

May 28, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Primmer, Bierschenk and Seeman present. Supervisor Primmer called the meeting to order at 9:00 a.m. at the Benton County Service Center. Members of the public are invited to join in during open session or watch the livestream at <https://www.youtube.com/bentoncountyiowa>. *Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountytia.gov*

Bierschenk moved/Seeman seconded: To approve the agenda. All voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes from May 21, 2024 and May 22, 2024. Primmer, Seeman and Bierschenk voting yes. Motion carried.

Seeman moved/Bierschenk seconded: To accept all bids from the Iowa Department of Transportation (IDOT) May 21st-bid lettings for 3 different projects. They are listed as follows:

HMA Resurfacing/Cold-in-place recycling project on County Route E24 (61st St Ln (FM-CO06(130)—55-06)

Pelling, L.L. Co., Inc. -\$2,092,658.92

Mathy Construction Company-\$2,092,890.98

County Route W26 32nd Ave (FM-CO06(131)—55-06

Pelling, L.L.,CO.,Inc. -\$1,658,493.31

Mathy Construction Company-\$1,679,567.60

HMA Pavement Project on County Route E24 (FM-CO06(132)—55-06):

Pelling, L.L. Co., Inc. -\$1,722,415.88

Mathy Construction Company-\$1,799,906.87

Seeman moved/Bierschenk seconded: To award the lowest bids for all three projects to Pelling, L.L. Co. Seeman, Bierschenk and Primmer voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-49, Designate the County Engineer to execute contract for Project FM-CO06(130)—55-06. All members voting aye thereon. Motion carried.

RESOLUTION #24-49

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as "the Board", believes the FM-C006(130)--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 HMA Resurfacing/Cold-In-Place Recycling on E24, from Vinton to W26; 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 Pelling, L.L. Co., Inc. in the amount of \$2,092,658.92 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 28th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve Resolution #24-50, Designate the County Engineer to execute contract for Project FM-CO06(131)—55-06. All members voting aye thereon. Motion carried.

RESOLUTION #24-50

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the FM-C006(131)--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 HMA Resurfacing/Cold-In-Place Recycling on W26, from Shellsburg N 6 miles; 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 Pelling, L.L. Co., Inc. in the amount of \$1,658,493.31 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 28th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve Resolution #24-51, Designate the County Engineer to execute contract for Project FM-CO06(132)—55-06. All members voting aye thereon. Motion carried.

RESOLUTION #24-51

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the FM-C006(132)--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 New HMA Pavement on E24, from W26 E & N 3.5 miles to Linn Co line; 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 Pelling, L.L. Co., Inc. in the amount of \$1,722,415.88 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 28th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve Resolution #24-52, Amending Resolution #21-87, Wages and Benefits for part-time employees in the Sheriff's Office. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION #24-52
Amending Resolution #21-87

RESOLUTION WAGES AND BENEFITS FOR PART-TIME EMPLOYEES IN THE BENTON COUNTY SHERIFF'S OFFICE

Part time Corrections Officers, Communications Specialists, Food Service, Deputy Sheriff and Reserve Deputy Sheriff, County Security Officers.

WHEREAS, the Benton County Board of Supervisors adopted Resolution #21-87 on October 5, 2021;

WHEREAS, the Benton County Sheriff has requested that said Resolution be edited to change verbiage pertaining to #2, regarding starting wages;

WHEREAS, the Benton County Board of Supervisors believes that establishing the wages and benefits for said employees is necessary to provide for the efficient operations of the department through the hire and retention of qualified employees;

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING policies are amended accordingly and adopted for the part-time employees in the Benton County Sheriff's Department:

1. Part-time employees shall receive compensation at the rate of 1.5 times their regular hourly rate of pay for hours worked on a holiday or for each hour worked in excess of 40 hours per week. Holidays, for purposes of this section, are as defined in the most current labor contract between Benton County Sheriff's Department, Vinton, Iowa and the Chauffers, Teamsters & Helpers Local Union No. 238, affiliated with the International Brotherhood of Teamsters, Chauffers & Helpers of America.
2. Starting wages per hour shall be the same as a starting full-time employee in their respective job classifications except for part-time office administration employees. Employees with over two years of previous experience, who are already certified will be granted 2-7 year bracket for prior service for the calculations of pay.
3. Starting wages of part-time office administration employees shall be as agreed on by the Sheriff or his/her designee, and the Benton County Board of Supervisors. Part-time office administration employees are not covered under or subject to Paragraphs 4, 5, 6, 10 and 11.
4. Step Raises for: Part time Corrections Officers, Communications Specialists, Food Service, Deputy Sheriff
 1. An employee must work a minimum of one year and 1,000 hours before being eligible for step raise comparable to that of a full-time employee after one year.
 2. An employee must work a minimum of two years and 2,000 hours comparable to that of a full-time employee after two years.
 3. An employee must work a minimum of seven years and 7,000 hours before being eligible for a step raise comparable to that of a full-time employee after ten years.
 4. An employee must work a minimum of fifteen years and 15,000 hours before being eligible for a step raise comparable to that of a full-time employee after twenty years.

5. These step raises will not be automatic but will be based on job performance, attendance, and willingness to work requested hours. Any part-time person who fails to actively work within any consecutive six-month period shall lose their accumulated hours towards reaching the 1000 hour requirement set forth above.
 - a. Any part-time employee advancing to a full-time position, with the same job classification shall retain their current wage status.
 - b. Any part-time employee advancing to a full-time position and the job classification is new or different from the current job classification that the employee is filling the wage shall be within the union agreement and agreed upon by the employee the board of supervisors and the Sheriff.
 - c. Part time Employees advancing to fulltime status and the job classification is under the civil service commission are not covered under this agreement.
6. Part-time employment will not be used for calculations of any other type of benefits for employees going from part-time to full-time.
7. Part-time employees are not entitled to longevity pay.
8. Part-time employees shall receive a \$.50 per hour shift differential for night shifts worked after successful completion of training. A night shift for purposes of this section is as defined in the most current labor contract between Benton County Sheriff's Department, Vinton, Iowa and the Chauffers, Teamsters & Helpers Local Union No. 238, affiliated with the International Brotherhood of Teamsters, Chauffers & Helpers of America.
9. Part-time employees shall receive a \$.75 per hour shift differential for weekend shifts worked after successful completion of training. A weekend shift for purposes of this section is as defined in the most current labor contract between Benton County Sheriff's Department, Vinton, Iowa and the Chauffers, Teamsters & Helpers Local Union No. 238, affiliated with the International Brotherhood of Teamsters, Chauffers & Helpers of America.
10. A Reserve Deputy (hired on or after February 27, 2018) NOT PART TIME DEPUTY SHERIFF
 1. Reserve Deputy Sheriff is defined in Iowa Code section, 80D. All new employees are subject to a 120 day probation period.
 2. All Reserve Deputy Sheriff training shall be in accordance with Iowa code section 80 D.
 - a. Training shall be paid for by the Benton County Sheriff. The reserve officer in training will volunteer the time required to complete the training.
 - b. The Reserve officer in training shall volunteer 80 hours of on the job training.
 - c. A Reserve Deputy Sheriff hired on or after February 27th, 2018 shall be paid under the following terms, A Reserve Deputy in training shall be paid \$2.00 an hour less than that of a full time Deputy Sheriff. After the completion of the required firearms training and 80 hours volunteer time. After the completion of all required Reserve Deputy training the Reserve Deputy Sheriff shall be paid \$1.00 an hour less than that of a starting full time Deputy Sheriff.
 - d. After working 500 hours a Reserve Deputy Sheriff may be paid the wage of a starting full-time Deputy Sheriff.
 - e. After working 1500 hours a Reserve Deputy Sheriff may be paid the wage of a full-time Deputy Sheriff after one year of employment.
 - f. A Reserve Deputy Sheriff hired on or after February 27, 2018 and has completed the Reserve Officer training prior to employment with Benton County Sheriff may be paid \$2.00 an hour less than the wage of a starting Fulltime Deputy Sheriff starting wage. After the 120 day probation period and the Reserve Officer is able to work alone in accordance with Iowa code section 80D the Reserve Deputy may be paid \$1.00 less than the wage of a starting fulltime Deputy Sheriff. After working 500 hours the reserve Deputy Sheriff may be paid the wage of fulltime starting Deputy Sheriff. After 1500 hours the Reserve Deputy may be paid the wage of a fulltime deputy Sheriff after one year of employment.

This agreement is subject to change with or without notice at the sole discretion of the Benton County Board of Supervisors and the Benton County Sheriff, or his/her designee.

BE IT FURTHER RESOLVED that any prior agreement relative to wages and benefits of part-time employees in the Benton County Sheriff's Department is repealed upon adoption of this resolution.

Dated this 14th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve Resolution #24-53, Hiring Full-time Sheriff's Office Food Service Custodian. Primmer, Seeman and Bierschenk all voting aye thereon. Motion carried.

**RESOLUTION #24-53
APPROVE SHERIFF'S OFFICE FOOD SERVICE/CUSTODIAN**

WHEREAS: Benton County Sheriff's Office has an opening to fill for full time food service/custodian

WHEREAS: Wanda Hinshaw has been employed as a part-time food service/custodian in the Sheriff's Office since 2023, and

WHEREAS: Wanda Hinshaw meets the qualification in the job description and has made formal notification of her intent to undertake the duties of the role, and

WHEREAS: The Sheriff recommends that Hinshaw be promoted from part-time to full-time food service/custodian;

THEREFORE BE IT RESOLVED By The Benton County Board of Supervisors that Wanda Hinshaw fill this role at the pay rate of \$20.99 per hour with an effective start date of May 28, 2024.

Signed this 28th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To table action on Hiring part-time HR Assistant until Wednesday, May 29, 2024 at 2:00 p.m. to allow the board to look over the current budget. Primmer, Seeman and Bierschenk voting aye. Motion carried. Officials also discussed proposed new software.

Seeman moved/Primmer seconded: To acknowledge Randy Sherwood's retirement effective July 25, 2024. All members voting aye thereon. Motion carried.

Seeman made a motion to transfer personnel files. Bierschenk said he wouldn't second the motion, and said the problem is Hayley is responsible for those files, and when they're out of her sight or jurisdiction, how can she be responsible. Primmer seconded the motion. Bierschenk abstained, and Primmer and Seeman voting yes. Motion carried.

Bierschenk moved/Seeman seconded: To approve handwritten claim to Iowa Economic Development Authority for \$540 for Historic Preservation Committee members to attend a conference. All members voting yes. Motion carried.

Seeman moved/Bierschenk seconded: To approve the cigarette permit for Kimm's Mini-Mart. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Reports:

Tracy Seeman reported about his idea for remodeling the Public Health Director's Office space.

Primmer moved/Bierschenk seconded: To approve the remodeling plan for the Public Health Office Space and quotes obtained. Seeman abstained. Primmer and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To Adjourn at 11:16 a.m. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor