. This notice shall be given six months in advance of the employee's anticipated retirement date.
4. An employee seeking this benefit shall have a minimum of twenty years of full-time employment with Benton County.
5. Those who wish to participate in this plan must enter into a bona fide retirement, which means the employee is drawing from a retirement benefit fund. Further, the employee must provide written proof to the Benton County Auditor that they are drawing from a retirement benefit fund or will be drawing from a retirement fund within 60 days of the start of this benefit.
6. Employees who have met the years of service requirement set forth in paragraphs 1 through 5 above and are at least age 55 may remain on the county's health plan at their own expense until they reach the age requirements set forth in paragraph 3. Once the employee reaches the age requirement they may participate in the incentive program. Employees must remain on the county's insurance plan continuously from the time they retire until the time they meet the requirements in order to participate in the incentive program under this paragraph. Premium payments made under this paragraph are due in the auditor's office no later than the 25th day of each month. The first payment is due by the 25th day of the month preceding the retirement date. Failure to pay the premiums by the date required will result in immediate termination of coverage. Employees whose coverage is terminated under this paragraph shall not be eligible to participate in this incentive program.
7. The County shall pay 75% of the monthly premium for single coverage. Future changes shall have no effect on the amount of the incentive being provided to those persons already participating in the program. Employees must provide payment of the difference in premium of a single plan to the auditor's office no later than the 25th of each month. The first payment is due by the 25th day of the month preceding the retirement date. Failure to pay the premium by the date required will result in immediate termination of coverage. Coverage terminated under this paragraph shall not be reinstated.
8. The County reserves the right to change health plans at any time, but the plan provided to retirees will be the same as that provided to current county employees.
9. Retiring employees who desire a family plan may purchase it from the County. The retiring employee is responsible for 100 percent of the additional premiums for a family plan that is above the amount set forth in paragraph 7. Employees electing family plan coverage must provide payment of the additional premium to the auditor's office no later than the 25th of each month. The first payment is due by the 25th day of the month preceding the retirement date. Failure to pay the premium by the date required will result in immediate termination of coverage. Coverage terminated under this paragraph shall not be reinstated.
10. This benefit is only available to retiring employees remaining on the county's health plan and will not apply towards policies obtained elsewhere by the employee. This is the sole incentive being offered and it cannot be converted to a cash payment to the employee or to any other type of incentive payment.
11. Employees who terminate their participation in this incentive program at any time for any reason are no longer eligible to participate in the program.
12. In the event any employee participating in this retirement benefit ever works for Benton County in the future in a part-time employment capacity, they shall be paid for no more than 400 hours of work in any given fiscal year. If an employee covered under this benefit is paid for working more than 400 hours in a given fiscal year they shall no longer be eligible to participate in this benefit.
13. This incentive automatically ends when the employee becomes Medicare eligible.

IT IS THEREFORE RESOLVED that this early retirement resolution is adopted as set out above.

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Dated this 2nd day of January 2024.

Richard Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Benton County Deputy Auditor

Scott Hansen commented that the County should look into additional plans. Open market plans are cheaper when it is just for husband/wife instead of family plans.

Seeman moved/Bierschenk seconded: To Adopt Resolution #24-4 Hiring Collections Officer. Motion carried.

RESOLUTION # 24-4 Hiring Collections Officer

WHEREAS: Benton County Attorney's Office has an opening to fill for a Collections Officer; 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 Angela Becker be hired to fill the position of Collections Officer at a salary of \$35,750 starting January 8, 2024.

Signed this 2nd day of January, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Benton County Deputy Auditor

Sue Wilber, Human Resources Director, discussed a Wellness Day and Health Insurance incentive with the Board. Wilber stated she recommended the Board keep the wellness day and increase the Health Insurance incentive amount from \$15 to \$20. There is currently 2% participation, she is confident we can reach above 2% and she wants the incentive to be more attractive to the employees.

Seeman moved/Bierschenk seconded: To approve Wellness Day and increase Health Insurance incentive from \$15 to \$20. Motion carried.

Board acknowledged Scott Hansen, EMA Director's, retirement. Hansen turned in his resignation letter on December 28, 2023. Effective July 1, 2024 last day of work being June 30, 2024.

Wilber requested approval of out of state training for PELLA National Conference in Georgia from April 7-10, 2024.

Seeman moved/Bierschenk seconded: To Approve out of State Training for Sue Wilber, Human Resources Director in April 7-10 to Savannah, Georgia for PELRA Conference. Motion approved.

Bierschenk moved/Seeman seconded: To opt out of the Construction Evaluation Resolution for 2024. Motion carried.

Bierschenk moved/Seeman 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.

Bierschenk moved/Primmer seconded: To appoint the following members to the respective boards for 2024. Motion carried. North Benton Family Resource Center (HACAP) - Supervisor Primmer Regional HACAP -Supervisor Primmer

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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
 Supervisor Bierschenk, 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 Primmer
 Regional Mental Health-Supervisor Bierschenk
 Decat-Supervisor Primmer

Seeman moved/Bierschenk seconded: To Authorize Chair to sign new statement of non-issuance of certificate of occupancy for 2024. Motion carried.

Bierschenk moved/Seeman seconded: To appoint Hayley Rippel and Myron Parizek as ADA Coordinators for 2024. Motion carried.

Seeman moved/Bierschenk seconded: To table to appoint members to the Board of Health. Motion carried.

Bierschenk moved/Seeman seconded: To re-appoint Greg Walston, Jay Herman, Marlyn Jorgensen, Janelle Jack and Heather Rinderknecht to the Benton Development Group Board to a 1-year term. Motion carried.

Seeman moved/Bierschenk seconded: To re-appoint Doug Stein to the Benton County Land Use Adjustment Board to a 5 year term. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Samantha Hunter to the Conservation Board to a 5 year term. Motion carried.

Seeman moved/Bierschenk seconded: To appoint the following members to East Central Iowa Council of Governments' Boards. Motion carried.

BOARD OF DIRECTORS:

Bruce Visser-3 year term

REGION 10 TRANSPORTATION TECHNICAL ADVISORY COMMITTEE

Myron Parizek, Engineer-3 year term

REGION 10 PASSENGER TRANSPORTATION ADVISORY COMMITTEE

Dean Vrba-2 year term

REGION 10 TRANSPORTATION POLICY COMMITTEE

Tracy Seeman, Rick Primmer (alternate)-2 year term

Seeman moved/Bierschenk seconded: To appoint the following persons to the Benton County Eminent Domain for 2024. 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

Harold Knaack Jr.

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Owner-Operator Agricultural Property

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

Owners of City or Town Property

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

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

Van Horne Benefited #1 – Dean Werner
 Keystone Benefited #2 – Steve Kromminga
 Newhall Benefited #4 – Duane Rinderknecht
 Ben-Linn Benefited #3-#5 – Allan Schanbacher

Seeman moved/Bierschenk seconded: To table appointing members to the Benton County Historic Preservation Commission. Motion carried.

Primmer moved/Seeman seconded: To table appointing members to the Integrated Roadside Vegetation Management Committee. Motion carried.

Primmer moved/Seeman seconded: To table appointing Weed Commissioner for 2024. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Brenda Sandburg and Clint Sandburg to Pioneer Cemetery Commission. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Nancy Jensen, Jon Kaestner, Amy Boddicker, Terry Hertle, Jennifer Zahradnik, Mike Seeck and Supervisor Tracy Seeman to the Solid Waste Commission. Motion carried.

Seeman moved/Bierschenk seconded: To reappoint Dan Kaestner, Nancy Jensen, Steve Thompson, and Larry Koster to the Zoning Commission to a 3 year term. Motion carried.

Primmer moved/Seeman seconded: To table appointing members to Airport Belle Plaine Regional Zoning Board. Motion carried.

Primmer moved/Seeman seconded: To appoint John Stiegelmeyer and Myron Parizek to Airport Eastern Iowa Zoning Board to a 3 year term. Motion carried.

Primmer moved/Seeman seconded: To appoint Deb Christianson and Dave Cornell to Airport Vinton Adjustment Board to a 5 year term. Motion carried.

Primmer moved/Seeman seconded: To appoint John Stiegelmeyer to Airport Vinton Zoning Board to a 6 year term. Motion carried.

Primmer moved/Bierschenk seconded: To appoint First deputy Sheriff John Lindaman as the Civil Rights Coordinator for 2024. Motion carried.

Seeman moved/Bierschenk seconded: To designate the official newspapers for Benton County for 2024 as The Cedar Valley Times, The Vinton Eagle and The Gazette. Motion carried.

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

Seeman moved/Bierschenk seconded: To appoint Myron Parizek and Doug Kearns as the Heartland Safety Coordinators for 2024. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Sue Wilber as Heartland Safety Coordinator as long as Heartland Insurance allows a 3rd member. Motion carried.

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

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

Seeman moved/Primmer seconded: To set FY24 Budget Amendment Hearing date to February 13, 2024 at 9:30 a.m. Motion carried.

Seeman gave an update on Towers, they inspected towers at all 5 locations, Mike Day, Scott Hansen, Ron Tippett, Dan Rammelsberg and Seeman were there for the inspections. Towers are all lit up.

Doug Cook stated he couldn't get the complaint for the vicious animal complaint like stated in the board meeting without a subpoena, so he is working on that. He could only get a copy of the call for service.

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

Richard Primmer, Chairman

ATTEST: _____

Gina Edler, Benton County Deputy Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

January 9, 2024

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Seeman 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*

Seeman moved/Bierschenk seconded: To approve the Agenda as listed. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday January 2, 2024. Motion carried.

Seeman moved/Bierschenk seconded: To approve election workers checks numbered 143096 through 143110, Payroll checks numbered 143111 through 143114, ACH Deposits 55570 through 55713, vendor checks numbered 248567 through 248573 and claims numbered 248574 through 248702. Motion carried.

Seeman moved/Bierschenk seconded: To set Tuesday, February 6, 2024 at 9:15 a.m. as a land use hearing date for Michael & Kristine Rummel in a part of Parcel D, in the SW ¼ of Section 17-82-9. Motion carried.

Barb Greenlee presented the land use and health department FY 25 Budget asking.

Gina Edler, Deputy Auditor provided an update to the Board regarding the Class B Liquor License for Kimm's Mini Mart. Edler stated that she was working with Sheriff Deputy Tyler Brandt and looking into the Iowa Code 123.30. Edler explained the current procedures she has in place to provide the information to the State Alcohol Beverages Division and the Board of Supervisors. Edler spoke with the State Alcohol Beverages Division and they said there had to be health/fire and DCI background checks done by the Local Authority for all applications. Edler questioned how some of these applicants who are mobile taps would have fire inspections done and who would authorize these be done. She stated she reached out to the County Attorney's office but have not heard back.

Sue Wilber, HR Director brought he holiday schedule to the Boards attention and wanted to clarify the Christmas Eve half-day. There was a resolution done in March of 2022 that included the policies and procedures regarding Section 4.1 in the Handbook. It was unclear for the half day regardless if it falls on a Monday-Friday. At the recent December 12th meeting, the decision was based on 1st version of the handbook. Wilber inquired about giving the ½ day floater to everyone. Sheriff Tippett spoke up in regards to their union contract. Wilber explained that secondary roads contract would follow the handbook. The Handbook needs a few revisions and Wilber has been working with her committee on getting this accomplished. Since the revision was done by resolution, this would need amended by resolution. No action was taken.

Seeman moved/Bierschenk seconded: To approve Resolution #24-5, Employee Status Change for Josh Svoboda. Motion carried.

RESOLUTION #24-5

WHEREAS: Benton County Secondary Roads has an opening to fill for a maintainer operator; and

WHEREAS: Applications were accepted for this position; and

WHEREAS: These applications have been reviewed and evaluated, and

WHEREAS: Josh Svoboda has been employed for the County since January of 2020

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Josh Svoboda fill this role at a pay rate of \$27.73 per hour with an effective date of January 16,2024.

Signed this 9th day of January, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To appoint Gary Benson to the ECICOG Region 10 Transportation Policy Board. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Jimmy Wheeler and Robert Spangler to the Benton County Historic Preservation Commission. Motion carried.

There was no action taken on a few of the appointments on the agenda such as: ECICOG RTAC Board, Belle Plaine Airport and the Pioneer Cemetery.

Roxanne Fuller was not able to come present the Benton County Volunteer budget due to the weather.

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Dean Vrba, Transportation Director went over his presented budget. He discussed taking a zero increase in his own salary to provide Jessica Meyer a larger increase.

Seeman moved/Primmer seconded: To appoint Gary Bierschenk to the North Benton Family Resource Center (HACAP) and Regional HACAP Boards. Motion carried.

Seeman moved/Bierschenk seconded: To approve the Auditor's Quarterly Report ending December 31, 2023. Motion carried.

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

Seeman moved/Bierschenk seconded: To approve the Sheriff's Quarterly Report ending December 31, 2023. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-6, Approve/disapprove the Homestead Tax Credits and Exemptions, Military Tax Credits and Disabled Veterans Homestead Credits for the 2023 Assessments. Motion carried.

RESOLUTION #24-6

APPROVAL AND DISAPPROVAL OF HOMESTEAD TAX CREDITS AND EXEMPTIONS, MILITARY TAX CREDITS, AND DISABLED VETERAN'S HOMESTEAD TAX CREDITS FOR 2023 ASSESSMENT

WHEREAS, Iowa law provides that property owners may apply for certain credits against their property tax; and

WHEREAS, new applications for various credits have been submitted to the assessor, in accordance with law, for his approval or disapproval; and

WHEREAS, the assessor has made recommendations and provided said applications to the auditor; and

WHEREAS, the auditor has submitted said applications to the board of supervisors for their consideration; and

WHEREAS, the board of supervisors is required to allow or disallow the credit,

NOW THEREFORE BE IT RESOLVED that the following application for Disabled Veteran's Homestead Credit submitted to the assessor on or before July 1, 2023, is hereby disallowed based on the assessor's recommendation:

Parcel #390-24880 – Homestead Tax Credit
 Parcel #740-26200 – Homestead Tax Credit
 Parcel #240-02110 – Homestead Tax Exemption
 Parcel #160-10750 – Homestead Tax Exemption
 Parcel #200-07800 – Homestead Tax Exemption
 Parcel #030-21785 – Homestead Tax Exemption
 Parcel #220-01950 – Homestead Tax Exemption
 Parcel #240-00290 – Homestead Tax Exemption
 Parcel #830-40100 – Homestead Tax Exemption
 Parcel #260-10680 – Military Service Property Tax Exemption
 Parcel #260-10680 – Homestead Tax Exemption

IT IS FURTHER RESOLVED that the applications for Homestead Credit and Exemption, Military Credit, and/or Disabled Veteran's Homestead Credit that were filed with the assessor on or before July 1, 2023, for the 2023 assessment year are allowed based on the assessor's recommendation. The assessor is to maintain a permanent file of the applications in accordance with law.

Signed this 9th of January, 2024.

 Rick Primmer, Chairman

 Gary Bierschenk

 Tracy Seeman

ATTEST:

 Hayley Rippel, Benton County Auditor

Under Reports: Seeman reported on the Radio Towers and the Conservation meeting Monday night that was held by zoom due to the weather.

Seeman moved/Bierschenk seconded: To approve 75 hours of vacation carryover for Myron Parizek to use by the end of May, 2024. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign the Bridge Replacement Project for L-CE-0028—73-06 on 16th Avenue in Cedar Township. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Rick Primmer to the Iowa Workforce Development Board. Motion carried.

Under Public Comments: Doug Cook asked questions about the recent animal complaint. Cook asked Sheriff Tippett about who filed the complaint, he was told by the Clerk of Court there was nothing on record. Supervisor Primmer said there would be more information coming soon. Cook also inquired about the status with the Board of Health. Primmer said they could not comment at this time.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

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

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

January 11, 2024

The Benton County Board of Supervisors met in special 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. Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyyia.gov

Seeman moved/Bierschenk seconded: To approve the Agenda as listed. Motion carried.

Ryan Berven with Assured Partners came to present insurance data and discuss FY25 renewal rates with the Board. Benton County is partially self-funded for Health Insurance and utilizes Assured Partners as our insurance broker for employee benefit services.

Seeman moved/Bierschenk seconded: To enter into exempt session pursuant to Iowa Code 21.9: A meeting of a governmental body to discuss strategy in matters relating to employment conditions of employees of the governmental body who are not covered by a collective bargaining agreement under chapter 20 is exempt from this chapter.

Seeman moved/Bierschenk seconded: To adjourn at 11:06 a.m.. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

January 16, 2024

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Seeman 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/bentoncountyyiowa. Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyyia.gov

Bierschenk moved/Seeman seconded: To approve the Agenda as listed. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday January 9, 2024 and January 11, 2024. Motion carried. Roxanne Fuller, Benton County Volunteer Program started out by explaining as of July 1st, they are now known as the Benton County Volunteer Center with the United Way of East Central Iowa. They house volunteer centers in Belle Plaine and Vinton. Their asking request of \$20,000 is the same as last fiscal year. They provide medical transportation, Safety net programs with food, backpack programs for school kids, visit nursing homes, make homebound calls and also make pillows and blankets for those with health conditions.

Seeman moved/Bierschenk seconded: To set Tuesday, February 13, 2024 at 9:15 a.m. as a land use hearing date for Steve and Lexa Speidel in a part NE ¼ NE ¼ of Section 5-84-10. Motion carried.

Cara Martin, Veterans Affairs Director, Mona Onken, MHDS of the East Central Region Utilization Review Coordinator along with Sarah Wagner, Benton County General Assistance Director met with the board. Onken explained the growing needs for social workers and as a group they are asking to merge the positions of general assistance with veterans affairs. Cara Martin would like to take over the General Assistance work along with her part-time VA work and make that a full-time position. Sarah Wagner would then transition to full-time MHDS Social worker and give up the general assistance portion she has been doing. The Region has already approved these changes along with a FY 24 Budget amendment necessary if they move forward with this merger making it in effect February 1, 2024.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-7, Veterans Affairs and General Assistance Employee position Merge effective February 1, 2024. Motion carried.

RESOLUTION #24-7

WHEREAS, Cara Martin has been employed by Benton County as the Veterans Affairs Director since May 24, 2021;

WHEREAS, Sarah Wagner has been employed by Benton County as the General Assistance Director since 2019;

WHEREAS, the General Assistance Director is also currently employed by Benton County as a Mental Health & Disability Services of East Central Region Social Worker and operates under two budgets/functions with a percentage of her employment/salary operating under County General Assistance and the remaining percentage operating under MHDS-ECR;

WHEREAS, in order to more efficiently accommodate the duties, responsibilities and needs of the offices of Benton County General Assistance and Benton County Veterans Affairs, the two offices shall combine, with one full-time Director overseeing the County Veterans Affairs and General Assistance offices, assigned budgets, and all other duties and responsibilities of each office.

NOW THEREFORE BE IT RESOLVED:

1. Benton County shall employ one full-time Director for the offices of Benton County Veterans Affairs and Benton County General Assistance.
2. The Benton County Veterans Affairs Director shall assume the responsibilities of both offices effective February 1, 2024 and henceforth.
3. Each fiscal year, the Director shall determine the operating budgets for each office, and said budgets shall reflect the percentage of VA office salary, duties and responsibilities, and GA office salary, duties and responsibilities.
4. The legal precedent for the above falls under Iowa Code Section 331.323, which provides the authority for the County to combine the offices of General Assistance and Veterans Affairs.

Dated this 16th day of January, 2024.

Richard Primmer, Chairman

Gary Bierschenk, Vice-Chairman

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve the amended Exhibit A to reflect the 100% appropriation for Sarah Wagner's wages and benefits. Motion carried.

The Mental Health, General Assistance and Veterans Affairs FY 24 Budgets were also presented along with the Rural Access Hub which is also fully reimbursed by the MHDS East Central Region.

Mindy Druschel, Department of Human Services presented their FY 25 Budget Request. Basically the same amounts as last year.

Melinda Schoettmer presented the FY 25 Treasurer Budget.

Hayley Rippel, presented the FY 25 Auditor Budget along with Elections. Rippel explained how the June Primary is budgeted in current year, but there has to be some overlapping for bills that might come in after July. The upcoming General Election in November is a big part of her budget, with increasing absentee voting, that is added postage. Also noting that Ben Turnis will include the software cost for the Time and Attendance software in his budget.

Ben Turnis explained the FY 25 Budget for both IT services and the GIS department. Most of these increases are for updates to both hardware and software.

Seeman moved/Bierschenk seconded: To approve Class B Liquor license for Kimm's Mini Mart. Motion carried

Seeman moved/Bierschenk seconded: To approve Class C Liquor License for Topsy Travelers for April 26, 2024 through April 30, 2024. Motion carried.

Seeman moved/Bierschenk seconded: To approve the General Assistance Quarterly Report ending December 31, 2023. Motion carried.

Shelby Williams, Conservation Director along with Cecilia Dirks presented the FY25 Budget. Williams explained the plan to hire more people including an office managerial position which Cecilia has been helping out with. They would also like another conservation technician along with adding law enforcement coordinator duties to an existing deputy. These changes along with other necessary increases was roughly \$130,000. Williams also noted that the amount for land acquisition, and that they have raised over ½ of that Wildcat project costs.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To authorize the Auditor to submit a bid notice for the Cedar Valley Ranch farm ground lease. The deadline for the Auditor to receive them will be by 9:45 a.m. on February 27, 2024 and the Board will open them on February 27, 2024 at 10:00 a.m. Motion carried.

Under Old Business: Primmer has spoken with both Beverly Winkie and Jim Wheeler in regards to the Historic Preservation Commission. He thought Winkie did not want re-appointed, but when indeed she did. With them having an upcoming meeting on the 18th, he wanted to make that correction.

Primmer moved/Seeman seconded: To remove Jim Wheeler, and re-appoint Beverly Winkie to the Historic Preservation Commission. Motion carried.

No action on items for appointments to the ECICOG RTAC Board, Belle Plaine Airport and Pioneer Cemetery Commission.

In comments, Doug Cook asked questions about the previous meeting regarding a new bridge and maintenance of a road near Keystone. He also asked about the board of health. Supervisor Chairman Richard Primmer said he couldn't comment on this. Supervisor Tracy Seeman recognized the county workers who have been clearing roads during the blizzard. He said, "Secondary Roads has been out there busting their butts. At 24 inches of snow in five days with 40 mph winds. I think they're doing an outstanding job. Now just for the people out there so they can read this and understand it, there's 975 miles of gravel road in Benton County alone." He said in making a second pass, that makes 1,950 miles. On Friday and Saturday they were limited to only asphalt roads, with no gravel because of the blowing and drifting snow. The trucks could not handle the snow banks, and that's why the maintainers were pull off of the gravel roads. So the total doesn't even include the blacktop roads.

He added, "There were some problems that we had with some of residents moving snow and not getting it far enough off the road that tore up a couple machines here over the weekend." He continued, "I understand that people got to move snow, but at least don't dump it on somebody else's problem, like us — the county. Because we've been tearing off the pins on the wings of the maintainers when they hit the snow that's piled up there."

Seeman stressed, "They're doing their best."

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

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

January 23, 2024

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Seeman 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*

Bierschenk moved/Seeman seconded: To approve the Agenda as listed with moving the Human Resources and Engineers FY 25 Budget presentations until next week. Voting aye were Seeman, Bierschenk and Primmer. Motion carried.

Bierschenk moved/Seeman seconded: To approve the minutes of Tuesday January 16, 2024. Voting eye were Bierschenk, Seeman and Primmer. Motion carried.

Seeman moved/Bierschenk seconded: To approve Payroll checks numbered 143115 through 143119, ACH Deposits 55714 through 55860, vendor checks numbered 248703 through 248710 and claims numbered 248711 through 248814. Motion carried.

Seeman moved/Bierschenk seconded: To approve claims to True North Consulting Group \$4428.00 and Flandreau Santee Sioux Tribe in the amount of \$3,500.00 was from the tribal portion in ARPA. All members voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To set Tuesday, February 20, 2024 at 9:15 a.m. as a land use hearing date for Jeremy and Brooke Higgins in the SW ½ of the SE ¼ of Section 25-86-10. All voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Sarah Wagner to member of the Iowa Heritage on Aging Council. All members voting aye. Motion carried.

Primmer moved/Seeman seconded: To appoint Rose Rouse to the Pioneer Cemetery Commission. All members voting aye. Motion carried.

Benton Development Group is asking for the same budget amount as last fiscal year which is \$100,000.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-8, Creating an Emergency Medical Services Trust Fund. All members voting aye. Motion carried.

RESOLUTION #24-8

CREATING AN EMERGENCY MEDICAL SERVICES TRUST FUND

WHEREAS, on November 7, 2023, the voters of Benton County passed Public Measure BG which creates an ad valorem property tax for the purposes of creation and maintenance of a stable revenue stream for EMS services in Benton County at a rate of \$0.68000 per \$1000 of taxable valuation;

WHEREAS, Benton County, Iowa will be collecting the ad valorem property tax money for EMS services for the first time in FY2024/25 and will continue through 2039/2040;

WHEREAS, Benton County needs to create a secure manner in which to track all revenues and expenditures associated with the emergency medical services ad valorem property tax;

NOW, THEREFORE BE IT RESOLVED, that the County Auditor shall create a special revenue fund to record the moneys received from the ad valorem property tax. Said fund shall be called the Emergency Medical Services Trust Fund 0022. All interest accrued by this fund shall be attributed back to the fund. Activities of said fund shall be included in all financial reports of Benton County as a special revenue fund. The fund shall be a budgetary fund and shall be subject to standard county accounting practices and policies. The balance in the fund shall be held as restricted fund balance pursuant to the county's Fund Classification Policy.

Adopted this 23rd day of January, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

The Maintenance Department presented their budget and discussed a few necessary changes. One increase will definitely be the utilities.
Phil Borleski and Robert Spangler presented the Historic Preservation FY 25 Budget request. They had a slight increase due to the two added Board members so they can also attend the training. The FY 25 asking is a total of \$9,085.00. They also explained Youngville Café and how it currently opens one day a month. They hope to host another open house event there in the future to draw more attention.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To approve Resolution #24-9, Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-9
RESOLUTION TO ENTER INTO 28E AGREEMENT WITH IOWA COUNTY FOR THE PURPOSE OF OPERATING AN EMERGENCY PUBLIC SAFETY RADIO SYSTEM

WHEREAS, Benton County and Iowa County have agreed to combining their efforts under a 28E Agreement, Iowa County (Owner) and Benton County (Occupant) to add equipment to a tower existing in Iowa County;

WHEREAS, the Owner supports various antenna tower sites covering Iowa County and the occupant has a separate emergency public safety radio system with various tower sites covering Benton County;

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

To enter into a 28E Agreement with Iowa County and allow Benton County to add equipment to an existing tower that is located in Iowa County so this would be mutually advantageous expanding SARA's overall coverage 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 23rd DAY OF JANUARY, 2024.

Rick Primmer, Chair

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

** SEE 28E

28E Intergovernmental Agreement Between Iowa County, Iowa and Benton County, Iowa

THIS AGREEMENT is entered into by and between Iowa County, Iowa (the "Owner") and Benton County, Iowa (the "Occupant").

Background

- A. The Owner supports various antenna tower sites for the purposes of operating an emergency public safety radio system covering Iowa County.
B. The Occupant has a separate emergency public safety radio system with various tower sites covering Benton County.
C. The Owner and the Occupant have discussed adding equipment, more particularly described in Exhibit A (the "Equipment"), to an existing tower located in rural Iowa County (the "Homestead Tower") such that the Occupant's system would network link to the Owners' system at this site and ultimately to the Shared Area Radio Agreement (SARA) network.
D. Both the Owner and the Occupant perceive that adding the Equipment to the Homestead Tower would be mutually advantageous expanding SARA's overall coverage.
E. The Owner and the Occupant agree to enter into an agreement pursuant to Chapter 28E to outline the responsibilities of each party with respect to the purposes outlined in this Agreement.

NOW, THEREFORE, the parties agree as follows:

Terms

- 1. Recitals Incorporated. The foregoing recitals are hereby incorporated by this reference.
2. Definitions. In addition to the terms defined elsewhere in this Agreement, the following terms used in this Agreement will have the following meanings:
"Chapter 28E" means Chapter 28E of the Code of Iowa (2017), as amended.
"Effective Date" means the date this Agreement is last signed by the authorizing authority set forth below.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

"Network" means trunked two-way radio system utilizing one control channel and multiple talk channels operating over 700 or 800 megahertz frequencies with an associated backhaul system that is owned, operated, and licensed.

3. Purposes. The purposes of this Agreement are (i) to provide the Occupant with network access to the SARA system, (ii) to provide the Owner users access to Occupant's system when roaming near or in Benton County, (iii) to provide the network link to access the SARA database.

4. Term. The Term will commence on the Effective Date and remain in effect for 10 years. Following the completion of the initial 10-year term, this Agreement will automatically renew for successive periods of five years, unless either party notifies the other of its intention not to renew by delivery of written notice not less than one year before the end of the current term.

5. Administration. No separate legal entity will be created by or under this Agreement.

6. Allocation of Expenses. All costs and expenses associated with maintenance, repair, upkeep, and operation of the Equipment shall be borne by the Occupant. The Occupant agrees to reimburse the Owner for any expenses it incurs relating to maintenance, repair, upkeep, or operation of the Equipment. In the event the Equipment damages the Owners' property or facilities, the Occupant shall reimburse the Owner for such damages. In the event this Agreement is terminated by either party, the Occupant shall bear the costs of removing the Equipment from the Homestead Tower. Except as provided for above, this Agreement shall not authorize the expenditures of funds.

7. Designated Representatives. Each of the Owner and the Occupant designate the following persons as their respective designated representative for purposes of this Agreement (each such person is a "Designated Representative," and collectively such persons are the "Designated Representatives"):

Iowa County: Rob Rotter, Chair
Iowa County Emergency Management Commission
Owner
104 Fire Ridge Dr.
Williamsburg, IA 52361

Benton County: Tracy Seeman, Chair
Benton County Board of Supervisors
Occupant
111 E. 4th Street, Courthouse
Vinton, IA 52349

8. Network Use. The Occupant will be provided with a Network port connection to the Owners' radio system equipment at this site. These agreed upon Network uses are defined by the party's agreement with the Shared Area Radio Agreement.

9. Microwave Feed. The Owner shall provide, through the Equipment, a microwave link to the database identified by the SARA agreement.

10. No Assumption of Liability. Neither party to this Agreement nor their respective officers or employees shall be deemed to have assumed any liability for the negligent or wrongful acts or omissions of the other. Further, nothing herein shall be construed as a waiver of sovereign immunity.

11. Annual Appropriations. Each party's performance and obligation under this Agreement is contingent upon an annual budgetary appropriation by its respective governing body for the purposes hereunder.

12. General.

(a) Entire Agreement. This Agreement constitutes the entire agreement and understanding of the parties hereto concerning the subject matter hereof and from and after the date of this Agreement, this Agreement shall supersede any other prior negotiations, discussions, writings, agreements, or understandings, both written and oral, between the parties with respect to the subject matter.

(b) Counterparts. This Agreement may be executed in one or more counterparts, each of which is deemed to be an original and all of which taken together constitute one and the same agreement.

(c) Descriptive Headings. The descriptive headings of this Agreement are inserted for convenience only and do not constitute part of this agreement.

(d) Construction. The language used in this Agreement shall be deemed to be the language chosen by the parties to express their mutual intent, and no rule of strict construction shall be applied against any party.

(e) Notices. All notices or demands upon the Owner or the Occupant desired or required to be given under any of the provisions hereof shall be in writing. Any notices or demands shall be deemed to have been duly and sufficiently given if a copy thereof has been mailed by United States registered or certified mail in an envelope properly stamped and addressed to the other party's Designated Representative, or at such other address as the party may theretofore have designated by written notice to the other party. The effective date of such notice will be three days after delivery of the same to the United States Postal Service.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

(f) Delegation of Duty. Nothing contained herein shall be deemed to authorize the delegation for the constitutional or statutory duties of state, Occupant, or municipal officers.

13. Approval. This Agreement has been approved as required by law by the Board of Supervisors of Benton County, Iowa "Occupant" and the Emergency Management Commission of Iowa County, Iowa :Owner".

Approvals

Occupant

Owner

Tracy Seeman, Chair
Benton County Board of Supervisors

Rob Rotter, Chair
Iowa County Emergency Management Commission

Date:

Date:

Exhibit A

The equipment referenced in the attached agreement includes:

In the Shelter

- NEC iPASOLINK 250 Microwave – 1ru
• DuraComm RU1-4810 Power Supply – 1ru
• Jumper NEC to PolyPhaser
• PolyPhaser on coax ground bar
• Line for Dehydrator
• Ethernet uW to switch

On the Tower

- Radiowave HP6-5.9 – 6 ft microwave dish at 200 ft (c/l)
• PM-SU4-63 Microwave Dish leg mount ~200 ft
• EWP63-59 elliptical wave guide ~240 ft and associated mounting hardware & grounding

Chairman, Rick Primmer read a public statement regarding the Board of Health members termination from last fall. The Supervisors wish to clarify previous actions related to the board of health and to clarify the reason for their actions along with thanking members for their dedication and service. They also pledged to implement appropriate processes and annual training to ensure that all meetings are conducted in accordance with Iowa Code Chapter 21.

Supervisor Seeman reported about his recent landfill commission meeting. Doug Cook asked about the cash in the landfill's balance. Seeman reported that so much is put away each month and the closure/post closure amounts can not be touched.

Doug Cook asked the Board what the legal costs was to the county. Primmer reported that there was no cost to the county, insurance took care of it. Which Cook then asked if the insurance rates would also increase.

The Human Resources Budget was put on the agenda on accident

Sue Wilber presented a quote for outsourcing background checks. The Sheriff spoke up and said he has 3 employees who are qualified to do this for the Human Resource Department. Wilber said it would be beneficial to have the confidentiality going with a 3rd party vendor can bring along with them handling liability issues as well.

Seeman moved/Bierschenk seconded: To approve outsourcing with C4 Operations Background Check Services for doing background checks for Human Resources. Voting aye were Primmer, Seeman and Bierschenk. Motion carried
The Engineer's budget was postponed until next week.

Seeman moved/Bierschenk seconded: To set the date of February 13, 2024 at 9:00 a.m. to open sealed bids for Bridge Replacement-C.C.S, Project: L-CE-0028-73-06 for Secondary Roads Department. All members voting aye. Motion carried.

Sheriff Ron Tippett presented his FY 25 Budget. He explained the five year turnover for vehicle replacement along with explaining some of the jail costs and what is pass through . Supervisor Seeman asked about the City of Atkins. Sheriff said the department now charges \$32.50 an hour for contract law enforcement, he wants to explain to the cities what the actual costs are to negotiate the contract. They all agreed this meeting needs to take place.

Bierschenk moved/Seeman seconded: To adjourn. All members voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

January 30, 2024

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Seeman 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*

Bierschenk moved/Seeman seconded: To approve the Agenda as listed. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday January 23, 2024 and Monday, January 29, 2024. Voting aye were Bierschenk, Seeman and Primmer. Motion carried.

Bierschenk moved/Seeman seconded: To table Class C Liquor License for Tara Hills Country Club. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Jim Wheeler to the Historic Preservation Commission. All members voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-10, Granting Variance to the Sub-Division Ordinance. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-10

Variance to the Benton County Subdivision Ordinance

WHEREAS, Ed Hensley-Hensley Innovations LLC. has requested a variance to the Benton County Subdivision Ordinance #72; and

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

NOW THEREFORE BE IT RESOLVED that the following requirements of the Benton County Subdivision Ordinance #72 shall be waived with the regards of the division of real property located in the NW 1/4, Section 6-T83N-R12W.

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

FURTHER IT IS RESOLVED that the owners shall comply with the remaining requirements set forth in the Benton County Subdivision #72.

Signed this 30th day of January, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

The Board of Supervisors presented plaques to former Board of Health members thanking them for their service. Those in attendance accepting their plaques were Dr. Maggie Mangold and Braxton Morrison.

Jane Drapeaux presented the FY 25 Budget Request for the Hawkeye Area Community Action Program (HACAP)-they kept the asking the same as last year, \$78,776. Drapeaux also provided a handout recapping what that budget amount pays for and how the HACAP services were provided in Benton County. She said they feel they are an important part of making life better for low-income people in Benton County.

Discussion on the Board of Health appointments and how the three-year staggering terms are currently with two ending on 12/31/2024 and the remaining 3 on 12/31/2025. The Board is going to have the new members decide at their first meeting they attend how they will fill in those regards.

Seeman moved/Bierschenk seconded: To appoint Lori Mott, Tai Burkhart, Jean Ohlen, Karl Holmes and Jessica Fairbanks to the Board of Health. These are 3 year-staggered terms. Voting aye were Primmer, Seeman and Bierschenk. All members voting aye, thereon. Motion carried.

Committee reports were heard from Supervisor Bierschenk from his Mental Health Regional Meeting and Supervisor Seeman's reported that they are putting on the dishes and antennas on the towers. He also attended an ECICOG and East Central Iowa Housing Trust Fund meeting.

Sue Wilber, Human Resource Director gave an apology for something that was discussed at last week's meeting in regard to the background checks being done through a vendor vs sheriff employees. Wilber said that something she said was misconstrued or she didn't communicate it clearly. She asked that it be on record, that when referring to the lack of confidentiality and liability issues, some members of the public took that as those things were being breached by our investigators and that was not her intention nor does she know of any of this taking place. Sheriff Tippett thanked Wilber for that clarification and pointed out that two of his investigators were in attendance and stressed how confidentiality is super huge part of the jobs they do.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To approve Resolution #24-11. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-11

APPROVING HIRE PART TIME DISPATCHER

IT IS HEREBY RESOLVED that the Sheriff's Office has a vacancy for the position of part-time dispatcher, and;

WHEREAS: Applications were accepted for the position, and

WHEREAS: These applications have been reviewed and evaluated, and

WHEREAS Robert Johannesen has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Robert Johannesen be hired for part-time dispatcher for the Sheriff's department, effective February 5, 2024, at an hourly rate of \$21.08

Date this 30th day of January, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Sue Wilber presented her FY 25 Budget to the Board. Wilber increased the need for additional help maybe starting out with a part time person 20 hours a week to help her workload or a possible intern position. Increased spending authority for employee recognitions and awards, additional training, background checks and outside legal counsel. Primmer asked the Auditor if maybe putting the plaques and employee recognition items can be paid out of the supervisor's budgets. Wilber brought up an outside training vendor, Terry Whitson, that the Auditor had also reached out too. She will help coordinate teamwork, bring new ideas, discuss goals and struggles amongst the departments. Scott Hansen asked for clarification for his curiosity as to why there was a need for additional help when she hasn't even finished a whole year cycle to know what is needed. As an employee who did his own budget for 25 years, and an employee working under a commission agency and citizen, he stressed the importance of saving money.

Sue explained this was discussed in her employee evaluation with the Board earlier in the fall. With a lot of work to be done and trying to offset that and/or provide experience to an internship or for times when she is absent.

Jill Marlow, former County Auditor agreed with Hansen and brought up her tax statements from FY 17 to current year and how they have gone up 51%. Looking at this budget, from FY 23 to FY 25 there is a 72% increase. When are you going to start looking at the taxpayers and take every measure possible to keep it lower. Look at the end result, watch the pennies, and the dollars will take care of themselves."

Wilber went on to bring up the next item on the agenda for Automated time and attendance system that was approved by the Board back in September of 2023. That cost was \$47,920 for implementation for the system. Since that time, Wilber had researched other systems and had some concerns.

Wilber stated, they tried to collaborate with the Auditor's office, and they weren't willing to meet for discussion. Auditor Rippel disclosed she was not willing to meet after they were going behind her back paying outside legal counsel to research her duties under Iowa Code 331.506. They clearly were told that Payroll is an Auditor's duties. If HR needs additional help, the Auditor's office can assist in the duties and will continue to keep payroll duties with them at this time.

Jill Marlow asked if there is an automated payroll system, who is going to be in charge on the county side of it? Also, would Hayley be in contact with the company since her office does the payroll? Will they be able to just do the Time and Attendance and not the automated payroll?

Deputy Auditor Alisha Burmeister explained how the county is currently utilizing everything through Tyler Technologies and their Time and Attendance would work easier with the budgets as it would be one financial software that was compatible.

Wilber stated the concern with payroll was that there were significant errors. Auditor Rippel stated she was not aware of these errors and would like to be informed about them.

Sheriff Tippett spoke up about contracts and his concern with pricing increasing since he has seen that in his office.

Both parties agreed to meet to discuss this software.

Valerie Close wanted clarification of what HR department does. She was hearing some concerns from county employees and questioned the need for part time help. Close stated "It feels like you are not staying in your lane over there". Wilber stated the part time help has already been discussed and as far as staying in my lane, part of my job description is compliance.

There was no action taken on the HR/PR/Applicant tracking and automated time system.

Primmer suggested that a meeting take place and get this all hammered out before its back on as an agenda item.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Marlow wanted to point out in Iowa Code 331.907(2) County hearing held on the county budget in regard to the county compensation. County Attorney Lough's position was that it could be included into the final budget hearing.

The Engineer presented the Secondary Roads FY 25 Budget along with discussing other business including asking about consideration for secondary roads workers who had to work on January 12, 2024, during the snowstorm. While other county employees were advised to stay home, Secondary Roads still worked. This also affected some of the sheriff's department employees; along with the County Maintenance department. Parizek asked that all departments should be treated equally. Supervisor Primmer stated this was a safety issue and we would have the snow plow operators out, as per the handbook. It may be looked at, if another day off will be given to those that worked.

Bierschenk moved/Seeman seconded: To accept the bids from IDOT January letting for Bridge Replacement Project on 63rd Street (FM-CO06(121)—55-06. All members voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To award Bridge Replacement Project to lowest responsible bidder for Boulder Contracting, LLC \$482,882.40. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To accept bids from IDOT January letting for Bridge Replacement Project on 21st Ave. Dr. (BROS-CO06(122)—8J-06 as follows: Motion carried.

Taylor Construction, Inc. - \$615,355.40

K Construction Inc. - \$631,969.07

Jim Schroeder Construction, Inc. - \$656,976.89

Peterson Contractors Inc. - \$662,914.82

Iowa Bridge & Culvert, L.C. - \$780,558.10

Cunningham-Reis, LLC. - \$781,429.32

Seeman moved/Bierschenk seconded: To award the lowest bid to Taylor Construction, Inc. In the amount of \$615,355.40. Voting aye was Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-12, Authorize Engineer as Contract Designee. Voting aye were: Primmer, Seeman and Bierschenk. Motion varied.

RESOLUTION #24-12

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the FM-C006(121)--55-06, hereafter referred to as “the project” is in the best interest of Benton County, Iowa, and the residents thereof. The project is defined as Bridge Replacement-CCS on 63rd St., over Mud 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 Boulder Contracting, LLC. in the amount of \$482,882.40 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.

Signed this 30th day of January, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To accept Bids from the IDOT letting as follows, for the Bridge Replacement Project on 63rd St (FM-CO06(121)—55-06): Motion carried.

- Boulder Contracting, L.C. -\$482,882.40
- Peterson Contractors Inc. -\$510,276.15
- Taylor Construction, Inc. -\$522,531.00
- Jim Schroeder Construction, Inc. -\$530,777.50
- K Construction Inc. -\$539,870.00
- Cunninham-Reis, LLC -\$564,951.00
- Iowa Bridge & Culvert, L.C. -\$620,498.00

Seeman moved/Bierschenk seconded: To award bridge replacement project to Boulder Contracting, L.C. with the lowest bid of \$482,882.40. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Primmer moved/Seeman seconded: To approve Resolution #24-12, Designate County Engineer to execute contract for Project FM-CO06(121)—55-06. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-12

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the FM-C006(121)--55-06, hereafter referred to as “the project” is in the best interest of Benton County, Iowa, and the residents thereof. The project is defined as Bridge Replacement-CCS on 63rd St., over Mud 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 Boulder Contracting, LLC. in the amount of \$482,882.40 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.

Signed this 30th day of January, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-13, Designate County Engineer to execute contract for Project FM-CO06(122)—8J-06. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-13

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the BROS-C006(122)—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 Bridge Replacement-CCS on 21st Ave. Dr., over Mud 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 \$615,355.40 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 30th day of January, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-14, Approve and enter into a 28E Project Agreement along Benton-Linn Rd. (S of Walford) with Linn County to split the cost of a bridge. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-14

WHEREAS, Benton County and Linn County have agreed to combining their efforts under a 28E Agreement for a bridge along the Benton-Linn Rd. (South of Walford);

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

To authorize signatures and to enter into a 28E Agreement with Linn County and allow Benton County and Linn County to provide cooperative action on the proposed bridge construction project.

PASSED AND ADOPTED THIS 30th DAY OF JANUARY, 2024.

Rick Primmer, Chair

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

**COUNTY AND COUNTY
PROJECT AGREEMENT**

This agreement entered into this 30th day of January by and between Linn County, Iowa, hereinafter referred to as Linn County, and Benton County, Iowa hereinafter referred to as Benton County.

WHEREAS, both Linn County and Benton County are a public agency as is defined by Section 28E.2 of the Code of Iowa, and

WHEREAS, Section 28E.3 of the Code of Iowa provides that any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, it is proposed, that Linn County plan, design, and let for bidding a construction project to repair and rehabilitate Bridge 1701 on Linn-Benton Road, and

WHEREAS, the Linn County Board of Supervisors and the Benton County Board of Supervisors have informed themselves as to the proposed improvement.

IT IS NOW AGREED that Benton County and Linn County enter into an agreement pursuant to Chapter 28E of the Code of Iowa providing for cooperative action pursuant to the proposed bridge construction project and, said cooperative actions include the following:

- 1) SCOPE OF WORK - Design, let, and construct improvements to Bridge 1701 on Linn-Benton Road per plans and specifications produced by the Linn County Engineer. Work is to include deck patching, deck overlay, substructure repair, guardrail installation, bridge approach paving, channel stabilization, staking, inspection, and other items to complete the project.
- 2) DURATION - This Agreement shall commence on the date that both parties sign this agreement and shall continue thereafter until the final completion of the project and settlement of the financial conditions of this agreement.
- 3) PURPOSE - The purpose of this Agreement is to accomplish the proposed project as described herein in accordance with the aforesaid scope of work and in agreement with the conditions specified in this agreement.
- 4) ADMINISTRATION – Linn County shall be responsible for the administration of this project.
- 5) Linn County and Benton County agree to save and indemnify and keep harmless, each other against all liabilities, judgments, costs, and expenses which may in any way come against Linn County or Benton County or which in any way result from carelessness or neglect of either party or its agents, employees, or workmen in any respect whatsoever.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

- 6) Linn County and Benton County agree to indemnify and hold each other, their employees and agents, wholly harmless from any damages, claims, demands, or suits by any person or persons arising out of any acts or omissions by Linn County or Benton County, its agents, servants or employees in the course of any work done in connection with any of the matters set forth in this agreement.
- 7) FINANCING – Linn County shall initially finance the cost of the project. Benton County shall reimburse Linn County for the actual cost of construction plus 7.5% administration fees (design, inspection, plan preparation, etc.) based on proposed plans and attached project estimate for the portion of the project within their corporate limits as they exist at the time the project is complete. Payment shall be made within 30 days of receipt of detailed invoice.
- 8) TERMINATION: -
 - a) This Agreement shall be considered binding upon Linn County and Benton County and shall not be terminated until provisions of paragraph 8b are met after actual work has begun on the project.
 - b) This agreement will be terminated upon final acceptance of the work by Benton County and final settlement of the financial conditions set forth in paragraph 7 thereof.
 - c)

Executed in triplicate, each of which shall constitute as original, by Linn County on the _____ day of _____, _____, and by Benton County on the 30th day of January, 2024.

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

ATTEST:

LINN COUNTY AUDITOR

BOARD OF SUPERVISORS
BENTON COUNTY, IOWA

ATTEST:

BENTON COUNTY AUDITOR

Seeman moved/Bierschenk seconded: To approve and sign purchase agreement for permanent and temporary easement for a bridge project on 17th in the total amount of \$3912,33. All members voting aye thereon. Motion carried.

Grace Schmidt, Benton County Public Health Director presented the FY 25 Public Health Budget. Schmidt summarized her budget changes overall and provided a handout summarizing updates and activities she has been involved with. She has audited daycare centers and schools for immunizations and reported how the Safe Sitter program has been going very well at the Vinton Library and she is looking to expand this to other libraries. Grace also brought up space concerns and confidentiality about her current office space. Schmidt added that now having the Board of Health re-instated, this will help her department improve dramatically and is looking forward to hiring a nurse would be a top priority. Part of the Public Health's expenses are offset by grants. Grace is also now a CPR certified instructor so she can teach 9 different variations and now this will be available in Benton County to provide this at a low cost and not have to travel far.

The Benton County Attorney Ray Lough presented his budget along with the collections department. The Collections department works with Dubuque, Bremer and Tama counties as well now and is doing very well. Lough would like some additional spending authority once they meet their full collections threshold and put that into an incentive fund to reward his employees and increase them above the recommended 3 percent. Lough justified this as a reasonable request and stated there is \$36,724.75 in their fund from collections.

Discussion continued on wages and compensation board's recommendations.

Seeman was leaning towards the 3 percent but wants to have more time to look at other ones asking for more, or the union contracts. The compensation Board requested a 3 percent increase for the elected officials, the Board can't go above that but can lower it. Primmer said he didn't personally have a problem with this, and the 3% percent increase is what others have seemed to use as their guidelines.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To table action on Salaries. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

The Board asked for a list of those individual employees who's department heads have singled out.

Primmer reported on his Central Iowa Juvenile Detention meeting and Heartland Insurance.

Under Public Comments: Valerie Close asked about a recent Facebook post of one of the Supervisors regarding cold weather and how they shouldn't put this stuff out there after all the recent concerns. Primmer assured her they have learned their lesson.

Bierschenk moved/Seeman Seconded: To Adjourn. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

February 2, 2024

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Seeman and Bierschenk present. The meeting was called to order at 8:15 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*

Seeman moved/Bierschenk seconded: To approve the Agenda as listed with moving approving the minutes until next week. Voting aye were Seeman, Bierschenk and Primmer. Motion carried.

Public Health Director, Grace Schmidt, wanted to address her discussion of a nurse position she put in her FY25 budget. Grace wanted to make sure there were no underlying questions about the position and why it was needed. Supervisor Primmer stated they haven't worked on individual budgets yet, so they had not discussed it. Grace went on to explain what the position would entail and once the new Board of Health met, they could approve the job description. She stated it was a needed position so the Public Health Department could implement their vaccination program, as a nurse would have to administer them. Grace addressed why this position would have to be available on nights and weekends as well and this was alternate the person on-call, as Grace could not always be the only one available. Supervisor Seeman asked who would cover this position if the nurse would be off of work. Schmidt stated that most cases would not be an emergency and if there would happen to be she did budget for disease control. In the past the Public Health Department had a contract with Virginia Gay Hospital to cover these instances. This has been revoked since there was no Board of Health, so hopefully that will be recovered now that the Board of Supervisors have appointed a Public Health Board. Grace also addressed the issue with her office not having enough space or the confidentiality of it. Both Supervisor Seeman and Supervisor Primmer stated they had ideas on this but did not want to say right now. Supervisor Seeman did state the weed department building had been brought up, but he did not like the idea and Supervisor Primmer agreed.

Land Use Technician/Sanitarian, Matt Even, addressed concern on the appointees of the Board of Health that were made at Tuesday's meeting, stating it wasn't gender balanced. Supervisor Primmer read a statement from the County Attorney's office on why this wasn't followed and stated there were four women and 1 man appointed, which was the same as the last board. The one applicant, Mike Barnes, already served on the Compensation Board so legally he could not serve on both. Matt Even questioned why this wasn't discussed on Tuesday and why they hadn't decided which terms each appointee was to take. Supervisor Primmer stated they would get this taken care of.

Supervisor Primmer reported on his Benton Development Group meeting. He would bring more information on Tuesday, but stated they are creating a QR code for community events.

Seeman moved/Bierschenk seconded: To adjourn. All members voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Alisha Burmeister, Benton County Deputy Auditor

February 6, 2024

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Seeman 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*

Chairman Primmer started the meeting by pointing out the camera aiming over his shoulder was adjusted so that it doesn't interfere with his notes and cell phone text messages. The public shouldn't be allowed to see that.

Seeman moved/Bierschenk seconded: To approve the Agenda as listed and noting that what was posted as an exempt session at 10:15 would be had in open session on the regular agenda. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday January 30, 2024 and Friday, February 2, 2024. Voting aye were Bierschenk, Seeman and Primmer. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #24-15, Wage and classification change for Cody Jones at secondary roads. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-15

Wage and Classification Change

WHEREAS, Benton County has an employee that has been employed by Benton County for 6 months,

WHEREAS, upon 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 Jones be set at \$26.85 effective February 2, 2024. This position carries a Labor Grade VB classification.

Signed this 6th day of February, 2024.

Rick Primmer, Chairman

Tracy Seeman

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Resolution #24-16, Hiring David Eilander as full-time dispatcher for Sheriff's office. Bierschenk, Seema and Primmer voting aye thereon. Motion carried.

RESOLUTION #24-16

APPROVING HIRE OF DISPATCHER

IT IS HEREBY RESOLVED that the Sheriff's Office has a vacancy for the position of dispatcher, and;

WHEREAS: Applications were accepted for the position, and

WHEREAS: These applications have been reviewed and evaluated, and

WHEREAS David Eilander has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that David Eilander be hired for full-time dispatcher for the Sheriff's department, effective February 8, 2024, at an hourly rate of \$21.08

Date this 6th day of February, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To set the date of Tuesday March 5, 2024 for a land use hearing date for Zeb & Tamara Reardon in part of SW ¼ NW ¼ of 17-82-9. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Bierschenk moved/Seeman seconded: To appoint Bruce Gapstur to the Belle Plaine Airport Regional Zoning Board. Motion carried. Supervisor Seeman reported on the latest tower meeting while Supervisor Primmer shared information obtained while attending a Benton Development Group meeting.

Human Resource Director gave a quick update on the Wellness participation. There have been 115 participants already, so great news.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Michael & Kristine Rummel in part of Parcel D, in the SW ¼ of Section 17-82-9. Mike Rummel was present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Even stated site is in row crop production. Rummel is requesting to change the use of approximately one acres of land to allow for a single-family dwelling. The parcel was split off last year from a larger parcel owned by JDN Acres, LLC. The Average CSR is 65. The applicant will need to install a new driveway to obtain the required sight distance. The dwelling can be connected to the City of Norway's water system, but not feasible for their wastewater disposal so they will need a septic system installed. One notice was sent to the adjacent landowner and published in the official newspapers. Prior to applying for a land use change, Rummel did explore voluntary annexation of this property into the City of Norway. The city has no immediate plans of developing this area further to the north, therefore the applicant and city mutually agreed to stop pursuing voluntary annexation. This proposal should not have any negative impacts on surrounding farm operations and is adjacent to a residential development within the city. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use change for Michael & Kristine Rummel in part of Parcel D, in the SW ¼ of Section 17-82-9. Primmer-yes, Seeman-yes, Bierschenk-Yes. Motion carried.

Kristine Bullock, Kirkwood Learning Connection provided a brief power point presentation on the services they provide with their budget request of \$2,575. That amount is based on per capita for Benton County. They work with many schools and business liaisons, they set up apprenticeships, speakers, job shadows and various internships.

Benton County Sheriff Ron Tippett met with the board regarding the recent investigation of Elana Janss-Johnson's hybrid wolf dogs pertaining to Benton County's vicious animal ordinance. He provided copies of investigation and reporting that DNA testing was done, which was below the threshold of what qualifies as a wolf dog. Talk of testing the other dogs was also had. Janss was present for the discussion along with submitting a formal apology to the supervisors about misinformation given at their first meeting regarding this. She said the dog in question is now housed elsewhere. Tim Dille, assistant county attorney was also present. Dille weighed in on what the definition of a wolf hybrid or vicious animal is under the current ordinance. A vicious animal is one that attacks livestock twice in a 12-month period, and this did not meet that. Janss had no plans to bring the animal back to Benton County. Sheriff Tippett also mentioned another concern was having a daycare at the same site as the animals. He said this would now close the investigation.

Seeman moved/Bierschenk seconded: To recess for 20 minutes. Motion carried.

Seeman moved/Bierschenk seconded: To enter back into session at 10:15 a.m. Motion carried.

The current weed commissioner position is still vacant in the county. Shelby Williams, Conservation Director was approached about having this fall under the conservation department. Wilber received information from other counties on job descriptions and how they handle this. Shelby presented a proposed job description to share and pointed out that this was the third move for this department in five years, and it needs some stability. Also in attendance, on behalf of Conservation with Shelby was Cecilia Dirks, and Board members: Randy Scheel, Becky Van Wey and Samantha Hunt. Supervisor Primmer reported that there are 10 other counties in Iowa that currently have the weed department fall under the conservation umbrella. Spring is around the corner and weeds will start sprouting and something needs to be done sooner than later. Williams added she has met with Engineer Myron Parizek since it fell under his department before. Supervisor Seeman, also liaison member on the Conservation Board, said it was a big undertaking; he wasn't against it but concerned they might be biting off more than they can chew. The plan would be to hire a roadside manager and two more staff members. The Conservation Board is meeting on Monday to consider this. Randy Scheel asked of any records that were kept in the weed department over the past few years. Shelby had mentioned she reached out to previous employee Ben Bonar and Wesley Haefner who agreed to come in and go over some things such as the spray truck and the GPS system in it. Continued discussion was had how this affects the budget. It will be placed on next Tuesday's agenda so that the Conservation Board can report back and continue discussing this option.

Human Resource Director, Sue Wilber, discussed her job description. During her job review, Primmer reported that the board had asked her to get them an updated version of her job description. He recommended she email a copy to the Board to look it over. Wilber said there were some things in the description that she wanted clarification to make sure she knows what she is supposed to be doing. Auditor Hayley Rippel asked if there was a job description when she got hired and if this would be shared with just the supervisors or can all the department heads see this too? Primmer asked why and Rippel said she didn't understand what Wilber was told in her interview and regarding taking duties away from other departments, specifically payroll in her office. Wilber stressed she wasn't trying to take payroll. Lexa Speidel, Recorder also mentioned she'd like to see a copy of this as did Scott Hansen. Hansen asked why it was so super secret if Human Relations works with all department then we should be able to review it as well. Primmer said it was going to be shared, but they had the right to look it over first. Hansen asked what does the rest of Board think? Tracy wants to compare it to other counties. Gary feels the same way.

Bierschenk moved/Seeman Seconded: To Adjourn. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

February 8, 2024

The Benton County Board of Supervisors met in special session with Supervisors Seeman and Bierschenk present. Primmer absent. The meeting was called to order at 6:00 p.m. at the Benton County Farm Bureau Building. 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*

Vice-Chairman called the meeting to order at 6:00 p.m.

Seeman moved/Bierschenk seconded: To accept the resignation of the Veterans Affairs Director, Cara Martin. The estimated date for leaving will be between February 25, and March 10, 2024 and she would keep the board apprised of the date. Motion carried. Discussions were had on the FY 25 County Budget. Topics ranged from the 911 Radio Tower update, to the landfill. We discussed fund balances, and how the HF718 is affecting the county's levy's. Auditor Rippel explained the Opioid Funds and the task force committee and some of their plans. Questions were asked on the vacant weed commissioner's position along with the Sanitarian's. Jill Marlow questioned the Board regarding having the Weed Commissioner under Conservation and to check out Chapter 317 in the Code. The Sheriff provided information on the capacity he was at in the jail, and answered questions such as how many county deputies on patrol at all times, along with illegal immigrants at the borders. Everyone agree our secondary road department had an exceptional winter and has done a good job. Other members of the audience were allowed to voice concerns on the proposed budget. Farm Bureau Member Jill Marlow reminded the board to always use discretionary spending. Marc Koutouc brought up ways of increasing revenue in the county with some agricultural economic development. This led to the county's comprehensive plan and when should this be updated and revised. Farm Bureau members thanked us for our time.

Seeman moved/Bierschenk Seconded: To Adjourn. Voting aye were Seeman and Bierschenk. Motion carried.

Gary Bierschenk, Vice- Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

February 13, 2024

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>. *Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountya.gov*

Seeman moved/Bierschenk seconded: To approve the Agenda as listed. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, February 6, 2024 and Thursday, February 8, 2024. Voting aye were Bierschenk, Seeman and Primmer. Motion carried.

The time of 9:00 a.m. and this was the time and date set for opening bids for Bridge Replacement Project for L-CE-0028—73-06 on 16th Ave. in Cedar Township. These bids were received in the auditor's office as follows:

K. Construction, Inc. -\$569,774.60
Iowa Bridge & Culvert, L.C. -\$652,681.95
Peterson Contractors, Inc. -\$559,457.50
Taylor Construction, Inc. -\$570,546.25
Jim Schroeder, Inc. -\$597,671.29

Seeman moved/Bierschenk seconded: To accept bids as read, and board will accept the winning bid at next week's board meeting. All members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize vice chairman to sign title sheets for the following projects:

- 1) FM-CO06(130)—55-06-HMA resurfacing on E24-from ECL Vinton to W26
- 2) FM—CO06(131)—55-06-HMA Resurfacing on W26-from NCL Shellsburg to near 58th Street
- 3) FM-CO06(132)—55-06-HMA Resurfacing on E24-from W26 to Linn Co line

Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve the memorandum of understanding for the reimbursement from MH/DS of the East Central Region for county employees and authorize vice chairman's signature on the agreement along with Exhibit A and Exhibit B. All members voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Steve and Lexa Speidel in part of the NE ¼ NE ¼ of Section 5-84-10. Matt Even presented some of the technical information and also read a letter against the change. Requesting a change of use of 1.2 Acres to allow for single family dwelling and a building for a business 2 miles south of Vinton on HWY 218. This parcel is owned by Joe Mullineaux. This ground is mainly used for pasture and bailing. Avg CSR of 92. The IDOT review will not permit in this location because of site distance was increased to 600 feet requirement. They want to look at possibly improving 62nd Street which is a Level B road and depending on associated costs. So the Speidel's have asked that we table this to allow time for them to research and make sure they want to proceed and what steps they want to take. One letter of opposition was read from Jennifer White, as an adjoining property owner, firmly objects to the residence with well business stating this is a farm/residential area. No other comments were had.

Seeman moved/Bierschenk seconded: To table the land use hearing for Steve and Lexa Speidel until Tuesday, March 5, 2024 at 9:30 a.m. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Bierschenk moved/Seeman seconded: To approve Payroll checks numbered 143120 through 143124, ACH Deposits 55861 through 56006, vendor checks numbered 248815 through 248821, Payroll checks numbered 143125 through 143133, ACH Deposits 56007

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

through 56155, claims numbered 248822 through 249007 and vendor checks numbered 249008 through 249015. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To pay RC Tech, \$3,551.00 for courthouse wiring project and True North Consulting Group for the continued fees for the Radio Project in the amount of \$4,428.00 using the ARPA Funds. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Bierschenk moved/Seeman seconded: To approve Fireworks permit for Daniel Marovets on April 6, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To table setting Budget Hearing Date. Motion carried.

The time of 9:30 A.M. was the date and time set for a public hearing on the FY 24 Budget. Auditor Rippel explained the various service areas that needed the amendments and what reasons were listed. Some of those expenses will be offset by revenues from Grants.

The members of the public present did not speak up on the matter, so the chair declared the public hearing closed.

Seeman moved/Bierschenk seconded: To approve Resolution #24-17, FY 24 Budget Amendment #2. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-17

BE IT REMEMBERED on this, the 13th day of February, 2024, 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 | \$ 5,802 |
| Physical Health & Social Services | \$ 25,546 |
| Mental Health | \$ 0 |
| County Environment & Education | \$ 332,800 |
| Roads & Transportation | \$ 260,000 |
| Government Services to Residents | \$ 15,000 |
| Administration | \$ 12,940 |
| Non-Program | \$ 225,000 |
| Debt Service | \$ 0 |
| Capital Projects | \$ 0 |
| Operating Transfers Out | \$ 0 |

| <u>REVENUES</u> | <u>Amount</u> |
|---------------------------------|---------------|
| Intergovernmental | \$ 313,000 |
| Licenses & Permits | \$ 0 |
| Charges for Services | \$ 0 |
| Use of Money & Property | \$ 0 |
| Miscellaneous | \$ 0 |
| General Long-Term Debt Proceeds | \$ 0 |
| Operating Transfers – In | \$ 0 |
| Proceeds of Fixed Assets | \$ 0 |

Dated this 13rd day of February, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Sue Wilber, HR Director discussed an addendum revision proposed by the handbook sub-committee for the Handbook section 4.1 regarding the county’s holiday schedule and what to do when Christmas Eve falls on a weekend. In years past it has always been a half day but the committee asked for it to be a full day. Further discussion on what day to observe the holiday on when Christmas Eve falls on Saturday or Sunday, do they want to get the Friday before of the Tuesday after off. There was also talk about using the personal day and birthday as floating days for all full-time employees. The past Christmas Eve Holiday was addressed again, and it has been suggested to make that as 4 hours of floating time for the employees to use before end of the fiscal year.

Seeman moved/Bierschenk seconded: To approve the addendum to Holidays 4.1 below to be amended to the county handbook effective today: Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

****HOLIDAYS 4.1**

Benton County recognizes certain days of importance as holidays and pays full-time employees for time off on these days in accordance with eligibility rules explained in this section. The County observes the following holidays:

- | | |
|------------------------|------------------------|
| New Year’s Day | Veteran’s Day |
| Martin Luther King Day | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving |
| Independence Day | Christmas Eve |
| Labor Day | Christmas Day |

Should a holiday fall on Saturday, the preceding Friday will be observed as the holiday. Should a holiday fall on a Sunday, the following Monday will be observed as the holiday.

The following schedule will apply in observing Christmas Eve/Christmas Day when Christmas Eve falls on a weekend:

If Christmas Eve is on a Saturday, it will be Observed on the preceding Friday.

If Christmas Eve is on a Sunday, it will be Observed on the following Tuesday.

Pay for Holidays Worked

Depending on the services provided by your department or office, you may be required to work on a holiday. If an employee is required to work on a recognized holiday, they will be granted another day off to be scheduled with the approval of the department head.

Employees are not compensated extra for working a holiday except as provided in Section 3.2.

New employees will be eligible for paid holidays after 30 calendar days of continuous employment.

Two (2) Floating Personal Days

All full-time employees will be awarded two floating personal days that renew annually on your anniversary date. Floating days may be taken at a mutually agreed upon time with sufficient notice to the department director or designee. If these days are remaining at your anniversary date, they will be forfeited. All new hires are awarded these floating days with their first payroll regardless of their date of hire. Days must be taken as a full work day and can’t be split.

Temporary, seasonal and part-time employees and those that are on an unpaid leave of absence are not eligible for holiday pay or floating holidays.

Bierschenk moved/Seeman seconded: To award employees 4 hours of floating pay to be used by June 30, 2024. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Shelby Williams, Conservation Director provided an update following up from last week’s supervisor meeting and a recent Conservation Board meeting. The discussion was had regarding the Weed Commissioner’s appointment and roadside manager position being put under the Conservation Department. Williams presented a draft of what that transition would look like and reported that the Conservation Board had approved this last night.

A public question was heard from Kelly Van Ree. She asked about the cost concerns regarding higher pay for employees taking on more duties and also asked what the benefits of moving the weed and IRVM to Conservation besides Shelby’s good management skills? Primmer said in addition to her good management skills that having employees jointly working as they currently do would be a continued benefit. Employees from both sides are conservation minded with similar skills along with the ability for equipment sharing. Trying something new and hopefully it works out with stability and success. Seeman asked to have continued communication which then led to who will be on the hiring committee. Engineer Myron Parizek agreed they needed to move forward with roadside management and that spring was fast approaching. Secondary Roads will also be available to assist and help through continued communication between Conservation, Secondary roads and the Supervisors. This agreement would be reviewed and they can decide if they want to continue this route in the future.

Primmer moved/Bierschenk seconded: To accept the recommendation presented on the transition of the weed department and roadside manager position presented by Conservation Board and Shelby and enter into departmental agreements to move forward. Primmer, Bierschenk and Seeman Voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To approve Class C Retail Alcohol License for Tara Hills Country Club and authorize vice chairman to sign. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve the law contracts for the City of Urbana- total yearly sum of \$4,225.00 to be paid quarterly and not to exceed 2.5 hours a week, additional hours will be billed at \$45 an hour rate. The City of Atkins -yearly sum of \$30,420.00 to be paid quarterly and not to exceed 18 hours a week. Voting aye thereon were Primmer, Seeman and Bierschenk. Motion carried.

Tracy Seeman reported on his recent Conservation Board Meeting. Gary Bierschenk spoke about the Board of Health and how everything is in place and they will meet the 2nd Thursday of every month at 7:00 a.m.

Seeman moved/Bierschenk Seconded: To Adjourn. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

February 20, 2024

The Benton County Board of Supervisors met in special session with Supervisors Seeman present. Primmer called in and called the meeting to order at 9:00 a.m. at the Benton County Service Center. Bierschenk reported at 9:10 a.m. 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.bentoncountyiowa.gov*

Primmer moved/Seeman seconded: To table the item listed under Sue Wilber in regards to the discussion on the electronic payroll/time system. Primmer and Seeman voting aye. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Primmer seconded: To approve the Agenda as listed minus the discussion for the payroll/time system. Voting aye were Primmer and Seeman. Motion carried.

Seeman moved/Primmer seconded: To approve the minutes of Tuesday, February 13, 2024. Voting aye were Primmer and Seeman. Motion carried.

Seeman moved/Primmer seconded: To set the FY 25 Budget Hearing for Tax Proposal for Tuesday, March 26, 2024 at 9:30 a.m. Primmer and Seeman voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To approve the Veteran's Affairs Quarterly Report for period ending January 31, 2024. Primmer and Seeman voting aye. Motion carried.

Bierschenk joined the meeting.

Primmer moved/Seeman seconded: To set land use hearing date of Tuesday, March 19, 2024 at 9:15 a.m. for Dave and Paula Weber in part of the SE 1/4 of the SE 1/4 of 10-85-10. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To set the terms for the new Board of Health Members as follows:

Karl Holmes term ending 12/31/2025

Tai Burkhart term ending 12/31/2025

Jessica Fairbanks term ending 12/31/2025

Lori Mott term ending 12/31/2024

Jean Ohlen term ending 12/31/2024

Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Primmer seconded: To approve and authorize vice chairman to sign law enforcement contract with City of Newhall for a total yearly sum of \$25,350 to be paid quarterly and not to exceed 15 hours a week. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-New Hire in the IT Department.

Insert Resolution Primmer, Seeman and Bierschenk voting aye. Motion carried.

RESOLUTION #24-18

APPROVING HIRE OF Information Technology Systems Administrator

IT IS HEREBY RESOLVED that Benton County has a vacancy for the position of Information Technology Systems Administrator, and;

WHEREAS: Applications were accepted for the position, and

WHEREAS: These applications have been reviewed and evaluated, and

WHEREAS Chris Wagner has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Chris Wagner be hired for full-time Information Technology Administrator, effective March 4, 2024, at a salary of \$70,000.

Date this 20th day of February, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Sue Wilber, Human Resources Director explained the renewal rates with Iowa State Association of Counties (ISAC) and the Group Benefits Insurance Renewal Forms.

Seeman moved/Primmer seconded: To approve and authorize vice chairman to sign all the insurance renewal forms with the following rates:

Dental is \$42.95 single, \$122 Family

Vision-\$6.18 single, \$15.78 Family

Health-\$777 single, \$1746 Family

Voting aye were: Primmer, Seeman and Bierschenk. Motion Carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jeremy and Brooke Higgins in part of the SE 1/4 SE 1/4 of Section 10-85-10. Higgins would like to change approximately two acres of land to allow for a single-family dwelling. The land is currently owned by Birker, Inc. The Higgins were present along with the Birker's. Matt Even presented some of the technical information. This ground is mainly used for cattle pasture with an average CSR of 43. There is an existing driveway to access this site off of 27th Ave. Drive but the applicant desires to install a new driveway off of Iowa HWY 150. Higgins will have to seek approval for this from the DOT. If they are not successful in securing a permit, Randy Sherwood with Secondary Roads has reviewed

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the existing drive and found it to be complaint. A private sewage disposal system has already been permitted, and a private water will need to be installed. Seven notices were sent out to adjacent property owners along with legal notices published. Benton County Land Use office did not receive any public input regarding this prior to today’s hearing. This proposal should not have any negative impacts on the area. No other comments were heard, so the hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for Jeremy and Brooke Higgins in part of the SE ¼ SE ¼ of Section 10-85-10. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Primmer seconded: To approve and authorize chairman’s signature on the C.D. B. G. funding for Contract Number: 13-NDRI-002 in regards to certify that there is a single audit required. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve the Flood Insurance Renewal Policies with Holmes Murphy & Associates, LLC. For property at 111 E 3rd Street, 205 2nd Ave. and 111 E 4th Street all located in Vinton, Iowa. Choosing Option A for a total combined amount of \$9,215. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-19, General Assistance Policies and Procedures Manual. All members voting aye thereon. Motion carried.

Resolution #24-19

Benton County

General Assistance

Policies and Procedures Manual

IT IS HEREBY RESOLVED that the following Benton County General Assistance Policies and Procedures Manual is hereby adopted, thus rescinding all previous versions and policies.

Benton County

General Assistance

Policies and Procedures Manual

Section I – General Provisions

A. PURPOSE AND LEGAL AUTHORIZATION: The guidelines and procedures set out in this manual implement the provisions of General Assistance Resolution # of Benton County. Together, the Resolution and this Manual are an expression of the humanitarian nature of the people of Benton County and their desire to assist those in need. It is also the intent of this document to fulfill statutory obligations imposed on the county by Chapter 252 of the Code of Iowa. The General Assistance Program shall be administered by the Benton County General Assistance Director and/or Designee, who is appointed by, and responsible to, the Board of Supervisors.

B. DEFINITIONS:

1. **Applicant:** The person making application to the Department shall fall under the description of one of the following categories:

a. **Family Unit:** The individual applying and all members of the immediate family, i.e., spouse including common law, children under eighteen (18) years of age, children over eighteen (18) years of age who are dependent upon the individual, and anyone else who is a dependent of the individual for federal tax purposes as long as they currently reside with the individual.

b. **Unrelated individual:** A person who is not living with relatives. Examples may include a roommate, lodger, foster child, ward, or an employee.

c. **Household living unit:** All persons who live in a residence where there are shared common kitchen, dining or bedroom facilities or there are shared utilities or rental payments or lease.

2. **Awaiting Approval and Receipt:** Means a poor person who has applied for assistance under any state or federal law; who has pursued that application with due diligence; and who has not had that application denied. It does include a person who has had an application denied, has appealed and is awaiting the final decision.

3. **Board:** The Benton County Board of Supervisors

4. **Completed Application:** The application form completed, signed and all necessary supporting documentation completed and filed with the Department.

5. **Department:** Benton County Social Services, 811 D Ave Ste 34, Vinton, Iowa

6. **Designee:** Department staff member who accepts applications and issue decisions based on Manual guidelines.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

7. Director: The Benton County General Assistance Director who is appointed by the Benton County Board of Supervisors.
8. Emergency: A combination of circumstances which calls for immediate action or, something arising unexpectedly calling for prompt or urgent action.
9. General Assistance: County payment made on behalf of poor or needy persons for basic needs of rent, utilities including heating fuel, and food (only if food pantry is not available). General Assistance also includes limited cremation/burial expenses.
10. Gross Income: Income includes the following: money, wages and salaries before any deductions; net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses); net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses); regular payments from Social Security, the Department of Veterans Affairs, public assistance (including Family Investment Program or Temporary Assistance for Needy Families), Supplemental Security Income; training stipends; alimony, child support, and military family allotments or other regular support from an absent family member or someone not living in the household; private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments; college or university scholarships, grants, lump-sum payments such as Social Security, tax refunds, rent reimbursements and rebates; and dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.
11. Liquid Assets: Cash or any other item of property of the applicant that can be readily converted to cash within seven (7) days with or without penalty.
12. Needy Person(s): A person who is lawfully residing in Benton County, Iowa, or who is a transient in the County, and who, because of circumstances which are not attributable to that person, needs emergency assistance.
13. Poor Person(s): A person who has no property, exempt or otherwise who is lawfully in Benton County, Iowa, and, who because of a physical or mental disability, is unable to engage in gainful employment and otherwise cannot earn a living.
14. Resources: The value of all real and personal property of the applicant including assets from any source which includes but is not limited to items such as cash, checking and savings accounts, stocks, bonds, real estate, cash value of life insurance policies, jewelry, and art work. Exempt items include clothing, wedding rings, necessary and usual household furnishings, tools and similar equipment used for home and family maintenance or support, one vehicle for each legally licensed driver 18 years of age or older, and principle place of residence with an assessed value not to exceed \$70,000.00.
15. Vendor Payment: County Auditor's check to the supplier of goods or services.

SECTION II – ADMINISTRATION

A. PERSONNEL: The Benton County General Assistance Director shall administer the general assistance program. If additional staff is needed, they will be designated to assist in accepting applications & issuing decisions based on manual guidelines.

B. DUTIES OF THE DEPARTMENT:

1. Accept applications for General Assistance from persons legally residing within Benton County, and supply standard application forms for this purpose.
2. Determine eligibility of each applicant according to the guidelines set out in this Manual and notify the applicant of the decision to either deny, approve or request further information.
3. Arrange for vendor payments to be made on behalf of applicants determined eligible for General Assistance.
4. Verify the factual statements presented on each application for General Assistance to determine their accuracy and reliability under the guidelines of this Manual.
5. Any other duties as assigned by the Board of Supervisors in administration of this program.
6. Present appeals to Board of Supervisors and represent Board of Supervisors in any proceedings.

C. APPLICATION FOR ASSISTANCE

Applications for assistance shall be submitted to the Department during normal business hours Monday-Friday. If, because of undue hardship, an applicant cannot come to the office to complete application, the Department shall mail, email, or fax an application or make necessary arrangements for delivery of the form.

If the applicant is or appears to be eligible for assistance from any other federal, state, or local source, the Department shall immediately refer the applicant to that source. It shall be the obligation of the applicant to immediately make application to that source and pursue such application with due diligence as a condition to be eligible for further assistance under this Manual.

It shall be the obligation of the applicant to establish his or her eligibility and need for any category of general assistance. The applicant shall provide the Department a verified statement of earned or unearned income, (e.g. payroll check stubs, self-

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employed income statement, Social Security Administration statement of benefits, etc.) resources, medical reports, medical authorization, and anything else requested that bears upon the person's eligibility and need for assistance.

The Department shall also receive anything that the person applying desires to submit to establish his or her need including statements or letters, medical reports, and other written documents as well as the verbal statements of the applicant.

D. INITIAL DETERMINATION

The Department shall make an initial determination of the eligibility and needs of an applicant within ten (10) working days of the receipt of the application. Upon that determination, the Department shall notify the applicant of the decision by ordinary mail at the address shown on the application. The Department's written decision will show the reasons for the determination, and the applicable manual section, together with the specific benefits and their amounts to which the applicant is entitled.

If an emergency or immediate need is present, the Department may verbally authorize a supplier or vendor to furnish any item of assistance for the benefit of the applicant and the amount allowed for such benefit. The Department shall inform the applicant and vendor by issuing a written decision as provided above.

The Director shall submit a quarterly report to the Board identifying the number of applications received and the disposition of such.

SECTION III – ELIGIBILITY CRITERIA

To be eligible for General Assistance, an applicant must comply with the following established requirements:

A. Complete the Application for General Assistance form and provide all additional required documentation to the Department. If two or more unrelated individuals are residing at the same address and share expenses equally, each person must complete a separate application, and, if determined eligible, assistance may be granted for their portion of the monthly expense.

B. Eligibility of a Needy Person:

1. Meet income guidelines: To be eligible for General Assistance the applicant's gross income for the month prior to the month assistance is being requested shall be at or below 100% of the poverty level established by the United States Department of Health and Human Services as adjusted annually. (Example: May income is considered for June rent request.)
2. Meet resource guidelines.
3. Liquid assets of the applicant shall be deducted from the amount of general assistance requested and the amount of general assistance approved shall be the remainder.

C. Eligibility of a Poor Person:

Assistance is to be provided to a poor person who is in need of immediate assistance, cannot obtain assistance from any other source, who has no liquid assets, and who may be eligible for, and awaiting approval and receipt of benefits provided by state or federal law.

D. Agree to use the applicant's own resources to meet their needs. All income of the applicant will be considered. Exhaust the resources of those persons charged by law to provide for the needs of the applicant. (See 125.78, 230.15, 252.2 and 252.5, Code of Iowa).

E. Because General Assistance is an assistance of last resort, persons must exhaust all other resources by applying for and complying with all other public assistance programs including but not limited to Food Assistance Program, FIP, Supplemental Security Income, Veterans assistance, LIHEAP, Medically Needy, Medicaid, Iowa Care, patient assistance programs, etc., and fulfill all program requirements to provide information to determine eligibility and to remain eligible for those programs. Persons receiving income from any other governmental agency in the month prior to the month of application are ineligible for General Assistance.

F. Applicant must be a legal resident of the United States of America and reside in Benton County to be eligible for assistance. For a poor person located in Benton County who has legal settlement in another county of the state of Iowa, the Department shall bill applicant's county of legal settlement for any assistance provided.

G. Employment:

1. Any applicant who voluntarily withdraws from the workforce to attend post-high school education/training is not eligible for general assistance. Consideration for assistance may be granted by the Director on a case by case basis if applicant is a student and suddenly becomes unemployed due to a unique or life-altering circumstance.
2. Applicants and adult members of the applicant's household who may be unemployed shall be referred to Iowa Workforce Development, shall cooperate with that agency in seeking employment and shall accept employment when available.
3. Applicant is not eligible for General Assistance for two months from the date they voluntarily quit a job unless the applicant quit due to a documented unlawful working condition.

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4. The requirements of this section shall not be enforced when, in the determination of the Director or Designee, any of the following conditions exist in which documentation is provided:

1. The person suffers from an illness or injury which temporarily prevents employment.
2. The person is unemployable due to physical or mental handicap.
3. The person is caring for a dependent family member who requires home medical care that is not available from any other source.

H. Frequency:

The intent of General Assistance is that it be provided to a needy person (not mentally or physically handicapped) or that person's household living unit, on an emergency basis; therefore, assistance will not exceed one (1) month service in a calendar year.

I. Applicant must be eighteen (18) years of age or legally emancipated.

J. General Assistance may be denied at any time if:

1. The applicant or recipient refuses to rely on his/her resources,
- 2.
3. The applicant or recipient refuses to answer any relevant questions, willfully withholds any pertinent information, or falsifies their application.

Section IV – DISBURSEMENT OF GENERAL ASSISTANCE

If applicant is determined eligible, the Director shall approve disbursement of any General Assistance granted according to the following categories of need.

A. RENT:

1. Rent payment shall only be made to owners of property or their management designee. Rental property is property that has a separate kitchen, bathroom and outside entrance separate from other parts of the dwelling. Rent shall not be paid to any relative.
2. Rent shall only be paid for housing that is currently being occupied by the applicant.
3. Rent may be paid for temporary housing such as a motel in emergency situations, i.e., fire, tornado, or other natural disaster, or, to avoid homelessness. Payment for temporary shelter shall not exceed \$300.00 or five (5) days shelter, whichever is less.
4. Rent payment is limited up to a maximum of \$500.00, per address, regardless of number of unrelated applicants. Landlord must agree to accept General Assistance payment and guarantee 30 days shelter from date of application. Rent shall not be approved unless all necessary utilities are guaranteed for 30 days from date of application.
5. Rent verification form must be completed by the landlord.
6. Rent must be due for the current month or due within 5 days for the next month. Application must be received before the 25th day of the current month for assistance to be considered for the current month.
7. Mobile home lot rent may be considered for assistance.
8. Mortgage payments are not eligible for assistance.
9. For persons who are applying only for themselves, rent payments shall be made on an equal basis relevant to the number of persons in the household (e.g. roommate applying for assistance with his/her share of the rent).
10. Any account that is considered past due is ineligible for assistance.

B. UTILITIES:

1. Utility assistance is limited to a maximum of \$300.00, per address, regardless of the number of unrelated applicants. Utility assistance includes vendor payments for: gas, electric, water, sewer, garbage, as well as deliverable fuel such as fuel oil, propane, and wood.
2. Cable, internet, and cell phone (unless cell phone is primary telephone service) are considered non-essential services and are ineligible for assistance.

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3. Vendor must agree to 30 days service with General Assistance payment. Utilities shall not be approved unless shelter is also guaranteed for 30 days from date of application.
4. Deposits, late fees, reconnect fees, and taxes will not be paid.
5. Utilities must be in the name of the applicant at the current address.
6. For persons who are applying only for themselves, utility payments shall be made on an equal basis relevant to the number of persons in the household (i.e.: roommate applying for assistance with their share of the utility bill).
7. Any account that is considered past due is ineligible for assistance.

C. FOOD:

1. Requests for food assistance may be granted by referral to Benton County Food Pantry in Vinton and Belle Plaine, and, in accordance with their agency rules. The applicant must provide referral form from the Department of Human Services that they are receiving, or, are in the process of applying for the Food Assistance Program.
2. In the event the Benton County Food Pantry is not accessible, and, at the discretion of the Department in emergency situations, a food voucher may be provided to applicant.

D. TRANSPORTATION:

Eligible transportation expenses include only:

1. A voucher for one-way transportation to return to place of legal settlement or residence. Recipients of this benefit shall be ineligible for any other assistance under the provisions of this Manual for a period of one year from the date the transportation benefit is received.
2. Verification of need for transportation shall be provided to the Department.

E. CREMATION:

Benton County may provide funeral, burial, grave opening, and/or cremation assistance as follows:

- Funeral expense reimbursement- not to exceed \$1,500.00
- Cremation, including urn- not to exceed \$1,500.00

If more expensive merchandise or additional services are desired and the Funeral Director charges for them, Benton County will be relieved of any and all obligations for payment; thereby making the expenses the sole responsibility of those making the funeral arrangements.

Eligible merchandise or services are as follows:

1. Funeral Director fees including preparation for cremation only; use of staff, equipment and facilities; and, removal and transportation within forty miles.
- 2.
3. Crematory expense, cremation tray, sheet bronze urn.
4. Medical examiner's fee for cremation permit.
5. Minister stipend at Funeral Directors request when family or friends cannot provide this courtesy.
6. Indigent Patient cemetery lots may be provided at several Benton County cemeteries. Family may provide for a lot at other locations, but such lots will be at family's expense.
- 7.

Any money received by the Funeral Director from the deceased's assets, from pre-arrangement trusts, Governmental benefits or from family or friends shall be deducted from the above expenses.

Section V – APPEAL

Every applicant, whether granted assistance or not, shall be informed in the Department's written decision of the applicant's right to have such decision reviewed. The applicant shall be informed:

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- (1) of the method by which a review may be taken, and
- (2) of the rights of representation at the hearing

To initiate a review, the individual must send a written request for review within ten (10) calendar days of the date of the decision to: Director, Benton County General Assistance, 811 D Avenue, Suite 34, Vinton, IA 52349.

Within five (5) working days of the receipt of the written request for review, the Director shall notify the individual of the date and time set for the review.

The review will be held with the Director within ten (10) working days of the receipt of the written request for review.

The individual shall have the right to appear in person at the review and present any evidence or documents in support of his/her position. If an individual fails to appear for the scheduled review, the Director may proceed and issue a decision.

Within ten (10) working days of the review, the Director shall issue a written decision which shall include a statement of the reasons supporting or repealing the initial decision.

The written decision shall inform the individual of their right to further review by the Board of Supervisors.

Any written appeal and/or communication of the Director's decision must be made to the Director within ten (10) working days of the Director's determination. The Director shall place the applicant's appeal on the Board of Supervisors' agenda at the earliest date and time available. The applicant shall be informed immediately by telephone if possible and by ordinary mail of the date and time of the hearing before the Board of Supervisors.

The Board of Supervisors shall hear applicant's appeal at the time scheduled on the agenda unless continuance is requested by the applicant. Applicant shall be permitted to present whatever evidence desired in support of the appeal including testifying, having other witnesses testify, offering documentary evidence and reasonable cross examination of other witnesses, if present. The applicant's file may be admitted into evidence. The Board may question the applicant, and the Director shall present the Board with the reason for the determination. The hearing before the Board will be conducted in closed session pursuant to Iowa Code 21.5 since the confidential files of the applicant will be in evidence.

The Board shall make a decision on the appeal within 10 working days. The Board's decision shall be only on basis of the evidence submitted before the Board. The applicant shall be informed immediately by telephone, if possible, of the decision and within 5 working days thereafter, the Board shall mail to applicant at his or her last known address, by ordinary mail, its decision in writing. The decision shall state the reasons for the action, together with any statute or ordinance applied. The Board's decision shall also state that an appeal may be taken from the Board's determination, as provided below, and the method by which such appeal may be taken.

Any appeal to the district court shall be allowed by the applicant from the Board's decision within the time and by the manner and procedures established under the Iowa Administrative Procedures Act, Chapter 17A, Code of Iowa.

IT IS FURTHER RESOLVED that any resolutions in conflict with this resolution are hereby repealed.

Adopted this 20th day of February, 2024.

Richard Primmer, Chairman

Gary Bierschenk, Vice-Chairman

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Auditor Rippel explained the needs for two Service Area Amendments. Realizing we just did a FY 24 Budget Amendment, these are things she felt that could be moved around within the various line items within the budgeted amounts. The areas that need adjustments are service area 1: Re-arranging spending authority within the Sheriff's budgeted line items. Service Area 9 needs adjustments for the Supervisors and HR department. There is continued bills coming in for outside legal council that if we don't shift the spending authority around, they won't have enough spending authority to cover the costs.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To approve Resolution #24-20, Service Area Amendment to FY 2024 Budget. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-20

SERVICE AREA BUDGET AMENDMENT

WHEREAS, the Benton County Board of Supervisors adopted the FY2024 budget on April 18, 2023;

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 FY2024 county budget is hereby amended within the following service areas:

Service Area 1) -\$77,000 0002-05 (General Supplemental)
+\$77,000 0001-05 (General Basic)

Service Area 9) -\$17,700 moved from 0001-99 (General Basic)
+\$12,700 to 0002-50 (General Supplemental)
+\$5000 0001-01 (General Basic)

IT IS FURTHER RESOLVED that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 20th day of February, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Auditor Rippel discussed the scheduled flight from Pictometry to do the aerial imagery on the county. We had originally mentioned wanting the HWY 30 project all done. The original contract was approved in March of 2021 with a plan to do it again after three years. Rippel had talked with the Assessor and he felt strongly about moving forward with it so that the change-finder can clean up all the areas from the last improvements done from the most recent derecho. Rippel explained in the past we have transferred funds from Local Option Sales and Service Tax Fund into the GIS budget to cover this. Rippel will talk with Ben Turnis.

Seeman moved/Bierschenk seconded: To approve budgeting for the new flight from Eagleview/Pictometry for a spring flight in 2024. Per total contract amount of \$182,070 will be split out over three years with a payment amount of \$60,690. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman Moved/Bierschenk seconded: To confirm the bids received from February 13, 2024 letting for Bridge Replacement Project on 16th Ave. (L-CE-0028-73-06) and award the lowest bid to Peterson Contractors, Inc.in the amount of \$559,457.50. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To table hearing an update from Steve Meyer regarding the EMA Director Position. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

The Board decided to have another meeting for Thursday, February 22, 2024 at 5:00 p.m. The Auditor also reminded them of the EMS Advisory Council meeting at 6:00 p.m. that same night at the EOC.

Seeman moved/Bierschenk Seconded: To Adjourn at 9:51 a.m. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

February 22, 2024

The Benton County Board of Supervisors met in special session with Supervisors Seeman present, and Supervisor Primmer called in, Bierschenk was absent. The meeting was called to order at 5:00 p.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*

Seeman moved/Primmer seconded: To approve the agenda as listed. Seeman and Primmer voting aye thereon. Motion carried. Sue Wilber explained she had sent out the county's insurance rates for health, dental and eye. The Board recently acted on the renewal at the earlier meeting this week.

Seeman moved/Primmer seconded: To continue to keep the employee's share of the insurance rates the same as last year: \$99.44 single/ \$389.55 for family and to encourage participation in the Wellness program so that Benton County qualifies for the higher discounted premiums next year. Voting aye were Primmer and Seeman. Motion carried.

Seeman moved/Primmer seconded: To continue splitting the dental and vision premiums 50/50 with employees. Both members voting aye thereon. Motion carried.

Steve Meyer of Benton County Emergency Management Agency visited with the Board regarding filling the EMA director position. He said the commission voted to hire Dean Vrba as the new coordinator at their recent February 18th meeting. There were nine applications and they interviewed two of them. Vrba will start April 1 as the assistant under Scott Hansen and then transfer to Director July 1st with a starting salary of \$74,000. Vrba has already taken some of the required classes. Meyer thanked the Board for their support.

Primmer moved/Seeman seconded: To acknowledge Dean Vrba's resignation as Benton County Transportation Director effective April 19, 2024. Primmer and Seeman voting aye thereon. Motion carried.

Kelly Van Ree asked about DOT requiring CDL Permits when you get hired, they can be pretty expensive to obtain, it might be something to think about.

Seeman Moved/Primmer seconded: To authorize posting of the vacant transportation director position and to change some of the language to include Class CDL license or to obtain within 6 months, preferred Salary range \$55-\$60,000 and to have skills in scheduling and mechanical experience. Both members voting aye there. Motion carried.

Sue Wilber brought up the January county weather closure day and how it related to staff that worked that day. Employees have been reaching out to her such as secondary roads and sheriff's employees. It was suggested that the Board approve 8 hours of comp time for these employees. Primmer said he was a little disappointed this wasn't addressed years ago in the employee handbook. Supervisor Seeman preferred allowing 4 hours of comp time, saying these employees would still be working no matter what. Wilber said it affected approximately 50-53 employees. Seeman suggested it be tabled for two weeks. He would prefer to have Bierschenk present in the discussion also. No action was taken.

Seeman moved/Primmer Seconded: To Adjourn. Voting aye were Primmer and Seeman. Motion carried.

*A quick report on the EMS Advisory Council that the Board was to attend at 6:00 p.m. on February 22, 2024 at the EOC office. Supervisor Seeman and Auditor Rippel were the only ones in attendance so no quorum by the Board of Supervisors was had. Anna DeMuth was voted the Chairman, and Mindy Fisher as secretary to the EMS Advisory Council. They will continue to work on the EMS Advisory by-laws and discussing ideas how funding will be paid out of using the EMS Trust Fund once the .68 levy goes into effect.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

February 22, 2024

The EMS Advisory Council met on February 22, 2024 at 6:00 p.m. at the EOC at the Sheriff's Office. Those in attendance were: Scott Hansen, Anna DeMuth, Sheriff Ron Tippet, Scott Geissinger, Supervisor Tracy Seeman, Auditor Hayley Rippel, Dean Vrba, Mark Lint, Erica Flickinger, Jeremy and Linda Hlas in person, by zoom was: Ben Kurka, Trent Claeys, Mike McFarlane, Cindy Pattee and Mindy Fisher.

Anna Demuth, the North Benton Ambulance Service Director presented a drafted document regarding EMS Advisory By-Laws put together using a few examples from other counties. There was discussion on when and how the minutes would be approved, staggering terms of council members along with how many members needed to make a quorum. Demuth reminded them it was only a draft and asked that everyone look it over and make notes for further discussion at the next meeting.

Auditor Rippel explained the amount of revenue estimated reflecting in the FY25 Budget with the .68 levy that was passed it is \$1,243,541 with utilities and \$1,225,070 without utilities included.

Scott Hansen made a motion to appoint Anna Demuth as the Chairman to the EMS Advisory Council, which led to discussion if that was a conflict of interest. Geissinger seconded the motion adding that he felt Anna puts a lot of work in behind the scenes and has done a lot of work for this and helped getting it passe. Calling for a vote: Voting aye were: Blairstown, Belle Plaine, Mt. Auburn, Newhall, Urbana, Vinton, Garrison, Van Horne, Sheriff, Supervisor Seeman and EMA Director. Nays none. Motion carried.

Scott Hansen made the motion, Seeman seconded: to appoint the EMA Coordinator position as the Vice Chairman to the EMS Advisory Council. It was an unanimous vote for aye. Motion carried.

Supervisor Seeman made the motion to appoint Mindy Fisher as Secretary and Anna Demuth seconded. It was another unanimous vote in favor. Motion carried.

The next joint meeting with the EMS Advisory Council was set for Thursday, March 28, 2024 at 6:00 P.M. at the EMA conference room at the Law Enforcement Center. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Supervisor Seeman moved/Scott Geissinger seconded: To adjourn. Motion carried.

Anna Demuth, Chairman

ATTEST: _____

Mindy Fisher, Secretary

February 27, 2024

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

Seeman moved/Bierschenk seconded: To approve the Agenda as listed. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Primmer seconded: To approve the minutes of Tuesday, February 20, 2024 and February 22, 2024 with a correction to a date changing from June to say July in the February 20th set. Voting aye were Primmer and Seeman. Motion carried.

Bierschenk moved/Seeman seconded: To approve Payroll checks numbered 143134 through 143152, ACH Deposits 56156 through 56303, claims numbered 249016 through 249110 and vendor checks numbered 249111 through 249117. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried

Robert Spangler and Phil Borleski provided the update on the Annual Report for the Historical Preservation Commission and explained some adjustments that need made and missing information they will fill in.

Seeman Moved/Bierschenk seconded: To approve the Annual Report for Benton County Historical Preservation Commission with some adjustments made and bring back a final copy. Primmer, Seeman and Bierschenk voting aye there. Motion carried.

Chairman Primmer led the discussion on salaries and pay increases. The compensation Board recommended 3% at their December meeting. The supervisors cannot go over this amount but can reduce it. Deputies to these elected officials have their salaries based on the elected official's base salary. Primmer also stated, "If we want to keep good employees, you have to pay them." Also pointed out how it has always been an issue of people at the top getting larger pay increases than those on the lower scale. He suggested giving everyone a flat dollar amount instead of a percentage and proceeded to ask for the other supervisors thoughts on the matter.

Supervisor Seeman observed what Primmer wants to do, but he wasn't sure that was possible. He would like more time to do some pencil pushing. Kellie Van Ree, member of the public asked if there had ever been any employee surveys done. She suggested other avenues to look at regarding incentives vs the typical wage increases.

Seeman moved/Bierschenk seconded: To table action in regards to acting on Compensation Board's recommendation for FY 25 Elected Officials Salaries and pay increases for non-elected, non-union, non-commissioned and non-contracted employees until Tuesday, March 5, 2024. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Supervisor Seeman reported on his recent EMS meeting he attended and Supervisor Primmer reported on his Central Iowa Juvenile Detention Meeting.

Under Public Comments:

Brad Havran, a Shellsburg resident had a question regarding school levies. Auditor Rippel explained how cities, schools and counties each have their own public hearings and levy authority per Iowa law. Some levies are voted on where others aren't required if they are within their allowed formulated amounts. Rippel also mentioned due to the House File 718, this year all taxpayers will receive a notice in regards to when the entities will hold their maximum property tax levy hearings so the public can attend to voice their opinions.

The time of 10:00 a.m. having arrived and that time was published and set to open bids for the Cedar Valley Ranch Farm Ground for rent. Bids received as follows:

Adam and Brian Happel-\$205.00 an acre

Green Acres Ranch-\$300.00 an acre

Douglas Schrader-\$260.00 an acre

The board allowed those present to increase their bids if they chose to. Happel's increased theirs to \$261.00 an acre.

Seeman moved/Bierschenk seconded: To accept the highest bid from Green Acres Ranch, owner April Harding for \$300 per acre for a three year lease. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Douglas Schrader did arrive at the meeting after the motion had been made, he went to the courthouse first.

Seeman moved/Primmer Seconded: To Adjourn. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

March 5, 2024

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Chairman Primmer reported that he would have to leave early to attend a funeral this morning and if items 11 on could be tabled from the agenda and another meeting be held Thursday morning.

Seeman moved/Bierschenk seconded: To approve the Agenda as such, and table items 11 through 17 until Thursday at 9:00 a.m. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, February 27, 2024. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Wayne Siela reported that on the last two bidding cycles of this farm ground, that the Board have evidence that the fertilizer was put back into the ground. Primmer asked Auditor Rippel to make a note in the file for with this least that it could be noted as such for next time.

Bierschenk moved/Seeman seconded: To authorize the Chairman's signature on the farm lease between Benton County, Iowa and April Harding, d/b/a Green Acres Ranch effective April 1, 2024 through March 15, 2027. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Rippel explained the need to amend the FY 25 Tax Asking Hearing. This has to be a total separate agenda posting and can't have any other action items in that specific meeting.

Seeman Moved/Bierschenk seconded: To amend the FY 25 Tax Asking Public hearing from 9:30 a.m. until 10:00 a.m. and the FY 25 Budget Adoption Hearing set for Tuesday, April 16, 2024 at 9:30 a.m. Voting aye thereon were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve handwritten claim for Master's Touch LLC in the amount of \$9,010.00 to get the HF718 mailing done.

Seeman moved/Bierschenk seconded: To accept the resignation of Courtney Long in the Auditor's Office, Baylie Grubic and Tricia Lagrange from the Sheriff's Office. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #24-21, Approving Hiring Part-time Dispatcher in the Sheriff's office effective March 7, 2024. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-21

APPROVING HIRING PART TIME DISPATCHER

IT IS HEREBY RESOLVED that the Sheriff's Office has a vacancy for the position of part-time dispatcher, and;

WHEREAS, Applications were accepted for the position, and

WHEREAS, These applications have been reviewed and evaluated, and

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Erica Novak be hired for part-time dispatcher for the Sheriff's department, effective March 7, 2024, at an hourly rate of \$21.08.

Dated this 5th day of March, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Sue Wilber, HR Director wanted to revisit the snow day in January that the Board closed. Myron Parizek reported all the roads and Deb Cummings worked that day. The rest of the crew worked 12-13 hours. Sue referred to the handbook section 2.11. She hadn't got a direct count from the Sheriff's office yet on what employees this affected. Wilber asked if they could be allowed a comp day, Seeman was leaning on 4 hours for those that worked. Bierschenk said that was fine with him. Primmer said if everyone else got 8 hours, he is a firm believer in keeping everyone as equal as possible.

Primmer moved/Bierschenk seconded: To award 8 hours of comp time for that day Secondary Roads and Sheriff Employees worked. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Rippel explained why there was a need to amend the FY 25 Tax Asking Hearing. This hearing has to be a total separate meeting along with its specific agenda posting and can't have any other action items at it. This had been previously set for Tuesday, March 26, 2024 at 9:30 a.m. and she would need that changed to state 10:00 a.m. so that she could prepare a separate agenda for it.

Seeman Moved/Bierschenk seconded: To amend the FY 25 Tax Asking Public hearing from 9:30 a.m. until 10:00 a.m. and the FY 25 Budget Adoption Hearing set for Tuesday, April 16, 2024 at 9:30 a.m.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Zeb and Tamara Reardon in part of the SW ¼ NW ¼ of Section 7-85-10. Reardon's were present along with numerous adjacent land owners. They own 3.22 acres and would like to change approximately two acres of land to allow for a single-family (ADA) compliant dwelling. Matt Even presented some

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

of the technical information. This parcel is not in production. The applicants will need to install a new driveway to allow access. They plan to install that off 22nd Avenue Drive on the south end of their adjoining parcel. This proposal was reviewed by Randy Sherwood, Secondary Roads and found this to be compliant. Private sewage system and well will need installed. Surrounding by single-family dwellings to the west, south and east. Timberland to the north. Nine notices were sent out and this was published in the official newspapers. The Land Use department received several calls from concerned neighbors who opposed this request and they were encouraged to attend today's meeting. This proposal is in an area with a lower CSR and shouldn't have any negative impacts on the surrounding farm operations.

Jeff Winsor, asked about the driveway coming off the north along with septic concerns. Winsor has had septic issues and his well was located on the north. There has been run off in the past, back at that time the ground was so saturated he'd been told that a home could never be put back there. This year is exceptionally dry and hard to compare. This led to discussion regarding what the setback amounts of 100 feet or 50 feet were along with if a tank is confined or not.

Bob Rundlett, brought up his previous sewer system failure a couple years ago. That cost was over \$21,000 for a new system.

Although years ago a 700 gallon tank was legal, his had to be increased to 1250 gallon tank with the new system installed.

Wayne Siela asked where Reardon's would get the dirt for the driveway. Zeb Reardon explained they were in the preliminary stages, and seeing about getting land use approved. Tammy Reardon stated they didn't know about the water issues from the past. This is only the start of this process. Wayne Siela owns ag property nearby and absolutely doesn't want any part of the county digging up his road ditches for their driveway. With said issues in the past, Siela asked how they would manage the water concern. Zeb Reardon explained how they were relying on professionals to do this, if something can't be done, then it can't be done. He was not planning to take out of the ditches.

Lynn Church explained they are the last property owner to the north where they could put an easement on. Water is a constant concern, trees get damaged and garage floors always wet. This has never been addressed, but the property lines are so close regarding the easement between Reardon's and Church's property. Tamara Reardon was appreciate hearing all the concerns and being made aware of this. They will figure something out if this wouldn't work.

Sue Keller curious on what makes property agricultural vs residential. Matt Even explained the differences and said that all new non-agricultural uses need approved by the county.

Primmer touched on an ADA compliant house, would probably not have a basement, He wasn't sure they could be restricted on the septic system. Setbacks are an issue and we have to follow the rules no matter how we feel personally. Seeman wanted to wait and let the neighbors work some of these issues and concerns out including the driveway and fencing that was discussed.

Bierschenk moved/Seeman seconded: To table the land use hearing for Zeb and Tamara Reardon in part of the SW ¼ NW ¼ of Section 7-85-10. until mentioned concerns can be worked out amongst the neighbors and then we can re-visit. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Rippel mentioned the maintenance employees reported they were also working that snow day and asked that they amend the motion to include them.

Seeman moved/Bierschenk seconded: To amend the motion earlier for the 8 hours of comp time allowed to include the maintenance department employees also. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Steve and Lexa Speidel in part of the SW ¼ NW ¼ of Section 7-85-10. This was tabled from the meeting on February 13, 2024. Speidel's wanted to re-visit where the driveway could be placed since an issue came up with the driveway requirements not being able to be met from the IDOT. Speidel has asked to now come off of 62nd street and improve that current portion of the county's dirt road. He would pay to bring it up to specs before they driveway would be installed. Speidel shared his proposed sketch for the board to look at. This parcel is high quality farm ground but has been used for pasture. The total size of the field is less than an acre, so nothing that farm equipment could successfully access. Matt Even reminded them about the letter opposing this change that had been received from Jennifer White. Primmer asked Speidel who would take care of this portion of the county road. Speidel assured him they have equipment to handle it and that it wouldn't be the county's responsibility.

Seeman moved/Bierschenk seconded: To approve the land use change of the 1.25 acres for Steve and Lexa Speidel in part of the NE ¼ NE ¼ of Section 5-84-10. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Supervisor Primmer excused himself from the meeting.

Greg Walston and Wayne Shannon met with the board regarding their lease agreement and providing an Old School Produce update. Walston explained how they realized their lease was not up to date, so the county attorney drafted a new lease. One change that was requested to not ready paying all utilities, we only pay for water. This lease will be renewable on a yearly basis unless there are objections. Also asking permission to build another temporary structure on the property. Wayne Shannon reported that 8 tons of produce was delivered around the area last year. They are looking to expand the produce production to go into the wintertime. This hoop building would have raised beds to allow for the expanded produce. Supplemental electric heat may be needed, but not a permanent furnace.

Seeman moved/Bierschenk seconded: To recess until 11:00 a.m. Voting aye thereon were Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To come out of recess. Voting aye were Seeman and Bierschenk. Motion carried.

Cara Martin, VA Director apologized for the confusion earlier, they hadn't heard the part about items being tabled due to technical difficulties. She wouldn't be available for Thursday and had a commissioner enroute.

Seeman moved/Bierschenk seconded: To accept Courtney Long's resignation as Veterans Affairs Commissioner. Voting aye were Seeman and Bierschenk. Motion carried.

Cara Martin explained how gender balance is still enforced and they will need to try and find a female to fill the vacancy on this Board moving forward. Seeman asked the other two commissioners if they would be able to find someone.

Seeman moved/Bierschenk seconded: To appoint Courtney Long as the new VA/GA Director salary will be set at \$60,000 effective March 11, 2024 and after she receives her accreditation certification, her salary will increase to \$62,500. Voting aye were Bierschenk and Seeman. Motion carried.

Sue Wilber wanted to circle back to a discussion at the end of the first part of the meeting before we recessed. Wilber asked about resignations and things why the Auditor needs originals not copies. Rippel explained that when the board initials things she needs to keep documentation pertaining to their actions pursuant to Iowa code 331.504, the Auditor is the keeper of the records and that is how it should be done.

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Seeman moved/Bierschenk seconded: To Adjourn. Voting aye were Bierschenk and Seeman. Motion carried.

Richard Primmer, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

March 7, 2024

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

Bierschenk moved/Seeman seconded: To approve the Agenda as listed. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

The Board discussed the FY 25 Comp Board Recommendations. Supervisor Seeman said he was leaning for less, but after knowing what the Unions are predicted for he was leaning towards the Comp Board's recommendation. Primmer brought up in the past how one department fluctuated more so. Bierschenk says this is so hard to predict the future and we want to keep our employees happy here. Discussion continued for the cost of living increases and what the CPI has done.

Seeman moved/Bierschenk seconded: To adopt Resolution #24-22, FY 25 Elected Officials Salaries. Voting aye there on were, Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-22

ELECTED OFFICIALS' SALARIES

WHEREAS, the Benton County Compensation Board met on December 27, 2023, and recommended an 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 approved the 3% increase:

Table with 3 columns: Official, Current Salary, Recommended Salary for FY25. Rows include Auditor, Treasurer, Recorder, Attorney, Sheriff, and Supervisor.

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, 2024, as recommended by the Benton County Compensation Board, with the exception of the Supervisors, they will take a 0% increase and take away the Chairman's Stipend.

Dated this 7th day of March, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST: Hayley Rippel, Benton County Auditor

Continued wage discussion was had on wages. Certain individuals have been named during departments budget presentation to be recommended that they receive additional pay for various reasons.

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Seeman moved/Bierschenk seconded: To approve a 3 ½ % increase to all non-elected, non-commissioned, non-contracted employees with noting that the following individuals have a different rate:

Deb Cummings-6%

Jessica Meyer-6%, noting that the director of transportation will not take any increase

Myron Parizek-4%

Randy Sherwood-4%

Karen Uthoff-4%

Deb Flemings 3% original with \$5000 out of the Attorney's Collection Fund

Lori Siela-3% with an additional 3% to come out of the Attorney's Collection Fund

Kelsey Robbins-3% with an additional 3% to come out of the Attorney's Collection Fund

Allaina Casali-3% with an additional \$2,120 to come out of the Attorney's Collection Fund

Angie Becker-3% with an additional 3% to come out of the Attorney's Collection Fund

Joyce Bane-3% with an additional 3% to come out of the Attorney's Collection Fund

All three Board members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve \$375 to Precinct Chairman and \$250 for all other election workers along with the \$25 training rate and mileage at the current federal rate effective July 1, 2024. Primmer, Seeman and Bierschenk all voting aye thereon. Motion carried.

Bids were received for a new semi-truck for secondary roads as follows:

GATR Truck Centers-Mack Granite 2025 MP8@455HP 13 Speed Mack AMT -\$155,459.00

Truck Center Co.-Western Star 49X 2025 DD16@530HP 12 Speed Detroit AMT-\$156,955.00

Truck Center Co.-Western Star 49X 2025 DD13@525HP 12 Speed Detroit AMT-\$152,915.00

Seeman moved/Primmer seconded: To accept the low bid from Truck Center Co. for a 2025 Western Star 49 X-DD13@525HP, 12 speed Detroit AMT in the amount of \$152,915.00. Primmer, Seeman and Bierschenk all voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve out of state training for Elana Janss, Medical Examiner Investigator to attend required training. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Committee Reports: Seeman reported on the EMA Office and some floor concerns. The EMA Office is within the Benton County Law Enforcement Center that the county owns. EMA Director reported to Tracy Seeman about the floor setting and how it is becoming an issue. He will take a look and report back how they want to get this taken care of going forward, maybe with spray foam. No action taken.

Auditor Rippel asked to revisit the discussion she had with Sue Wilber during Tuesday's meeting after Primmer was excused. She again wanted to stress the importance of Chapter 22, Examination of Public Records to all departments and states that is her duties pursuant to 331.504. When the Board signs or initials documents even if she doesn't attest for them. It is important to keep originals when possible of all 28Es, contracts and leases so that she can provide them when requested upon her to do so.

Seeman moved/Bierschenk seconded: To Adjourn. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor