

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 Stiegelmeier 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 Stiegelmeier 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.bentoncountyiowa.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.

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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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

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.bentoncountya.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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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 3% 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

March 12, 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.bentoncountvia.gov*

Seeman moved/Bierschenk seconded: To approve the Agenda as such, and remove item 2, per County Attorney's email. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, March 5, 2024 with minor corrections and Thursday, March 7, 2024. Voting aye were Bierschenk, Primmer and Seeman. Motion carried.

Seeman moved/Bierschenk seconded: To approve Payroll checks numbered 143153 through 143206, ACH Deposits 56304 through 56448, claims numbered 249290 through 249296 and vendor checks numbered 249118 (handwritten check), 249119 through 249289. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To pay True North Consulting Group for the continued fees for the Radio Project in the amount of \$2,952.00 using the ARPA Funds. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

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

Seeman moved/Bierschenk seconded: To approve the first-tier canvass of the March 5, 2024 Special School Election for Benton Community Schools as read and declare the public measure in Benton County as passed with 651 no votes and 813 yes votes. Benton County is the control county for Benton Community Schools but they have some voters in Iowa and Tama County, so there will have a 2nd tier canvass to declare the final results next week. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To acknowledge the successful Post Election Audit of the Special Benton Community School Election on the Eldorado-Newhall precinct. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Marj Becker with Norway Fire and Rescue and Stuart Towe with Florence Township met with the board to request use of LOSST funds for the purchase of Emergency Service vehicle. They are purchasing a 2024 Polaris Ranger, with a 50 gallon high pressure pump. They are wanting to purchase tracks for the ranger but haven't been able to purchase them yet. They have been given an estimate of

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up to \$10,000.00 for them. The tracks are able to be removed and would only be used during the winter. Auditor's office will issue two different checks one for the Ranger, pump and lights and the second for the tracks when they will be able to be purchased.

Seeman moved/Bierschenk seconded: To approve Resolution #24-23, LOSST Gift to Florence Township and Norway Fire and Rescue. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-23

WHEREAS, the Benton County Board of Supervisors has established a program for gifting funds to emergency service providers who provide services within the unincorporated area of Benton County; and

WHEREAS, the Florence Township and Norway Fire and Rescue has requested a gift of funds; and

WHEREAS, the Florence Township and Norway Fire and Rescue provides emergency services to areas in Benton and Canton Townships, City of Shellsburg and mutual aid to other surrounding townships;

WHEREAS, the Florence Township Norway Fire and Rescue has provided invoices totaling \$66,949.38 for the purchase of an emergency response truck and pumper; and up to \$10,000 committed for tracks on a Ranger;

WHEREAS, Florence Township and Norway Fire and Rescue agrees that the vehicle obtained with the proceeds of this gift shall be used when necessary for rural fire protection and/or life support operations, consistent with the intended use of the money from the Local Option Sales and Services Fund,

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors approves an Emergency Services Gift to Florence Township and Norway Fire and Rescue in the amount not to exceed \$7,694.94 which represents ten percent of the total purchase price for all equipment.

Adopted this 12th day of March, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Deputy Benton County Auditor

Melinda Schoettmer, Benton County Treasurer, updated the Board on her office getting new countertops installed. Due to the construction, her office will be closed on April 4 & 5 for Drivers License and April 18 & 19 for Motor Vehicle. Schoettmer will be advertising the closure and making signs for the Courthouse front door.

Bierschenk moved/Seeman seconded: To approve use of the courthouse lawn for Vinton Cruise Committee for September 21, 2024. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve HR Job Description. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Edler questioned if the job description would be given to those who were requesting it initially, Primmer responded that HR would give the Auditor's office the job description to disperse to those who are wanting it.

Shelby Williams, Conservation Director, updated the board on the Northern gasoline pipeline project and money received from the tree mitigation that can be used towards the Wildcat acquisition.

Seeman moved/Bierschenk seconded: To direct the Chairman to sign the CDBG canopy agreement and to approve the public notice to release funds. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

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

Richard Primmer, Chairman

ATTEST: _____

Gina Edler, Benton County Deputy Auditor

March 19, 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.

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Seeman moved/Bierschenk seconded: To approve the minutes of Tuesday, March 12, 2024. All members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Cecila Dirks, as alternate for the ECICOG Regional Trails Committee. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Bierschenk moved/Seeman seconded: To Approve the Fiscal Year 2025 Family Farm and Ag Land Credit Applications. Primmer, Bierschenk and Seeman voting aye, nays none. Motion carried.

Auditor Rippel explained the need for another service area amendment to pay the final postage for the HF718 mailing. So she would put it back on next week's meeting, as she was still currently waiting the final invoice.

Gina Edler, Deputy Auditor, read the combined results of the Benton Community School Special Election with Tama and Iowa County votes. Public Measure A passed with 822 yes votes and 657 no votes.

Seeman moved/Bierschenk seconded: To approve the second-tier canvass of the March 5, 2024 Special School Election. 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 Dave and Paula Weber in part of the SE ¼ SE ¼ of Section 10-85-10. Weber's would like to change approximately one acre of land to put up a pole barn with living quarters. They own the 28 acre parcel. Dave Weber was present. Matt Even presented some of the technical information. This ground is not in production and has a CSR of 21. There is an existing driveway they can utilize to access this property. It was found compliant by Randy Sherwood, Secondary Roads. A private sewage disposal system will need installed, but they plan to use the existing private water well. If there becomes an issue connecting them, they will install a new well if needed. Ten notices were sent out to adjacent property owners along with legal notices published. There was no public input 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 Dave and Paula Weber in part of the SE ¼ SE ¼ of Section 10-85-10. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Under committee reports: Supervisor Seeman had a recent ECICOG meeting and learned about the need for more buses. Seeman also gave a quick update on the floor damage at the law enforcement center effecting EMA office. He obtained two separate quotes for the two different areas. Concrete Polyfix for just the EMA office was \$1,900, and the conference room portion was for \$2590.00.

Doug Cook, member of the public thought it was a good idea to fix both areas while they were doing it, so things don't get worse later. Cook also inquired about the impact of the drought on Benton County,

Under other public comments: Kellie Van Ree addressed the human resources director's job description. Van Ree had suggested doing exit interviews to people who resign and asked if that would be something they could do and also obtain data why employees like to stay. Van Ree also addressed the HR Director and questioned the professionalism that is listed in her revised job description. She had concerns in regards to what she witnessed in a prior meeting how Wilber had addressed the Auditor in regards to documents handled in board meetings. Wilber said she was sorry that Van Ree felt that way, it was not intended to come off as such, she was just asking for clarification.

Bierschenk moved/Seeman seconded: To approve a farm exemption application for Kenneth and Carol Popenhagen, in part of the SW ¼ of the SE ¼ of 4-83-9. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Aaron Boddicker was present to discuss with the Board and Engineer about taking possession of part of 24th Ave. Dr. in Harrison Township near his residence. Boddicker handed out a map of the area and explained why he was interested. The Engineer explained to Boddicker that there would need to be a formal hearing to do so and he would get it on a future board meeting to get this process started.

Seeman moved/Bierschenk seconded: To approve and sign final voucher payment for the 3% retainage amount of \$18,976.95 for Bridge Deck Replacement Project BHS-SWAP-CO06(118)—FC-06. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve and sign final voucher for the 3% retainage amount of \$10,264.69 for Twin RCB culvert replacement Project BROS-SWAP-Co06(109)—FE-06. Primmer, Seeman and Bierschenk voting aye. Nays none. Motion carried.

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

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

March 26, 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.bentoncountyiowa.gov*

Chairman Primmer opened the meeting and pointing out agenda items #8 and #15. Item #8 will be struck and it was his understanding that this item was going to be discussed later this morning at 10:30 a.m. Hayley Rippel, Auditor stated she wasn't aware this was the topic for the closed session at 10:30. She asked why that item was placed on the agenda. Primmer said it was neither here nor there, that it had been removed. Next up he wanted to provide clarification on item #15. Primmer had referred it to the county attorney's office but since they made the first complaint, that it would be bad on his part to strike that item since they were the ones who put it on. Primmer also recommended some changes to future agendas by not listing items as timed events. He said this is out of the ordinary and should be used for public hearings only. Lexa Speidel, County Recorder asked "if you do take the timed items off, will I have to sit here all morning to wait for you to get to my item when I'm supposed to be working?" If you are on

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the agenda, you should be here, that way there isn't a lull and we aren't sitting around waiting for the next timed item, answered Primmer. Auditor Rippel asked if she could provide input regarding agendas. She asked that department heads be respectful of her time, and get the items to her by 8:30 a.m. on Monday mornings. Primmer agreed that wasn't unreasonable. Barb Greenlee asked about public hearings notices that are required for publication. She was assured these will still get an assigned time. Jill Marlow, retired County Auditor asked for clarification if this was legal counsel that recommended the agenda changes? Chairman Primmer answered that it was a meeting that all department heads were at and that no it was not by legal counsel but input received from an instructor for leadership training.

Bierschenk moved/Seeman seconded: To approve the agenda with the Chairman's recommended changes. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Sue Wilber presented a new hire to start June 3, 2024 in the County Attorney's office, Derek Marsh will be graduating in May, and will work as a paralegal until he passes the bar exam.

Maggie Mangold asked for clarification? If this hire was in addition to the county attorney hired a few months ago. Primmer stated that we did not end up hiring that person due to being subject to checks and balances. Seeman asked if this hire would be by contract. Wilber said that it was not just provisions worded in the resolution.

Seeman moved/Bierschenk seconded: To approve Resolution for hiring Derek Marsh as assistant county attorney, but then followed it up with asking for clarification of referring to Assistant County Attorney vs Paralegal.

Tim Dille explained how we have done this in the past. They have hired them as a paralegal and revisited the position after they passed the bar then promote to assistant attorney. Primmer asked for clarification if we can do this if it is listed as county attorney on the agenda, not paralegal. Tim Dille suggested that they correct the wording and re-do it at a future meeting.

Seeman withdrew his motion.

Seeman moved/Bierschenk seconded: To approve Resolution #24-24, Hiring Equipment Operator at secondary roads. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-24

APPROVE HIRE OF EQUIPMENT OPERATOR

WHEREAS: Benton County Secondary Roads Department has an opening to fill for an Equipment Operator for Secondary Roads; and

WHEREAS: Applications were accepted for this position and, WHEREAS:

These applications have been reviewed and evaluated.

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Ron Ragen be hired to fill one position of Equipment Operator at a starting wage of \$26.63 per hour starting April 1, 2024. This is an Equipment Operator II classification with a Labor Grade IVA.

Signed this 26th day of March, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Resolution #24-25, Promotion of Dennis Eden in the Sheriff's Office. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-25

APPROVE SHERIFF'S OFFICE DUTY OFFICER

WHEREAS: Benton County Sheriff's Office has an opening to fill for a Duty Officer and,

WHEREAS: Dennis Eden has been employed as a Correctional Officer in the Sheriff's Office since 2013, and

WHEREAS: Dennis Eden meets the qualifications outlined in the job description and has made formal notification of his intent to undertake the duties of the role, and

WHEREAS: the Sheriff recommends that Eden be promoted from Correctional Officer to Duty Officer.

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THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Dennis Eden fill this role at the pay rate of \$30.33 per hour with an effective start date of April 1, 2024. Signed

this 26th day of March 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Scott Hansen, EMA Director shared an update on the radio project and as its getting closer to the end. Technology continues to change and they need to upgraded routers. He presented change order #7 and also recommended ordering the spare parts that were listed within the original contract.

Seeman moved/Bierschenk seconded: To accept change order #7 from Racom for the Emergency Radio Project with cost savings of \$3,200. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Questions from the public were as follows:

Wayne Siela, curious on what the cost of this project to taxpayers overall is. Supervisor Seeman said it was a \$7.2 million contract. \$2 million was offset using ARPA funds. Another member of the public asked If the public can see proof of purchase and receipts for this project, and if there had been anything paid under the table. Primmer assured them there had not been. Auditor Rippel said all the invoices and contracts are available to the public in her office. Scott Hansen also explained the 28E Shared Area Radio Agreement (SARA) and what a great asset that it will be. The ability to communicate and interconnect with all respective adjoining jurisdictions. Jeremy Greif asked about the life expectancy on these parts and project? Hansen said the annual maintenance is part of the 10-year contract. Will equipment need replaced, possibly, but without knowing where technology will take us, nobody knows. Radio waves put off was also touched on.

No other comments

Seeman moved/Bierschenk seconded: To authorize the purchase of the spare parts that were listed as an option in the original contract. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Scott Hansen explained how Tracy had obtained some quotes from Polyfix Concrete out of Iowa City. Scott presented the two different quotes along with pictures of the repairs that are needed. One being as you enter the EMA Office and carries into the communications room on center wall for \$1,900. The other is in the EOC East and North wall that is starting to sink also for an additional \$2,590. We determined while they were doing this, the Board has the option of doing one or both areas. Emergency management does not budget for building maintenance since they do not own the building. They secured a federal grant to build the EOC with agreement that the county owns the building and covers all building and maintenance costs. Jim Gill, local resident asked what is causing this cement issue. Hansen explained where it has been setting is along the original footings. They first noticed issues after the 2016 flood after water was sitting up underneath, and it has slowly been progressing. Barb Greenlee suggested they check with the city since it is in the flood plain and Jill Marlow asked about FEMA stipulations.

Seeman moved/Bierschenk seconded: To approve the quotes from Polyfix Concrete in the amount of \$4,490 to repair both areas, granted proper approval from the City of Vinton and FEMA. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Rick Wood, County Maintenance Director presented quotes obtained for some soffit painting at the Benton County Service Center as follows:

- Triple cross Restoration (Keith Lindsey)-\$3,200
Superior Painting and Exterior- \$23,484 Schlarbaum
Construction -\$18,424

Seeman moved/Bierschenk seconded: To approve the lowest bid of \$3,200 from Triple Cross Restoration to do the work at the Benton County Service Center. Primmer, Seeman and Bierschenk voting aye. Nays none. Motion carried.

Bierschenk moved/Seeman seconded: To set Tuesday April 23 at 9:30 a.m. for a public hearing to vacate part of 24th Ave. Dr. in Harrison Township pursuant to Iowa Code Chapter 306. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

The Engineer presented Motor Grader quotes received as follows:

- Martin Equipment-2024 John Deere 770G w/Henke Wing with options-\$407,250
Martin Equipment-2024 John Deere 770G w/Falls Wing with options-\$397,290 Altorfer
Caterpillar 150 with additional warranty-\$449,607

Seeman moved/Bierschenk seconded: To approve the low bid of \$397,290 from Martin Equipment for a 2024 John Deere 770G with Falls Wing and premium options. Voting aye there on were: Primmer, Seeman and Bierschenk. Motion carried.

Supervisor Chairman reminded the people in the room that the next timed item on the agenda is a board discussion with an employee. If they had something they wanted to say beforehand, they would like to hear that now.

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Lexa Speidel, County Recorder asked for explanation what reasons and why we were here discussing this. Primmer said there was an investigation as to whether or not an employee followed his directive from a superior, and this investigation led after an initial complaint was filed by the county attorney's office.

Various members of the public spoke up with questions. Who is Ben's director superiors? The Supervisors are.

Why did the county attorney file a complaint? Primmer explained it had to do with security cameras in the board room. If we are in closed session that all recordings are kept confidential for a year and minutes are taken and they are sealed for a year. We don't want security footage recording during those closed sessions. Tim Dille stated that Iowa Code states anything in a closed session is sealed to prevent public dissemination. If those videos were available and given to the public after a meeting, someone could possibly zoom in and see documents or read lips, this becomes a security issue.

Are you saying those videos were released to the public and that is the problem? Or what is the issue? Molly Hach asked.

Kelly Van Ree asked if this was a new concern because she has been attending the meetings since the beginning of the year, and there hasn't been closed sessions. Or is this related to the 2/2/2024 IPIB complaint?

Chairman Primmer explained that the County Attorney had indicated that there was going to be a closed session in the near future and he had learned of the security cameras and stated that they needed to be turned off for confidentiality in the closed sessions.

Kathy Tumilty asked if they were going to take away cameras for all the meetings that the public enjoys watching. Primmer explained there are two cameras, one for the Youtube and the other security.

Auditor Hayley Rippel stated that normally we have a security committee that acts on the security issues. I don't feel safe without a security camera, this building houses a lot of disgruntled people. Lexa Speidel also asked why the security cameras issue didn't come to the security committee first? Primmer asked when the security committee took action for such cameras.

Rippel said there was a security camera in the previous board room in the courthouse also. There have been improvements and this building wasn't here when the security committee initially started. Jill Marlow, understood the concern, but outside of closed sessions, why wouldn't you want security? Primmer said the sheriff attends the meetings. Sheriff Ron Tippett said he would like to see this matter of the camera issue go back to the security committee. We could get the minutes of the past meeting and see how this was discussed. Jill Marlow, getting back to another question, who is the IT supervisor, there was never anything that she saw on the agenda or minutes to direct him to disconnect a camera if supervisors can't act on things without board action.

Maggie Mangold asked who has access to security footage, was there actually concerns if the security footage was breached, or was it restricted? Tim Dille said the issue was for the board to discuss.

Lexa Speidel spoke up and stating how Ben is a wonderful IT person, if we didn't have him in this county we'd be up a shit crick.

Hayley Rippel also added the importance of cyber security and she couldn't do elections without.

Ben Turnis waived his right to go into closed session. So the board proceeded with an open meeting format.

Sue Wilber was tasked at looking into the issue of Ben not following directive from superiors. After getting his side of the story, there were some handbook violations that had been brought to light. She was asked to summarize the findings and bring back to the supervisors. Primmer asked Sue to read it aloud. Wilber asked if they wanted her to go make copies and share with the board. Jill Marlow asked to see this document, it was a public document. The board took a break to allow for copies to be made.

Auditor Rippel stressed that the public hearing for the Maximum Tax Asking had to take place at 10:00 a.m. due to the requirements of HF 718 and it needs to be a totally separate meeting.

Seeman moved/Bierschenk seconded: To recess this meeting so that the Board could open the Public Hearing on time. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

**** Separate set of minutes for the Tax Hearing.**

March 26, 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 10:00 a.m. at the Benton County Service Center. Members of the public are invited to join in during open session or watch the livestream at <https://www.youtube.com/bentoncountyiowa>. *Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountytia.gov*

Chairman Primmer called the proposed maximum tax levy public hearing to order. There was numerous members of the public and press present. Auditor Rippel explained the purpose behind having to hold a separate meeting today was due to HF718 (Iowa Acts Chapter 71). During the 2023 legislative session, they passed a requirement for an annual mailing to each taxable property owner to go out no later than March 20 and that entities had to hold a special meeting just for this. Rippel realizes these notices have been confusing to many residents and explained that this wasn't created by her, but legislation and department of management. There have been many joint meetings to try and help explain some of the reasons behind passing HF718. The information on the statements is aimed at informing taxpayers about forthcoming budgets for K-12 School District, County and City (for urban residents) which tax within the district where the property is located. These statements are not on an individual basis, but for the taxable entity as a whole. So for example, Vinton-Shellsburg School, the proposed tax rate amounts on the statement would be looking at as if it were a blanket over the county, the valuations within that school district within Benton County alone. Rippel also explained the maximum levy rate of 3.50 in General Basic has been set as such since the 80s. With the increased values in the county this year and comparing to last year and using the same levy rate as that predicted a 3.11 % growth of our tax asking. Benton County was then forced to reduce our General Basic Levy to be held within the allowable 3% growth overall. We can still use the General Supplemental Levy because the General Basic is still considered at the maximum. Out of the 99 counties, there were about 30 who were levying above that for various reasons and legislation trying to bring them back down. It can be very frustrating with all the unfunded mandates that we can't control, that we are getting held at a growth rate, yet other things continue to increase. Primmer stressed the wages and cost of living increases hasn't helped and that

main street hasn't had that, nor has Grain.

Wayne Siela, county tax payer asked for a proposed budget detailed and comparing the last five years. He understands the different funds but wants it as a whole dollar figure instead. Auditor Rippel will provide him with that. This hearing had to take place and get approved before she can propose the next step in the budget process with the Department of Management.

Kellie Van Ree, brought up concerns with recent increases in areas such as county texting program, outsourcing background checks, along with maybe other unnecessary increases. Jill Marlow, asked how many years were left on the county's debt service and with the

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other increases such as EMS levy, and continued costs. Marlow stressed to the Board how they really need to look at their overall spending and plan for their future expenses better. If the county continues to have growth, then they should be able to reduce levies. After no further discussion, the proposed maximum tax levy hearing was closed.

Seeman moved/Bierschenk seconded: To approve the maximum proposed property tax levy's as such:

County Wide Tax Rate-6.88792

Additional Rural Rate of 3.90577.

Primmer, Seeman and Bierschenk voting aye. Nays none. Motion carried.

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

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

Primmer formally called the 9:00 a.m. meeting back to order. at 10:22 a.m.

Seeman moved/Bierschenk seconded: To approve the minutes of March 19, 2024. Chairman Primmer asked for clarification in a couple areas. One being the approve/deny the FY 25 ag land and family farm credits as approved. Was it approve or deny. Another area in concern was where Kellie Van Ree had concerns of her witnessing Wilber addressing the Auditor how documents are handled in board meetings and questioned her professionalism. If we make it part of the forever minutes, we should have both sides of that in the minutes. Auditor Rippel asked what he wanted her to add, that she had no problem doing so. Primmer recommended pulling that all out in its entirety and keeping it simple. Kellie Van Ree spoke up in regards to her comment stating that it wasn't referring to whether it be on the record or not, but pointing after pointing out Wilber's unprofessionalism and that her response was that "she was sorry that she didn't mean for it to come off that way." No voting took place after the motion and discussion. Motion failed.

Seeman moved/Bierschenk seconded: To approve Payroll checks numbered 143207 through 143212, ACH Deposits 56449 through 56593, claims numbered 249297 through 249422 and vendor checks numbered 249423 through 249429. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Larry Hlas to Van Horne Benefited Fire District. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Bierschenk moved/Seeman seconded: To approve out of state training for Joyce Bane and Lori Siela from the County Attorneys' office to attend in St. Louis, Mo on April 2-4, 2024. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Ben Turnis reported to the board he had a meeting with a vendor at noon that he had already rescheduled once. Tim Dille explained that talking with Ray Lough, those copies regarding Ben's investigation is confidential. Personnel files are property of the county's. Maggie Mangold reported that IPIB has ruled on this, if something is presented in open session, it is a public document and if Ben waived his right to the confidentiality to be in the closed session. If the copy was given to Ben, then he can distribute to anyone he would like.

Seeman asked if the 10:30 item could wait, if we could get this moving forward. Kellie Van Ree asked if we were paying the other attorney, no offense to Ben, that we should probably do that.

Primmer asked if Ben Turnis would be available if they call him as long as it wasn't too close to his noon appointment. Turnis agreed. Primmer also asked Auditor Rippel in regards to the minutes of Tuesday, March 19th if she could get them revised and approved Thursday night. Rippel explained that agenda was already posted and that was EMS Advisory Council's agenda not Board of Supervisors.

Tim Dille was going to check with Attorney Brent Hinders that came from Des Moines to see what his schedule was. Supervisors were asked if he is on retainer, or do we pay per hour, Maggie Mangold said she has heard both? Primmer said he believed we pay per hour and said "we sure get a lot of bills."

Dille reported that since we had it as a timed event at 10:30 that they should go with it.

Seeman moved/Bierschenk seconded: To recess at 10:32 a.m. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

***Separate minutes for the 10:30 a.m. closed session on 3/26/2024.*

March 26, 2024

Brent Hinders met with the Board of Supervisors per Iowa Code 21.5 (1)(c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Seeman moved/Bierschenk seconded: to enter into closed session pursuant to Iowa Code 21.5 (1)(c). Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

At 10:38 a.m. Board entered into closed session.

At 10:45 a.m. Auditor, Hayley Rippel exited closed session due to a conflict of interest. Closed Session discussion was suspended pending arrival of a Deputy Auditor to take minutes per Iowa Code.

At 10:49 a.m. Deputy Auditor, Gina Edler entered into closed session. Board returned to closed session discussions.

At 11:01 a.m. Ray Lough, County Attorney entered into closed session.

At 11:29 a.m. Seeman moved/Bierschenk seconded: to come out of Closed session pursuant to Iowa Code 21.5 (1)(c). Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Seeman seconded: To adopt Resolution #24-26, Approve hire of Mark Erickson as Transportation Director. Voting aye were Primmer, Bierschenk and Seeman. Motion carried

RESOLUTION #24-26
APPROVE HIRE OF TRANSPORTATION DIRECTOR

WHEREAS: Benton County Secondary Roads Department has an opening to fill for Director of Transportation, 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 Mark Erickson be hired to fill the position of Transportation Director at a salary of \$56,000 per year starting April 8, 2024.

Signed this 26th day of March, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Benton County Deputy Auditor

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

Richard Primmer, Chairman

ATTEST:

Gina Edler, Benton County Deputy Auditor

Deputy Auditor Gina Edler took over the minutes from here.

Seeman moved/Bierschenk seconded: to re-enter into session from recess of the 9:00 meeting. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Board resumed employee evaluation with Ben Turnis Information Technology Director. Primmer questioned if Turnis had time to continue due to his meeting at noon. Turnis stated he pushed back his meeting. Auditor's office also moved there meeting back. Primmer instructed Sue Wilber to pick up where they left off. Wilber explained that she was tasked to investigate Turnis for not following the directive of removing the security camera in the Service Center Conference Room and had a summary of the events that transpired. Wilber's investigation stated that Turnis swore, insubordination, lying and provided misleading information regarding removal of the security camera in the Service Center Conference Room. County Attorney's office discovered the camera after an open records request. The Attorney's office stated that they wanted the camera removed due to closed session meetings that they were planning on in the near future for a Board meeting. Ray Lough, County Attorney, stated that there are some people who can read lips and would be able to know what would possibly been said in there, "it's a legal matter." Turnis stated he was instructed only verbally by one supervisor, Tracy Seeman and Lough. For security reasons he didn't want to remove it until he either was instructed by the Security Committee or in writing. Turnis didn't want something to happen and then the liability to fall back on him. Turnis contacted the Security Committee Chairman Ron Tippett, he also thought it needed to be put on the Security Committee's agenda to discuss to remove a security camera. Turnis did remove the security camera once he received an email from Lough. After the investigation was read, Primmer stated that the problem is the precedence the board has set in in the past. They have previously asked employees for their resignations or suspension without pay. Primmer asked fellow supervisors for their input. Seeman stated he agreed with Turnis, that it was a decision that should have been made by the Security Committee. Bierschenk, "I'm going to keep my mouth shut at this point." Seeman said his motion would be to put a letter of reprimand in Turnis' permanent file for the bad words. Primmer questioned what about the lying. Seeman stated, "bad words and that's it". Wilber also asked for clarification for her letter to write up, asking if it was just for the foul language and not for the lying. Seeman again stated it would only be for the bad language. Seeman moved/Bierschenk seconded: To put a letter of reprimand in Ben Turnis, Information Technology Director, for bad words in his permanent personnel file. Voting aye were Seeman, and Bierschenk. Vote nay was Primmer. Motion carried. Primmer asked for the Supervisor reports. Seeman gave a brief report regarding the Radio towers, 3 towers are up and running and talking to each other right now. Landfill meeting, they are taking dirt from Linn County, getting lots of dirt in. Primmer said he had a Central Iowa Juvenile Detention meeting last Friday and we are way over budget and have items to get corrected as Account Payable year to date is \$46,920 and we budgeted \$26,000. Wilber was instructed per Primmer to give an update on the Safety Committee since she ran the meeting. Several members from several departments were in attendance, reviewed several potential safety issues that they were not aware of. Looking at having these meetings monthly, then eventually having them done quarterly after they get established. The committee may have a member

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

walk along with the Grand Jury to see if there are any hazards that they might point out as well. Primmer added that Heartland Insurance has safety audits for Secondary Roads, but he thinks they should be done for all of the buildings.

Primmer questioned Lough on the contract on the Radio towers. Lough said he did a contract with the 28E with Benton and Iowa. Purchase agreement is done with Barnes. Deed is done with Barnes and Scott Hansen has the deed.

Hansen questioned Wilber why he was not invited to the Safety Committee as Emergency Management and he didn't know the meeting was even going on last Thursday. Wilber questioned if he responded to her email asking who wanted to be on the committee, Hansen stated he did the same day and stated that the EMA Coordinator will participate. Hansen asked Dean Vrba what Wilber told him regarding this meeting Vrba responded that Wilber told him that Hansen put Vrba's name down. Primmer stated it was an informative meeting. Edler questioned Primmer how he introduced himself for that committee. Primmer responded that "I was the a**hole of the county, you don't believe me Valerie will attest to it." Rippel stated, "you just reprimanded Ben for foul language, how is that setting an example in front of all those people." Primmer responded, "Ok put it in my personnel file." Hansen addressed that he would like an invite to the next Safety Committee meeting as he is still the EMA Director until June 30. Wilber, "My apologizes for making a mistake." Hansen, "and telling a lie." Wilber, "it's not a lie, has anyone ever in this room ever made a mistake?"

Board moved onto public comment:

Lexa Speidel, "I want to state again that I think that they should of went to the Security Committee for this camera." Lough, "the reason that it didn't go to the Security Committee is that it's a legal issue, it's a legal issue first and not a safety issue first." Speidel continued, "we have a lot of good people working for this county and it's really sad that it's come to this point where it's a he say-she say thing that Ben said something, we have a lot of frustration going on in this county right now and with Ben's making comments or swearing, I am sure we all have sworn lately because of the frustration that's going on here and it is sad to me to see good people working for this county we are here to serve our county taxpayers. We are elected in the people who work for this county like Ben, he puts his heart and soul into this job, and like I said before, we are going to be up a s**t creek if we didn't have IT, and I'm swearing, sorry. But there you go."

Kellie Van Ree, "I would like to formally say, that I think your comment about precedence are hypocrisy because you set a precedent that the supervisors can slap people's butts, they can wrongfully pay employees, you sit here week after week and let Sue belittle all of the county employees and your sitting here telling your staff that they can't do the same thing? I formally request all 3 of your resignations and the HR Director's."

Dana Sanders (via phone), "I apologize for not being able to be there. I just wanted to say, something that caught my attention in listening was you brought up the handbook, Sue did several times and different parts of it. What about the handbook part of double employment which appears as though she also works for the Federal Court according to searching online anyhow seeing it there. And also you know the harassment issue that's in the handbook too and well I appreciate you did not terminate him I just wanted to point that out, if we are going to follow the handbook, we follow it all the way, thank you." Primmer, "there are exceptions of course to the handbook and Sue's double employment she is not the only one in the county that has outside jobs." Sanders, "that seems like a big one and a conflict in my opinion, but thank you."

Steve Speidel, "My comment was that you have your security Ray saying this is a law requirement but first you should of acted on it, Ray should of sent it to you supervisors and said we need to have a meeting with the security and then you guys should of made a motion to remove it. I think you guys missed a bunch of steps here and I think it falls on you guys, not Ben, you guys and I believe you guys were the ones, you put Ben on the stand here I hope you can justify everything you did to him today. And if I was him I would turn in my resignation on you guys. I'm sorry, I have supported you guys but this one is over the top."

Maggie Mangold, "I have a question, was there any alternatives and this is hypothetical since I realize you don't need to respond in public comment but were there any alternatives that were explored such as covering up the security camera during or having an off button during closed sessions. My understanding of the statute is that audio and notes must be taken but it is not saying that, that video cannot as well. So that's a separate issue of clarification that is being misread, however, I do if, if that security camera is truly only video, was that ever explored as an alternative option." Lough, "I will answer your one question because I know you are not familiar with how the courts interpret statutory discussion. This is a very specific statute in regarding to this specific procedure, they had the opportunity to put it in the statute audio and/or video and they chose not to put it in the statute. The courts are going to interpret that to say that's all that's allowed because they had the opportunity to expand it and they did not. So, I understand where you maybe wouldn't know the courts and how they interpret those things but that's how based on historical analysis by the courts that how I viewing this issue. It just says specifically notes and also audio recording." Mangold, "Did you explore the option of turning off the video then?" Lough, "No, there wouldn't be any reason I'd have a problem with that with a switch or something." Primmer, "And the first time I heard about a switch was in a conversation with the Sheriff which he stated today that you have a switch in your conference room." Tippet, "In my interview room, we have them all on switches and we will be going back to the Security Committee and will be addressing this camera in this room, to put in a switch so it can be shut off during a closed session meeting. Otherwise this room is used for other purposes and it needs and has some guest in here. We also have an entrance and exit door here, that I would like to have covered." Primmer, "As well as the South side." Tippet, "There's also doors over I would like covered also." Primmer, "And you will bring that up to the security committee." Tippet, "I'll bring it up to security." Primmer, "Sure, makes sense."

Molly Rach, "This statement is specifically for the County Attorney, the County Human Resources Director and the Benton County Board of Supervisors. As a resident and taxpayer of Benton County I have been surely appalled at the behavior you have demonstrated by the 5 of you for the last 6 months. From a sexual harassment settlement to legally firing the former Board of Health, multiple complaints, from violations to Iowa Open Meetings law and complaints from ombudsman's office have all demonstrated your inability and incompetence to be effective county officials. Furthermore you have cost the taxpayers of Benton County almost \$20,000 in legal fees and settlement payments of over \$250,000 in the last 6 months, just because of your actions. That money could have been better spent on multiple things for your county residents. But here's the thing, these violations of yours cut a little bit deeper for me personally. Because as a fellow public servant I suffer from your abhorrent behavior too. And that comes from the loss of community and taxpayer trust that you have now inevitably caused. Every time you violate that trust that they have placed upon us, it ripples out to all other public servants in the cities in the county. Because if you all can act there are no consequences for your poor decisions and illegal behavior then clearly the rest of us can, right? And so bit by bit that public trust erodes and when another department or city entity needs extra financial support through fundraising or a levy or any other needs it's your misdeeds that suddenly pop back into their mind and make them second guess their decision to support us. And that, that's what really makes me angry. Because of your utter disregard for the law and your obvious contempt for those you serve the rest of

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

us who do our job honestly and with integrity have to suffer. It's going to take years to undo the damage that the 5 of you have reached upon the citizens of this county. I hope your happy with yourselves.”

Jerry Grief had questions regarding the landfill dirt. Dirt is coming from Cedar Rapids for them to build a flood wall. Dirt has old coal in it.

Kathy Tumilty, “Our county seemed to get along with each other, things went by really good until you got the HR lady and what is her official job? And she thinks she's so busy she's going to have to hire help and it seems like all she does is cause trouble for elected officials.” Primmer, “Ok, Kathy, the HR issue came up the one before as well, we had issues there. So, and there was an investigation, etc, etc, so it's not new with Sue. This has been going for a while but that's another chapter, so.” Tumilty, “What are her real job descriptions?” Primmer, “We have her job description, we approved the job description here.” Tumilty, “We haven't seen it though.” Primmer, “It's public record, you can go to your daughters office and get a copy.” Tumilty, “Oh I will.”

Sue Wilber, “Can I just speak to a couple of things that were said just briefly. Yeah I encourage you to get the job description. What I am doing is what I was asked, requested and hired to do. I'm not belittling employees. I looking into matters that have been brought to my attention that should be addressed everyone seems to be focusing on the language used by our employee I think the underlying concern there is the dishonesty and just as the public has multiple times said we want transparency and honesty I think

we have an employee that's being dishonest that should be looked at. If an employee is lying, if an employee is stealing from us do we want to turn a blind eye to that or do we want to look into it? So it's not a pleasant job it is not a job that any HR people want to do but it's part of the job, having tough conversations and looking into things, maybe they have gone unaddressed for a long time. That doesn't mean it should continue to happen. Again it's not my place to make those decisions and following what I've been asked to do which was hiring a committee that approved having this role and having all the pieces that go into it. So I just wanted to clarify that a little bit per some of the comments to see if that helps and I'm always happy to talk to anybody if they would like to have a conversation about more about that as long as it doesn't concern confidential employee personnel records or matters. You know making transparent conversations face to face are always more beneficial than not face to face so, my door is always open if people have questions or comments about the role or those sorts of things.” Rippel, “I do have one more comment since the Auditor's duties was blown out in the county and all this, I want to know why that was put on the agenda, I have a right to know. So what were you wanting to question on my duties?” Wilber, “So there was a meeting at ISAC a couple weeks ago, a HR seminar that talked about some things I think you were actually in attendance.” Rippel, “Yes it was open session to all officials there.” Wilber, “That talked about some things that were brought up before as personnel records and some of those things and so wanted to had visited with legal about you know this is what was said, this panel, as far as records and they want to revisit that issue of the Auditor's the custodian of records subject to the boards discretion so since the attorney said it was best practice for personnel records to be housed in HR and so since those can't be privy to open records request and for confidentiality of medical and that sort of thing and I think Kristi from ISAC made a comment about to protect the Auditor's office from potential liability for having that in there, I wanted to revisit since I had that additional information to see if they wanted to revisit that process.” Rippel, “I have never withheld those documents from you, so I don't see where that's a problem now. The issue that like Kellie brought up what was like what you saw today was resolutions, these are board documents when I attest for. So I just wanted to clarify these are the kind of things that I have to contain with our public records or the job descriptions when people request them. So, I want to be clear so everybody, because all these accusations, I feel like people in the public are thinking we're mis-paying somebody or we're lying and stealing so I want to get that out in the open and clarify that.” Wilber, “So when I asked if I could move the personnel records to my office you had indicated, no but you can make copies, I as the keeper of the courthouse I must keep those here.” Rippel, “So if it has to do with payroll with a lot of the personnel records do, so we've never, not given you those. I don't have anything else with medical records in our office.” Wilber, “Right, you asked to give a copy, that's not what the best practice is. That's why I wanted to revisit it.” Primmer, “From what I understand if I may, that this is at the discretion of the board, is that correct? Ok. And we will get that on the agenda at some other point and time, ok.” Marlow, “I think that the law says that the auditor keeps the official records of the board. And what I am seeing in all these meetings is we have this problem, what's an official record? It's not defined in the code unless Ray can tell me that it is in the code defined what an official record is. There's no case law, so we will go back to Blacks Law dictionary. Blacks Law dictionary defines an open record as the original, not a copy, the original.” Mangold, “I have a follow up question on that. Given the question of Sue's job description. I have a question about when a question the County Attorney's office about my termination from the Board of Health, I received a reply from Sue on October 6th stating that redact new letters given the reason. Which was really just citing the code. She responded to my email from the County Attorney, is communicating legal matters or dealing with volunteers on committees part of her job description? I feel that should have been from the Auditor's Office.” Rippel, “Those were never discussed with my office.” Mangold, “Because that doesn't seem like it should fall under her job description.” Valerie Close, “Rick, I don't think you're an a**hole, I just think you sometimes bend the rules a little bit. You got to get a lot more deep to get into the a**hole category.” Primmer, “Ok, thank you.”

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

Richard Primmer, Chairman

ATTEST: _____

Gina Edler, Benton County Deputy Auditor

April 2, 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. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Bierschenk moved/Seeman seconded: To approve the revised minutes from March 19, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Bierschenk moved/Seeman seconded: To set FY 25 Budget Hearing date for Tuesday, April 23, 2024 at 9:15 a.m. Voting aye thereon were Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-27, Service Area Amendment to FY 24 Budget. Voting aye thereon were: Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-27

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 9) -\$12,000 0001-99 (General Basic)

+\$12,000 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 2nd day of April, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Larry Hlas Van Horne Fire Department met with the board to inquire on the use of LOSST (Local Option Sales and Service Tax) funds for a breathing air compressor system for the department. This compressor would be used for hazardous air environment. The Board approved an amount of 10 percent after an invoice is turned into the Auditor for payment.

Bierschenk moved/Seeman seconded: To approve and authorize chairman to sign the contract and contractor's bond with Peterson Contractors, Inc. for the amount of \$559,457.50. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Shelby Williams, Conservation Director introduced Eric Shares, the new IRM (Integrated Roadside Manager) to the Supervisors. Williams also provided a department update on the Wildcat Bluff Project. Donations are coming in for the additional 180 acres that they are partnering with Iowa Natural Heritage Foundation on. They have recently received \$23,000 in private donations that includes Clickstop, Inc and Isaac Walton. This property includes ideal timber habitat and lowland habitat and additional Cedar River Bank.

Seeman moved/Bierschenk seconded: To approve and authorize signature request for release of funds for CDBG-20-DRI-025, grant for Conservation tree planting. Voting aye thereon were: Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Bierschenk seconded: To approve Class C liquor license for Hy-Vee, Inc. for August 30, 2024 through September 3, 2024 for a wedding. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve the multiple sets of minutes from March 26, 2024. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Committee Reports:

Tracy Seeman reported of him attending the East Central Iowa Housing Trust Fund and how they most recently supported a few local home buyers along with the ECICOG meeting. Gary Bierschenk reported on his regional mental health meeting.

Rick Primmer reported on his recent Benton Development Group meeting and they are looking for locations to set up new business within the county. He also attended the Heartland Insurance Meeting which unfortunately took place the same time as the Iowa Workplace development meeting. Chairman Primmer also reported that he and the Board along with Auditor Rippel attended last week's EMS Advisory Council Meeting.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To approve Resolution #24-28, Approving hiring Derek Marsh, Paralegal in the County Attorney's Office. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION #24-28

APPROVE HIRE OF PARALEGAL

WHEREAS: Benton County Attorney's Office has an opening to fill for a Paralegal; 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 Derek Marsh be hired to fill the position of Paralegal at a salary of \$50,000 per year. His start date will be June 3, 2024.

Signed this 2nd day of April, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve and authorize the chairman to sign the Iowa State Association of Counties Wellness program agreement. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To acknowledge resignation of Rick McNamara in secondary roads effective May 1, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Benton County Human Resource Director Sue Wilber wanted to provide an update on her job description and some of the things she has done for the county along with answering concerns brought up in previous meetings about her role. Wilber has updated the job application form, facilitated and helped in hiring of about 10 positions. Wilber is working to improve communications with a county-wide texting program. She reintroduced the countywide meeting and implemented county-wide challenges to promote team building and employee management along with starting a safety committee.

Wilber explained that we are in the process of converting to electronic timing attendance and leave tracking so staff has access to their time and leave balances. Wilber also wanted to address misconceptions and misunderstandings that have come up. She clarified she does not oversee IT, nor does she have the authority to tell the IT person what to do. She was asked by the Board to investigate the situation. There are certain expectations of employee conduct, which is why there is a county handbook and handbook committee. If there are violations to the handbook, she is asked to look into them and address them accordingly. Wilber stressed that part of her job is to protect the county from liability and risk. Wilber says a concern was brought to her about a deduction in an employee's paycheck that wasn't authorized. As far as money spent on legal fees, she said the county attorney directs her sometimes to reach out to outside legal services to provide a perspective or an opinion on a matter they may be handling. Wilber also brought up concerns about her having another job. There are numerous people who have outside employment. She said that she still works with her previous employer and the interview committee was okay with that. She even stated that the Auditor has a cookie business on the side. She encouraged people to stop by her office if they have questions.

Auditor Hayley Rippel sought clarification on outside employment stating that her baking cookies is not an outside business, but rather a stress release and doesn't interfere with her county time. Rippel also addressed the texting program not working and stressed that payroll issues can't be corrected unless they are brought to her office's attention. Rippel explained when and why the Human Resource Department was created. She had sought help back in 2020 to address rising needs such as creating new policies and other measures that were arising due to the COVID Pandemic. At that time the supervisors decided to hire an in house employee and not spend money on outsourcing. This was when the Human Resource Department was created, otherwise all previous HR duties has always been done within the Auditor's office.

Seeman moved/Bierschenk seconded: To Adjourn. 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"

April 9, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present. Primmer called in and Vice-Chairman Bierschenk 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.bentoncountyia.gov

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

Seeman moved/Primmer seconded: To approve the minutes from April 2, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Payroll checks numbered 143213 through 143218, ACH Deposits 56594 through 56742, claims numbered 249430 through 249595 and vendor checks numbered 249596 through 249601. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Class C Alcohol License for Bloomsbury Farms effective April 30, 2024 through April 29, 2025. All members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Sheriff's Quarterly Report ending March 31, 2024. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

Seeman moved/Primmer seconded: To approve Resolution #24-29, Proclamation that April is Sexual Assault Awareness Month. Voting aye thereon were: Seeman, Primmer and Bierschenk. Motion carried.

RESOLUTION # 24-29

PROCLAMATION OF SEXUAL ASSAULT AWARENESS MONTH

WHEREAS, sexual assault affects women, children and men of all racial, cultural and economic backgrounds; and

WHEREAS, in addition to the immediate physical and emotional costs, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide; and

WHEREAS, sexual assault can be devastating not only to the survivor, but also for the family and friends, and community of the survivor; and

WHEREAS, since no one person, organization, agency or community can eliminate sexual assault on their own, we must work together to educate our entire population about what can be done to prevent sexual assault, support victims/survivors and their significant others and support those agencies providing services to victims/survivors.

NOW THEREFORE BE IT RESOLVED we the Benton County Board of Supervisors in and for Benton County, on behalf of all staff and citizens of Benton County, that the Month of April 2024 is hereby proclaimed as:

"SEXUAL ASSAULT AWARENESS MONTH"

In Iowa and encourage all citizens to learn more about preventing sexual violence.

Signed this 9th day of April, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve Auditor's Quarterly Report ending March 31, 2024. Seeman, Primmer and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Recorder's Quarterly Report ending March 31, 2024. Seeman, Bierschenk and Primmer voting aye thereon. Motion carried.

Shelby Williams, Conservation Director provided costs for cameras for Hannen Lake and the Nature Center. The Security Committee recently met and approved the quotes. Williams wanted to get clarification on the costs, the original quote was done in 2023 but will still be honored.

Seeman moved/Primmer seconded: To appoint Eric Shares as Weed Commissioner. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer **moved/Seeman seconded**: To table the appointments to the IRVM Commission to allow time to contact members if they want to be re-appointed. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

The Engineer explained the cost of the Dust Control products and felt that it could stay the same as it was last year.

Seeman moved/Primmer seconded: To set the 2024 MC-70 Dust Control fees. The first 400 feet is \$1,500.00 and \$2.50 per foot after that with a minimum of 50-foot increments with a window for signing up between April 9, 2024 through May 3, 2024. Motion carried.

Seeman moved/Bierschenk seconded: To approve the FY 25 IDOT Secondary Road Budget. All members voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To approve the Iowa Department of Transportation (IDOT) Five-Year Proposed Plan for Secondary Road Construction Program FY 25-FY29. Seeman, Bierschenk and Primmer voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-30, Approving hiring John Martin, Clerk in the Auditor’s Office. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION #24-30

APPROVE HIRE OF AUDITOR CLERK

WHEREAS, the Benton County Auditor has a position to fill in the office; and

WHEREAS, the auditor has advertised and conducted interviews for said position, including all veterans who applied; and

WHEREAS, after careful consideration, the auditor has recommended that John Martin be hired to fill the position, said hire is being done through a transfer as Martin is a current employee of Benton County;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the hire/transfer of Jonathan Martin as clerk in the auditor’s office, at an annual salary of \$63,000.00, effective April 15, 2024, is hereby approved.

Dated 9th day of April, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Shelby Williams followed up with an email to confirm the pricing on the security cameras that were discussed earlier in the meeting.

Primmer moved/Seeman Seconded: To approve the quotes for Conservation’s Nature Center and Hannen Lake Shop in the amount of \$26,967.00 for a 10-year warranty/license. Voting aye were: Seeman, Primmer and Bierschenk. Motion carried.

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

Gary Bierschenk, Co-Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

April 16, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present. Primmer participated by phone and Supervisor Bierschenk 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

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

Seeman moved/Primmer seconded: To approve the minutes from April 9, 2024 with revision to Primmer calling in and Bierschenk called meeting to order. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve General Relief Quarterly Report ending March 31, 2024. Seeman, Bierschenk and Primmer voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Veterans Affairs Quarterly Report ending March 31, 2024. Seeman, Primmer and Bierschenk voting aye thereon. Motion carried.

Primmer moved/Seeman seconded: To set land use hearing date of Tuesday, May 14, 2024 at 9:15 a.m. for Jake and Brittney Maltzen in part of the SE ¼ SW ¼ of Section 19-85-9. Primmer, Bierschenk and Seeman voting aye thereon. Motion carried.

Primmer moved/Seeman seconded: To set land use hearing date of Tuesday, May 14, 2024 at 9:30 a.m. for Carrie Petersen and Duane Wilson in part of the NW ¼ NW ¼ of Section 1-85-9. Voting aye thereon were: Primmer, Bierschenk and Seeman. Motion carried.

Primmer moved/Seeman seconded: To appoint Wayne Siela, Jeff Schadle and Zach Parmeter to the Integrated Vegetation Roadside Management (IRVM) Committee for a three-year term ending 12/31/2026. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Sue Wilber, Human Resources discussed re-introducing the voluntary retirement incentive, or pre-retirement county paid leave that was made available in 2021 for a certain allowed time. This would need to be done with a resolution so the Auditor asked that it be done later in the meeting so she could prepare it in sequence to other action items today.

Primmer moved/Seeman seconded: To acknowledge the resignation of Tim Dille, Assistant County Attorney effective May 17, 2024. All members voting aye thereon. Motion carried.

Wilber provided an update on a training conference she attended called the National Public Employer Labor Relations Association conference held in Savannah, Georgia. She learned about job advertisements, job descriptions, interviews and how to deal with concerns or complaints. Wilber also learned about artificial intelligence and other handbook and employee benefits topics.

Discussion regarding insurance coverage for the landfill employees was had. The landfill currently pays their direct premiums of the health insurance directly to ISAC with no cost to the county. The Landfill is a separate entity that has a 28E agreement in place with Benton County. Eric Werner, landfill director had reached out inquiring if their employees could be a part of the county's other benefit package with Auxiant and allow for lower deductibles. Wilber reported she talked with Brad Holten at ISAC who had discussed with Assured Partners how this could be handled with two options. The first being all the costs from claims incurred along with the \$10.50 a month/employee fees could all be billed back to those employees so there would be no financial burden to the county, or second, having the county take a financial risk to handle all the claims.

Supervisor Seeman asked about the need for revising/updating the 28E agreement to reflect these changes. Werner said he would run all this by his landfill commission at their upcoming meeting and would report back and Wilber would talk with the County Attorney's office about adding language in regards also so that the landfill employees could be treated equal as county employees.

Eric Werner, Landfill director also present and provided a quick update. Werner talked about the new cell that was started last fall and the fluff layer that is almost finished. This cell should last them about 4 ½ years. They will also start building a new lagoon that will take place in July for the leachate. Werner also touched on along soil project with Linn County, stating that soil is not hazardous, and there would be one more load and that should be finished.

Attorney Brent Hinders, representing the Board of Supervisors regarding IPIB complaints, presented the information on adopting an informal resolution stemming from complaints about the Benton County Supervisors last year. The terms are to be enforced by IPIB itself, rather than any other entity. On behalf of the board, Hinders also read part of the resolution aloud, stating, "The Board acknowledges that under Iowa Code 21.6(3) continued violations of Iowa's Open Meetings Law can result in fines assessed to individual members of the Board, in addition to removal from office."

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Primmer seconded: To approve Resolution #24-31, Adopting the IPIB informal resolution. Primmer, Seeman and Bierschenk all voting aye thereon Motion carried.

RESOLUTION #24-31
A RESOLUTION ADOPTING THE IOWA PUBLIC INFORMATION BOARD INFORMAL RESOLUTION

April 16, 2024

WHEREAS, Between, October 22 and November 20, 2023, Braxton Morrison, Maggie Mangold, Dana Sanders, Kurt Karr, Valerie Close, Kaitlin Emrich, Lu Karr, Molly Rach, and Alex Carros filed formal complaints, alleging that Benton County Board of Supervisors (collectively as "the Parties") violated Iowa Code chapters 21 and 22.

WHEREAS, On February 15, 2024, the IPIB accepted formal complaints 23FC:0107, 23FC:0109, 23FC:0112, 23FC:0113 and 23FC:0121 ("the Complaints") against the Benton County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors Agree to enter into an Informal Resolution to resolve the Complaints which states in part as follows:

Pursuant to Iowa Code § 23.9, the parties have agreed upon the following terms for an informal resolution of this matter:

- 1. The Board acknowledges sufficient evidence exists regarding the closed sessions and failure to follow specific procedures for closed sessions presented in these complaints that a violation of chapter 21 could potentially be found in a contested case proceeding.
2. The Board will provide a transparent timeline of events and actions that occurred during or as a result of the closed sessions at issue. This timeline will include full transparency of any non-confidential facts or matters and will be provided to all parties and retain status as a public document.
3. The Board will work with counsel to develop a checklist for all procedural requirements in holding a closed session and the limitations of deliberation within a closed session to avoid any deficiencies in the future.
4. The Board acknowledges that under Iowa Code § 21.6(3) continued violations of Iowa's Open Meetings Law can result in fines assessed to individual members of the Board, in addition to removal from office.
5. The Board and other county officials and staff will participate in training on Iowa Code chapters 21 and 22 in an open meeting. The IPIB will conduct the training and all elected officials from Benton County will attend. The heads of boards and commissions within the county will be invited.
6. The Council will approve this resolution during an open meeting and include the full text in the minutes of the meeting. A copy of the minutes will be provided to the IPIB.

All terms of this Informal Resolution shall be completed within 60 days of the date of approval of this Informal Resolution by all parties. Upon showing proof of compliance, the IPIB will dismiss this complaint as successfully resolved.

PASSED, APPROVED, AND ADOPTED this 16th day of April 2024

BY THE BOARD OF SUPERVISORS
OF BENTON COUNTY, IOWA

Table with 5 columns: Board Action, Yeas, Nays, Pass, Absent. Rows for Rick Primmer, Gary Bierschenk, Tracy Seeman.

Gary Bierschenk, Co-Chairman

ATTEST:

Hayley Rippel
Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-32, Temporary Road Closure along 21st Ave. Dr. All members voting aye thereon, motion carried.

Resolution #24-32

BE IT RESOLVED by the Benton County Board of Supervisor’s that the following described Secondary Road be closed for CONSTRUCTION effective from April 22, 2024, through the completion of the project.

From near the SE corner of the SW ¼ of the SW ¼ of Section 13-T84N-R11W thence north 1.5 miles to the NE corner of the NW ¼ of the SW ¼ of Section 12-T84N-R11W along 21st Avenue Drive in Big Grove Township.

Dated this 16th day of April, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Ron Tippett, shared an update and recommendations with the Board from a recent security committee meeting. The security camera in the conference room was talked about and how it will be handled with a policy for closed sessions. There will be a switch, that only the auditor or the auditor designee can request it be turned on or off. There was also talk about more exterior cameras.

Committee Reports:

Supervisor Primmer had a recent Public Health Board meeting. Sheriff Tippett reported that the flooring at the Emergency Management area has been fixed and we should be getting the invoices. Auditor Rippel reported on the recent Opioid Task Force meeting and utilizing the Public Health department to do some needs assessment. The Board circled back to the early retirement discussion.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Primmer seconded: To approve Resolution #24-33, Amending Resolution #21-25, Adopting and amending the Voluntary Pre-Retirement County Paid Leave and Release of Claims Policy. Voting aye were: Primmer, Bierschenk and Seeman. Motion carried.

**Resolution #24-33
Amending RESOLUTION #21-25**

ADOPTION OF VOLUNTARY PRE-RETIREMENT COUNTY PAID LEAVE AND RELEASE OF CLAIMS POLICY

WHEREAS, the Benton County Board of Supervisors has previously adopted an early retirement policy on June 8, 2021; and

WHEREAS, the Benton County Board of Supervisors desires to adopt another policy with different requirements; and

IT IS FUTHER RESOLVED by the Benton County Board of Supervisors that the following policy is hereby adopted effective April 16, 2024 through June 30, 2024.

REQUEST FOR VOLUNTARY PRE-RETIREMENT COUNTY PAID LEAVE AND RELEASE OF CLAIMS

I, _____, hereby select three months of County Paid Leave prior to my retirement from Benton County employment, effective

_____ (Date pre-retirement paid leave begins), subject to the following:

1. I am eligible for a bona fide IPERS retirement and have/will file paperwork to begin IPERS retiree payments;
2. I have/will submitted my retirement letter with the last day of employment with Benton County to be _____ (End of pre-retirement paid leave);
3. County insurance benefits will continue through _____ at which time I will be eligible to continue said insurance under COBRA at my own expense;
4. I received a copy of this Agreement on _____ (Insert date) and was given up to twenty-one (21) days to consider this Agreement;
5. I understand that following the date of the signing of this Request and Release, I shall have seven (7) days to revoke the Request and Release, and this Request and Release shall not be effective until this seven (7) day period has expired; and
6. I understand that by signing this agreement I am waiving my right to all other County retirement incentives.
7. In consideration for the paid leave and insurance coverage to be provided by the County in this agreement, I hereby release, acquit, and forever discharge Benton County from any and all liability whatsoever. This release includes all past, present, and future claims, demands, obligations, actions, causes of action, or rights of every nature affecting me, which I may have or ever claim to have, rising out of or relating in any way to the employment of me by the County and severance of that employment, including but not limited to the manner in which the notice of the Voluntary Pre-Retirement Paid Leave Opportunity was provided to me. As further consideration, I shall not file or cause to be filed any complaints, claims, charges, lawsuits, or other actions of any kind against the County, its agents, successors, parents, subsidiaries, divisions, officers, directors, or employees, including, but not limited to, actions alleging breach of contract or any tort and legal actions under Title VII of the Civil Rights Act of 1964 as amended; the Age Discrimination in Employment Act of 1967 (29 U.S.C. Sec. 621, et seq.); the Older Workers Benefit Protection Act; the Americans with Disabilities Act; any other state, federal, or local law concerning any form of discrimination; and any other law or regulation. This agreement does not release or waive any rights or claims that are based upon obligations of the County to perform promises and make payments provided for under the Voluntary Pre-Retirement Paid Leave Opportunity encompassed by this agreement.

Submitted on _____ (Date)

Printed Employee Name

Signature

Sue Wilber, HR Director

Accepted on _____ (Date)

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Dated this 16th day of April, 2024

BENTON COUNTY BOARD OF SUPERVISORS

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST: _____

Hayley Rippel, Benton County Auditor

Seeman moved/Primmer seconded: To Adjourn at 9:52 a.m. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

April 23, 2024

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

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

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

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

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

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

**Resolution #24-34
DESTRUCTION OF NOXIOUS WEEDS**

Be It Resolved by the Board of Supervisors of Benton County, Iowa that pursuant to the provisions of Chapter 317, Code of Iowa, it is hereby ordered:

1. That each owner and each person in the possession or control of any lands in Benton County shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in this chapter, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before **May 1st, 2024** and as often thereafter as is necessary to prevent seed production:

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

2. That each owner and each person in the possession or control of any lands in Benton County infested with any of the following noxious weeds shall adopt a program of weed destruction described by the Weed Commissioner, which may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.

- (a) Primary Noxious Weeds: Quack grass, Perennial sow thistle, Canada Thistle, European morning glory or field bindweed, Horse nettle, Leafy Spurge, Perennial pepper-grass, Russian Knapweed, Buckthorn, All other species of thistles belonging in general of *Cirsium* and *Carduus*, Palmer Amaranth.
- (b) Secondary Noxious Weeds: Butterprint, Cocklebur, Wild Mustard, Wild carrot, Buckthorn, Sheep Sorrel, Sour Dock, Smooth Dock, Poison Hemlock, Multiflora rose, Wild Sunflower, Puncture vine, Teasel and Shattercane.

3. That if the owners or persons in possession or control of any land in Benton County fail to comply with the foregoing orders, the Weed Commissioner or his designee shall cause this to be done and the expense of said work, including costs of serving notice and other costs, if any, shall be assessed against the real estate.

4. That the Weed Commissioner is hereby directed to cause notice of the making and entering of the foregoing order by one publication in each of the official newspapers of the County.

Dated this 23rd day of April, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Deputy Benton County Auditor

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

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

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

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

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

**RESOLUTION #24-35
ADOPTION OF THE FY25 COUNTY BUDGET**

BE IT REMEMBERED that on this, the 23rd day of April 2024, the Board of Supervisors of Benton County, Iowa, met in session for the purpose of holding a public hearing on the proposed budget for fiscal year 2024-25 as filed with the Board. There was present a quorum as required by law. The notice and place of hearing had, according to law and as directed by the Board, been published in the Gazette, Cedar Valley Times, and Vinton Eagle, the official newspapers published in Benton County.

The budget was then taken up and considered. The public was provided an opportunity to speak.

The County Compensation Board recommendation for FY25 salaries for elected officials and as set forth and adopted in Resolution #24-22 is included in the FY25 budget.

BE IT FURTHER RESOLVED that a committed fund balance designation of the ending fiscal year fund balance be established for the following purposes:

- General Fund**-\$622,000 equipment/vehicle replacement, Emergency response, infrastructure
- Rural Services Fund** - \$37,000 land use administrator vehicle replacement
- EMS Revolving Loan Fund** – \$125,000 for emergency services loans
- LOSST Fund** - \$115,000 for technology upgrades and GIS re-flight

FURTHER the commitment of fund balances indicates that Benton County prefers to use available financial resources for the specific purposes set forth above, and although committed, the funds are to remain an integral part of the spendable or appropriable resources of Benton County.

The budget as adopted will approve the following property taxes for fiscal year 2024-25 (without gas and electric):

General Basic	\$6,181,864
General Supplemental	\$4,220,978
Rural Services Basic	\$4,516,393
Debt Service	\$800,170
Voted Emergency Medical Services	\$1,225,070

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

Dated this 23rd day of April, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Deputy Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

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

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

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

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

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

Dated this 23rd day of April 2024.

Richard Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Benton County Deputy Auditor

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

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

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

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

That portion remaining on "51st Street", commencing 2 rods west of the NW corner of the NE 1/4 of Section 9, T86N, R10W, thence west 38 rods. Said road described as being 40 feet wide, lying half in both Sections 4 & 9, T86N, R10W, Harrison Township.

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

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

Signed this 23rd day of April, 2024.

Benton County Board of Supervisors

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Gina Edler, Deputy Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

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

- Taylor Construction, Inc. - \$727,665.00
Jim Schroeder Construction, Inc. - \$743,488.39
Iowa Bridge & Culvert, L.C. - \$813,495.01
Peterson Contractors Inc. - \$816,070.19
Boulder Contracting, LLC. -\$906,558.26

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

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

RESOLUTION #24-38

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

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

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

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

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

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

Dated at Benton County, Iowa, this 23rd day of April, 2024.

Board of Supervisors of Benton County, Iowa

Three horizontal lines for signature.

ATTEST:

SEAL

By County Auditor - Deputy

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

Richard Primmer, Chairman

ATTEST: Gina Edler, Deputy Benton County Auditor

April 30, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present. Supervisor Primmer attended via phone and 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.bentoncountyiowa.gov

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

Bierschenk moved/Seeman seconded: To approve the minutes from April 23, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To appoint Jeffory Holmes to the vacancy on the Veterans Affairs Commission term ending June 30, 2024. Primmer, Seeman and Bierschenk all voting aye thereon. Motion carried.

Eric Shares, Weed Commissioner explained the spray notice for the newspaper and encouraged residents who wish to be placed on the do not spray list to reach out and he can walk them through the process.

Seeman moved/Bierschenk seconded: To approve the 2024 Weed Commissioner Spray Notice for the newspaper. Primmer, Seeman and Bierschenk all voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To approve Resolution #24-39, Abatement of Taxes. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

RESOLUTION #24-39

WHEREAS, the Benton County Treasurer has reported that one mobile home has been deemed to have no value by the Westview Urbana Mobile Home Court pursuant to Iowa Code 435.23(3): and

WHEREAS, there are currently tax liens filed against the property and has determined that it is impractical to pursue collection of the total amount of tax due through the tax sale and the personal judgment remedies and has recommended that the board of supervisors abate the tax on these parcels,

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on the below listed parcels and unpaid through the 2023 county system.

#1V701FFFR24437 – \$772.00 in tax, penalty and interest Tax Sale Certificate CH00701 2022

Dated this 30th day April, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Fireworks Permit for Iowa Pyrotechnics Association for May 25 and 26th, 2024. Primmer, Bierschenk and Seeman voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To table the Fireworks Permit for Iowa Pyrotechnics Association for Boomtown 2024 awaiting signature on the application. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Bierschenk moved/Seeman seconded: To approve the minutes from April 23, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Committee Reports:

Tracy Seeman attended the Eastern Iowa Housing Trust Fund, and they have been receiving applications for projects. That meeting was followed by the ECICOG meeting. Gary Bierschenk reported on his Mental Health Regional meeting and Rick Primmer had the monthly Central Iowa Juvenile Detention meeting and went over the aging summary and how this is one of the areas in the budget where we are going over in.

Public Comments:

Sheriff Ron Tippett brought up the budget concerns regarding areas of his budget that were mentioned at last week's budget hearing. After reviewing budget history, he reported that his budgets have always come in under the budget estimate at the end of the fiscal year. The large increase in the administrative portion was mainly due to the "back the blue" bill that was passed. He also said carefully went through this budget for 2025 asking and reduced some of the cushion areas he had from year's past. He said it is important to me as a tax payer to be vigilant with he county's money and return as much as I can, he also added that he was not an end-of-the-year spender.

Al Schafbuch, representing Farm Bureau also spoke up in regards to the recent budget hearing and what he observed. The 12% increase was awfully high, but how they look at the ending balance of the entire county. Individual budgets are over-estimated, making it higher on that estimates which then reflected a lower ending fund balance. He asked that the supervisors look into individual departments in the future budget requests to keep their spending in line. Schafbuch also shared a suggestion about public meeting procedure rules and rules of conduct and shared what Tama County has.

Sue Wilber, HR Director reminded all County employees that the open enrollment period is starting effective May 1-15, 2024. If they do nothing then everything stays the same with the only exception being the accidental insurance since we switched vendors, they will need to look at those options.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To Adjourn at 9:36 a.m. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 1, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present, Primmer called in. Supervisor Bierschenk called the meeting to order at 11:15 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. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountya.gov

Seeman moved/Bierschenk seconded: To approve the agenda. Voting aye were Bierschenk and Seeman. Motion carried. Supervisor Primmer joined by phone.

Auditor Rippel read a letter of support drafted for City of Belle Plaine addressed to Congresswoman Ashley Hinson.

Primmer moved/Seeman seconded: To approve and authorize signatures on the letter of support for the City of Belle Plaine to apply for Community Project Funding for the Belle Plaine Strategic Drought Resilience Program. Seeman, Bierschenk and Primmer voting aye thereon. Motion carried.

Supervisor Primmer said the tabled Fireworks Permit for Iowa Pyrotechnics Association for Boomtown 2024 would need to be approved by the City of Vinton, so no action was taken.

Sheriff Tippett discussed the idea of getting pool cars for the county. He saw this as a possible money-saving thing for the county if employees could use these cars and not get paid the .68 per mile reimbursement. Tippett had a 2017 Durango in good condition and a possible second. He has reached out to the insurance company with questions on Coverage costs and the liability concerns of the county. This also led to discussion on the maintenance on the cars along with fuel cards. If individuals were issued fuel cards, they would track the mileage as they put the fuel into the county owned vehicles. There was no action taken. Sheriff Tippett would work with the Auditor to compare the costs of establishing pool cars vs paying mileage reimbursement and report back to the board after questions are answered from our insurance provider also.

Seeman moved/Primmer seconded: To approve the Health Insurance Plan #17 through ISAC and the respective costs to the county along with the COBRA Rates that would be applicable are as such:

Single-\$777.00/month and Family-\$1746.00 a month. All three members voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To Adjourn at 11:36 a.m. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 1, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present. Supervisor Primmer attended via phone and called the meeting to order at 1:00 p.m. at the Benton County Service Center. Members of the public are invited to join in during open session 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. Voting aye were Seeman, Bierschenk and Primmer. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Primmer seconded: To approve Resolution #24-40, Approving hire of First Assistant County Attorney. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-40

APPROVE HIRE OF FIRST ASSISTANT COUNTY ATTORNEY

WHEREAS: Benton County ATTORNEY'S OFFICE has an opening to fill for First Assistant County Attorney, and

WHEREAS: Applications were accepted for this position and,

WHEREAS: These applications have been reviewed and evaluated.

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Alisha Stach-Lorang be hired to fill the position of First Assistant County Attorney at a salary of \$122,797.20 per year with an effective start date of June 3, 2024.

Signed this 1st day of May, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Primmer seconded: To Adjourn at 1:04 p.m. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Richard Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

May 7, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present. Supervisor Primmer attended via phone and Supervisor Bierschenk 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.bentoncountyiowa.gov

Seeman moved/Bierschenk seconded: To strike #6 from the Agenda. Blairstown handles their own vicious animal citations. Voting aye were Seeman, Primmer and Bierschenk. Motion carried.

Primmer moved/Seeman seconded: To approve the agenda with item # 6 struck out. Voting aye were: Seeman, Bierschenk and Primmer. Motion carried.

Seeman moved/Primmer seconded: To approve the minutes from April 30, 2024 and both sets from May 1, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To set land use hearing date of Tuesday, June 4, 2024 for Paul and Susan Phillips for a part of the NW 1/4 of NW 1/4 of Section 4-84-9. Seeman, Bierschenk and Primmer voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To approve Payroll checks numbered 143229 through 143237, ACH Deposits 56898 through 57051, claims numbered 249754 through 249899 and vendor checks numbered 249900 through 249905. Bierschenk, Seeman and Primmer voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve claim to the Gazette using ARPA Funds in the amount of \$15.93 for Conservation project bid notice. Seeman, Primmer and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To approve Class C Liquor License for Topsy Travelers for June 8-12, 2024 and June 29- July 3-2024. Voting aye were Seeman, Primmer and Bierschenk. Motion carried.

Seeman moved/Primmer seconded: To approve Class C Liquor License for Traveling Tapster LLC for June 21-25, 2024. All members voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Primmer seconded: To approve the change of address and name to reflect c/o Deb Cummings at PO Box 759, Vinton, IA on the Secondary Roads credit card statement. Seeman, Primmer and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To authorize a credit limit of \$10,000 for the Benton County Public Health department to allow for timely grant-funded expenditures through June 30, 2024 and then it would be reduced back to the \$2,000 limit. Seeman, Primmer and Bierschenk voting aye thereon. Motion carried.

Auditor Rippel mentioned she would like to see the Credit Card policy amended, so that it can reflect wording for when a department head changes, or someone retires, she would like to see the credit card cancelled and a total new one re-issued for security purposes. This could be brought back up at a different time.

Karen Kurt, Executive Director for East Central Iowa Council of Governments (ECICOG) gave an update and handed out some documentation that summarized Benton County's \$17,551 amount invested and where all it went. Kurt sees the mission as planning for the future, leveraging state government resources for grants along with providing technical services where there is a need. They have helped communities such as Van Horne, Shellsburg and Newhall recently. They also do the building inspections for Shellsburg. ECICOT plays a role when there is a disaster and state and federal funds need accessed. Last year they helped Benton County manage \$4 million in grants. Kurt also recognized Kathy Van Steenhuyse with a plaque for her years of service serving on the ECICOG Board. Van Steenhuyse gave a brief talk about her time spent and how Eastern Iowa Trust Fund helped by aiding \$30,000 for families displaced by emergencies such as the Vinton tornado. Kurt also thanked Supervisor Seeman for his continuity and willingness to continue serving on these boards as well.

Seeman moved/Primmer seconded: To approve Resolution #24-41, LOSST Funds gift to Van Horne Fire Department. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-41

WHEREAS, the Benton County Board of Supervisors has established a program for gifting funds to emergency service providers who provide services within the unincorporated area of Benton County; and

WHEREAS, the Van Horne Fire Department has requested a gift of funds; and

WHEREAS, the Van Horne Fire provides emergency services to areas in Union and Eldorado Townships, City of Van Horne and mutual aid to other surrounding townships;

WHEREAS, the Van Horne Fire Department has provided invoices totaling \$57,661.02 for the purchase of a fill station and equipment associated with this;

WHEREAS, the Van Horne Fire Department agrees that the vehicle obtained with the proceeds of this gift shall be used when necessary for rural fire protection and/or life support operations, consistent with the intended use of the money from the Local Option Sales and Services Fund,

NOW THEREFORE BE IT RESOLVED that the Benton County Board of Supervisors approves an Emergency Services Gift to the Van Horne Fire Department and Eldorado and Union Townships in the amount of \$5,766.10 which represents ten percent of the total purchase price for all equipment.

Adopted this 7th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Fireworks Permit for Iowa Pyrotechnics Association for May 25 and 26th, 2024. Primmer, Bierschenk and Seeman voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To table the Fireworks Permit for Iowa Pyrotechnics Association for Boomtown 2024 awaiting signature on the application. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Primmer moved/Seeman seconded: To approve use of the courthouse lawn for Vinton Park and Rec Department for June 27, 2024 and October 26, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Primmer moved/Seeman seconded: To acknowledge the filing of the yearly American Rescue Plan Act (ARPA) and Local Assistance and Tribal Consistency Fund (LATCF) reports filed. Seeman, Primmer and Bierschenk voting aye thereon. Motion carried. Committee Reports:

Tracy Seeman reported that Polyfix came to look at the west side of the courthouse and cement settling and causing trip hazards. The quote was for \$500 to raise it up and another area to the south by the steps that has a divot that will also get fixed for that amount. Supervisor Seeman also reported that he sat in on the recent Safety Committee Meeting.

Sue Wilber, HR wanted to clarify some of the budget concerns brought up regards to increases in her department from a previous meeting. Wilber explained that the training increase was for the entire leadership team to have 7 sessions with an outside consultant. She also brought up awards and recognition for employees she would like to do more of along with the change in personnel benefits

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

was because she needed the family plan vs the single plan that was in place. The software amount of \$45,000 was hopefully on the higher side.

Sheriff Ron Tippett reported that the E911 Radio project is up and working well. They recently had training on the hand-held radios that were issued out to several departments. They hope to have a full scale deployment of all the radios the first part of June. Everything seems to be performing exceptionally well.

Doug Cook, Benton County Resident asked the Board what, if any outstanding litigations were still against the county. Supervisor Seeman responded he wasn't aware of any.

Seeman moved/Primmer seconded: To amend an earlier motion for LOSST gift to Van Horne Fire Department to reflect it as being done by a resolution, correction noted. All members voting aye thereon. Motion carried.

Seeman moved/Primmer seconded: To Adjourn at 9:35 a.m. All members voting aye thereon. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 14, 2024

The Benton County Board of Supervisors met in regular session with Supervisors Bierschenk and Seeman present. Supervisor Primmer attended via phone and Supervisor Bierschenk 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.bentoncountyiowa.gov*

Primmer moved/Seeman seconded: To table #7 from the agenda. Seeman, Bierschenk and Primmer voting aye thereon. Motion carried.

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

Seeman moved/Bierschenk seconded: To approve the minutes from May 7, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize Supervisor Bierschenk to sign the suspended tax list notice for 2024. Seeman and Bierschenk voting aye thereon. Primmer abstained without seeing the list ahead of time.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jake and Brittney Matzen in part of the SE ¼ SW ¼ of Section 19-85-9. Matzen's would like to change approximately two acres of land to allow for a single-family dwelling. The site is located approximately 1.5 miles NW of Garrison. This site is located on a 50.45 acre parcel owned by Kenneth and Terri Andorf and the applicant will be purchasing 7 acres. Matt Even presented some of the technical information. This area has a CSR of 30 and has not been in agricultural production. They will need to install a new driveway to access this property and it was reviewed and approve by Randy Sherwood with Secondary Roads. A private septic and well will also need to be installed. Six notices were sent out to adjacent property owners and the legal notices were also published in the official newspapers as required by the Ordinance. Benton County Land Use was contacted by two neighboring property owners prior to this hearing with concerns about the driveway. A written letter in opposition of protest from David and Ann Hill was also shared for the Board to read. This proposal should not have any negative impacts on surrounding farm operations. It is isolated from other agricultural land by the county road and two stream branches. No other comments were heard, so the land use hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for Jake and Brittney Matzen in part of the SE ¼ SW ¼ of Section 19-85-9. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

The time of 9:25 a.m. having arrived, and this being the time and date for a land use hearing for Carrie Petersen and Duane Wilson in part of the NW ¼ NW ¼ of Section 1-85-9. They would like to change approximately one acre of land to allow for a single-family dwelling. The land is currently owned by Diane Lamphier Revocable Trust and is located approximately 1 mile southeast of Urbana. Matt Even presented some of the technical information. This proposed building site is not located on high quality farmland, the CSR is around an 11 average. They will need to install a new driveway to access this property. Randy Sherwood with Secondary Roads has reviewed the existing drive and found it to be a suitable location.. A private sewage disposal system and well will also need to be installed. There are other single family dwellings in the area along with timber on the northeast and crops to the south. Five 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 surrounding area. No other comments were heard, so the hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for Carrie Petersen and Duane Wilson in part of the NW ¼ NW ¼ of Section 1-85-9. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To approve Resolution #24-42, Wage and Classification change for Chad Galli at secondary roads. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION # 24-42

Wage and Classification Change

WHEREAS, Benton County Secondary Roads 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 Chad Galli be set at \$26.58 effective May 14, 2024. This position carries a Labor Grade IVB classification.

Signed this 14th day of May,2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To approve Resolution #24-43, Wage and Classification change for Caleb Stieferman in secondary roads. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION # 24-43

Wage and Classification Change

WHEREAS, Benton County Secondary Roads 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 Caleb Stieferman be set at \$26.45 effective May 13, 2024. This position carries a Labor Grade IVB classification.

Signed this 14th day of May,2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Primmer seconded: To approve Resolution #24-44, Wage and Classification change for Ben Wood at secondary roads. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION # 24-44

Wage and Classification Change

WHEREAS, Benton County Secondary Roads 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 Ben Wood be set at \$27.00 effective May 6, 2024. This position carries a Labor Grade IVB classification.

Signed this 14th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To approve Resolution #24-45, Hiring Assistant County Engineer Benjamin Vierling and also noting that after he completes certification for the land surveying, he will get an additional \$8,000 in salary. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-45

APPROVE HIRE OF ASSISTANT COUNTY ENGINEER

WHEREAS: Benton County Secondary Roads Department has an opening to fill for an Assistant County Engineer,; and

WHEREAS: Applications were accepted for this position and,

WHEREAS: These applications have been reviewed and evaluated.

THEREFORE BE IT RESOLVED BY The Benton County Board of Supervisors that Benjamin Vierling be hired to fill the position of Assistant County Engineer at a salary of \$92,000. Mr. Vierling's start date will be May 28,2024.

Signed this 14th day of May, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Sue Wilber asked about a fuel card line item in her budget which led back to the idea for a county pool car that was had in a previous meeting. Sheriff Tippett added with mileage now at 68 cents a mile, a pool vehicle may save the county money. Currently they have one fuel card per vehicle. Auditor Rippel expressed concerns with how many fuel cards would need issued and suggested a policy of some sort to get in place before moving forward. And when there are 10 county employees all needing to use it at the same time, how can we make it work. There would need some work to be done before this is feasible. Need to research insurance pricing, cost comparing ideas and also figure out how all this needs to be budgeted and under what department. Currently those departments with their own vehicles, pay their own fees associated with them out of their individual budgets.

Primmer moved/Seeman seconded: To table action on creating line items for fuel card expenses. Seeman, Bierschenk and Primmer voting aye thereon. Motion carried.

Mae Hintgen, with the East Central Mental Health region came to provide an update. The legislature changes that will be signed by the Governor on May 16th has reduced the number of MHDS (Mental Health and Disability Service) regions from 13 down to 7. There are 19 areas for substance abuse providers. Fiscal Year 2025 will be the first of two transition years and a lot will obviously take place in the next year. A map was shared that will need to be approved by August and the public can give input in July. The current region Benton County is in has nine counties. The new proposed region has 17 counties. Hintgen said they are concerned that the proposed map takes away Johnson and Iowa Counties. Currently Johnson County is our region's fiscal agent. Hintgen stressed how there are a lot of unknowns along with the aging and disabilities services, along with behavioral health. The region has a plan to get input on before August 1. She will keep us posted as these changes take place.

Seeman moved/Primmer seconded: To approve Resolution #24-46, Amending Resolution #24-26 and granting transportation director Mark Erickson an additional 5 days of vacation. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION #24-46

AMENDING RESOLUTION #24-26

APPROVE HIRE OF TRANSPORTATION DIRECTOR

WHEREAS: Benton County Supervisors approved Resolution #24-26 on March 26, 2024; and would like to make a few corrections to that;

WHEREAS: Benton County Transportation Department has an opening to fill for Director of Transportation, 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 Mark Erickson be hired to fill the position of Transportation Director at a salary of \$56,000 per year starting April 8, 2024 and adding 10 days of vacation.

Signed this 14th day of May, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Primmer seconded: To approve the early retirement incentive for Cathy Clouse, Sheriff's office employee effective May 31, 2024. Voting aye thereon were: Seeman, Bierschenk and Primmer. Motion carried.

Committee Reports:

Rick Primmer attended the Public Health and Heartland Insurance meetings.

Tracy Seeman attended the Conservation meeting recently. He inquired about the new hires for the weed department. It was suggested they get acknowledged at a regular Board of Supervisors meeting in the future.

Sue Wilber, HR Director reminded everyone that open enrollment for benefits ends Wednesday, May 15, 2024.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Primmer moved/Seeman seconded: To Adjourn. All members voting aye thereon. Motion carried.

Richard Primmer, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

May 21, 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.bentoncountya.gov

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

Seeman moved/Bierschenk seconded: To approve the minutes from May 14, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Auditor Rippel explained the need for some service area adjustments, or holding off payment on claims for outside legal counsel along with Central Iowa Juvenile Detention. She was waiting to hear back from a few departments if she can move spending authority around. She would get her resolution ready during the break in this morning's meeting and bring it back for the supervisors to look over and approve.

Seeman moved/Bierschenk seconded: To approve Payroll checks numbered 143238 through 143246, ACH Deposits 57052 through 57208, claims numbered 249906 through 250054 and vendor checks numbered 250055 through 250061 and hold off paying Hopkins and Huebner attorney fees and Central Iowa Juvenile Detention claims. Bierschenk, Seeman and Primmer voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve claims to McDowells in the amount of \$383.26 for Conservation project and True North Consulting-\$7,380 for consulting fees for the E911 Radio project using ARPA funds. All members voting aye thereon. Motion carried.

Grace Schmitt, Public Health Director re visited with the Board about the need for more office space. Schmitt currently shares her space with the historical preservation along with food pantry and due to confidentiality and needed space for a nursing position in the department. Virginia Gay Hospital also needs us to get all our supplies out of their storage by June 1st, or we will begin to get charged. She will get a list of her department needs prepared for the supervisors and they will meet on this in a work session and tour the space available or that could possibly be tweaked to make it more accommodating to the Public Health Department's needs.

Bierschenk moved/Seeman seconded: To approve Resolution #24-47, Wage and classification change for Will Beranek at Secondary Roads. All members voting aye thereon. Motion carried.

RESOLUTION # 24-47
Wage and Classification Change

WHEREAS, Benton County Secondary Roads 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 Will Beranek be set at \$27.00 effective May 20, 2024. This position carries a Labor Grade IVB classification.

Signed this 21st day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST: Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Melinda Schoettmer, County Treasurer notified the Board that her office will be closed on June 27, 2024 for their District meeting where they obtain DOT training. Schoettmer also updated them on the cross county titling fees and the increased revenue it will bring in. Schoettmer will post a notice in the paper notifying the public of this.

Seeman moved/Bierschenk seconded: To accept the FY23 Cost Advisory Indirect Cost plan and authorize the chairman to sign and acknowledge it. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Shelby Williams, Conservation Director introduced the two new employees for IRM, Ethan Hennings and Brock Leaders.

Ethan provided an update on recent activity and stated that in a short time they have gotten a lot of roadway miles covered along with some spot spraying done. They have restocked supplies and ordered some new equipment that can document where they have been and areas covered instead of manually charting. Native seed mix has been planted with the help from the secondary roads crew. The weed department is currently on the hunt replacing their skid loader that was recently damaged. They are all starting to get the hang of everything and watching the weather forecast so they can choose what hours can be most effective for their spraying.

Williams also reported that the Conservation department will be posting their temporary positions this week. Seeman asked about the electrical upgrades in the parks. Williams explained they are knocking out some every year. She also touched on their upcoming conference that they will be attending and noting that they will be hosting the conference in 2026 by partnering with Linn and Jones County's. She encouraged the Supervisors or any Conservation Board members to attend at least one of the days.

Neal and Lori Siela brought up safety concerns caused with 218 detour going on now North of town along 57th Street Trail, , 22nd Ave. and West D Street. They inquired if there could be something done to help control the dust. Could the extra rock be spread so cars wouldn't have to hug the center of the road. The Engineer was also present and noted that the DOT is aware of it and they did reach out last Friday that they are willing to participate in some dust control. Parizek is waiting for reply back to know if they are asking for it in front of the intersection of the residences or continued on the four mile stretch. They have been receiving calls and photos sent to them. If the rain doesn't back up the project too much, they were anticipating at least a month of the detour. They may coordinate the dust control with a private contractor, just not sure how soon that will take place.

Committee Reports: Gary Bierschenk wanted to report concerns of holes in the blacktop road south of Blairstown along the way to Marengo to the Engineer while he was present. Supervisor Seeman reported on the EMS advisory Council meeting last week, recent landfill meeting and how the new lagoon is going to start in July. He also had the EMA meeting last night and they discussed today's weather concerns also.

Public comments:

Charles Greene, resident along 56th Street Trail near the quarry had concerns about the dust and truck traffic because the county decided to use the Hwy by a quarry. He would like the county to do something about it by either filling all the pot holes, redirecting traffic or seal coating or making it a hard surface.

Auditor Rippel mentioned being approached by Frank and Gail Rinderknecht, and how they would like to restore or replace a broken bench on the south side of the courthouse. Rippel had got Frank in touch with the maintenance department to discuss further.

Seeman moved/Bierschenk seconded: To recess at 9:53 a.m. Primmer Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To enter open session at 10:51 a.m. All members voting aye. Motion carried.

Judi Hamaker, Quality Insurance on behalf of Heartland Insurance and Mary Griffin, Holmes Murphy, presented the FY 25 Insurance Renewal Schedules. There haven't been rate increases for over 15 years, the risk pool had been absorbing those. This year they had a rate study done by actuarial associates and proposed the rate adjustment. Premiums are based on the values they received. Cyber Insurance is a change this year as well. The Heartland Board agreed that 50% of that would be paid by Heartland and the discussion led to the implementation of multi-factor authentication. There will be no policy credit obtained this year, but Counties that have safety committees and meet quarterly can obtain discounts. They went over the different options available for the required harassment training. On a good note, the county's mod factor has decreased along with the workers compensation. We are encouraged to look these over closely and get any changes needed to them by May 31st.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-48, Service Area(s) Amendment to FY 24 Budget. Primmer, Seeman and Bierschenk voting aye. Motion carried.

RESOLUTION #24-48

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) 0001-99-1220-000-212099-000 -\$5,000
0002-31-1500-000-425000-000 -\$5,000
0001-28-1110-000-428061-000 -\$5,000
0002-61-1620-000-425000-000+\$15,000
- Service Area 3) 0001-10-3020-000-100932-000 -\$5,000
0001-21-3210-000-332000-000 -\$5,000
0001-99-3400-000-481155-000 +\$400
0002-21-3200-000-113000-000 +\$200
0002-61-3300-000-306000-000 +\$9,400
- Service Area 6) 0011-54-6020-000-475476-000 -\$500
0011-99-6200-000-490000-000 +\$500
- Service Area 9) 0001-99-9000-000-425023-000 -\$5,000
0001-14-9120-000-413000-000 -\$5,000
0001-02-9010-000-412000-000 +\$1,600
0001-01-9000-000-425000-000 +\$8,400

IT IS FURTHER RESOLVED that said funds are hereby appropriated. The auditor is directed to make the necessary changes.

Signed this 21st day of May, 2024

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

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

May 22, 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 4:00 p.m. over the phone in the Benton County Auditor’s Office.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

Seeman moved/Bierschenk seconded: To approve Special Class C Retail Alcohol License effective May 22, 2024 through June 4, 2024 for Blairstown Lions Club. Primmer, Seeman and Bierschenk all voting yes. Motion carried.

Seeman moved/Bierschenk seconded: To Adjourn at 4:05p.m. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

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.bentoncountvia.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.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

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:

5. 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.
6. 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.
7. 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.
8. 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.
9.
 - 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.
10. Part-time employment will not be used for calculations of any other type of benefits for employees going from part-time to full-time.
11. Part-time employees are not entitled to longevity pay.
12. 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.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

- 13. 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.
- 14. 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

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

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

May 29, 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.bentoncountya.gov

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

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Bierschenk seconded: To approve Resolution #24-54, Approve Human Resources Department Part-time Assistant. Primmer, Bierschenk and Seeman voting aye thereon. Motion carried.

**RESOLUTION #24-54
APPROVE HUMAN RESOURCES DEPARTMENT PART-TIME ASSISTANT**

WHEREAS: Benton County Human Resources Department has an opening for a part-time assistant; 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 Juliea Biery be hired to fill this position of Part-time Human Resources Assistant at a pay rate of \$15.00 per hour with an effective start date of June 3, 2024.

Signed this 29th day of May, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To Adjourn at 2:19 p.m. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

May 29, 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 11:15 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>. *Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountya.gov*

Seeman moved/Bierschenk seconded: To approve the agenda. All members voting aye thereon. Motion carried. The supervisors held a meeting open to the public and to all members of other counties' boards and commissions. The purpose of the meeting was to receive training from Erika Eckley, Executive Director of the Iowa Public Information Board (IPIB). This meeting was a requirement referring back to the IPIB Resolution agreed to by board action on April 16, 2024. This training provided was on Iowa Code Chapters 21 and 22 in an open meeting. There was time for questions along with feedback throughout the training. Eckley also went over what is considered open records and how to handle requests.

Seeman moved/Bierschenk seconded: To Adjourn at 12:48 p.m. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

June 4, 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.bentoncountya.gov*

Bierschenk moved/Seeman seconded: To approve the agenda. All voting aye thereon. Motion carried.
Seeman moved/Bierschenk seconded: To approve the minutes and to follow the recommendation from Chairman Primmer to follow the recommendations from Iowa Public Information Board (IPIB) to remove all public comments from May 28, 2024 and both sets from

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

May 29, 2024 and also moving forward for future minutes. Also making note to remove the duplicate of approving Kimm's cigarette permit. Primmer, Seeman and Bierschenk voting yes. Motion carried.

Seeman moved/Primmer seconded: To approve Class C Retail alcohol License for Kacena Family Tree Farm, Inc effective August 7, 2024 through August 6, 2025. All members voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To approve Fireworks permit for Iowa Pyrotechnic Association for July 20, 2024 pending signature from the fire department on the application. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Primmer moved/Bierschenk seconded: To approve the Fireworks permit for Randy Nash for July 4, 2024. Motion carried. The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Paul and Susan Phillips in part of the NW ¼ NW ¼ of Section 4-84-9. Phillips would like to change approximately two acres of land to allow for two single-family dwellings and a workshop. Paul Phillips was present. Matt Even presented some of the technical information. This area has a CSR of 66 and currently has hay production. The existing driveway was updated and approved a few years ago so is conforming. A private sewage and well will need to be installed. Seven notices were sent out to adjacent property owners and the legal notices were also published in the official newspapers as required by the Ordinance. There were no comments heard before or during today's hearing. This proposal should not have any negative impacts on surrounding farm operations. It is isolated from other agricultural land by the county road and two stream branches. No other comments were heard, so the land use hearing was closed.

Seeman moved/Bierschenk seconded: To approve the land use hearing for Paul and Susan Phillips in part of the NW ¼ NW ¼ of Section 4-84-9. Voting aye were Primmer, Seeman and Bierschenk. Motion carried.

Robert Spangler, Russ Glime, Phil Borleski all members of the Benton County Historical Commission were present to voice their concern regarding Benton County Historical Preservation's Office Space. Spangler provided a handout from the State Historical Preservation Office of Iowa and explained the roles of the commission along with the role that the supervisors have to provide them work space. They were not informed that they would have to vacate their office inside the Service Center and were inquiring when and why this was taken place without their knowledge. The Board agreed they would look into finding them an office to vacate. Spangler stressed the importance of maintaining historic documents together in one location.

Seeman moved/Bierschenk seconded: To approve 8 days' vacation carryover for Sue Wilber to be used by October 1, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize chairman to sign the 30 day burn acceptance letter for the Benton County radio system test that was approved by Mike Day, consultant for True North on the E911 project. All members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To authorize the chairman to request the excess flood policy coverage quote from Assurant under Holmes Murphy. Primmer, Seeman and Bierschenk voted aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To Adjourn at 10:06 a.m. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

June 11, 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.bentoncountyiowa.gov*

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

Seeman moved/Bierschenk seconded: To approve the minutes of June 4, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To correct the title for the new hire in the HR department to be listed as part-time assistant not Director on the May 28, 2024 minutes.

Seeman moved/Bierschenk seconded: To correct the spelling of the HR Assistant name from Juliea to Julia Biery in the May 29-2024 minutes. All members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Payroll checks numbered 143247 through 143264, ACH Deposits 57209 through 57367, vendor check number 250062, handwrite 250063 on 5/28/24 and vendor checks 250064 through 250069 and claims numbered 250070 through 250268. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve the ARPA Claim in the amount of \$5,904 to True North Consulting. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Gina Edler, Benton County Elections Deputy explained the Post Election Audit and how every county has one precinct picked by the Secretary of State after every election. Edler also handed out all the materials and went over the canvass process.

Seeman moved/Bierschenk seconded: To acknowledge the successful post-election audit on the Vinton 2 precinct from the Primary Election held on June 4, 2024. All members voting aye. Motion carried.

Seeman moved/Bierschenk seconded: To accept that Dave Upham and David Upham write in scatterings were that of the same person. All members voting aye. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-55. Canvassing the 2024 Primary Election. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried.

RESOLUTION #24-55

WHEREAS, the PRIMARY ELECTION was held as prescribed by law on June 4, 2024, and:

WHEREAS, the Board of Supervisors and *ex officio* Board of Canvassers have canvassed the vote of said election in accordance with §43.49 and §50.24 of the *Code of Iowa*, now therefore;

BE IT RESOLVED that we, the undersigned members of the Board of Supervisors and *ex officio* Board of Canvassers of Benton County, Iowa, do hereby certify the following TURNOUT REPORT and RESULTS in the PRIMARY ELECTION, held on June 4th, 2024, and that no obvious clerical errors were identified during the canvass.

2,226 people voted at the polls on election day.

213 absentee ballots were accepted for counting.

One (1) provisional ballots were accepted for counting (included in absentee total).

A total of 2,440 people voted.

CANDIDATES NOMINATED FOR COUNTY OFFICES:

Board of Supervisors (District 1) :
-Ronald J. Tippett, Republican Party

Board of Supervisors (District 3):
-Bruce E. Volz, Republican Party

County Auditor:
-Hayley Rippel, Republican Party

County Sheriff:
-David Benjamin Upah, Republican Party
-Dave Upah-Write-in, Democratic Party

COUNTY OFFICES WITHOUT A PARTY NOMINEE:

Democratic Party: Board of Supervisors (District 1 and District 3), County Auditor

Libertarian Party: Board of Supervisors (District 1 and District 3), County Auditor, County Sheriff

Republican Party: None

APPROVED this 11th day of June 2024, with the vote thereon being as follows:

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve the excess flood coverage quote for the Law Enforcement Center from Holmes Murphy. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Bierschenk moved/Seeman seconded: To approve Utility permit for alliant Energy on 22nd Ave. in Taylor township west of Vinton. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve Utility permit for Interstate Power and Light Co

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve and authorize signatures on a Quit Claim Deed from Benton County, Iowa to Jennel Schulte for a portion of the SW ¼ of the SE ¼ of Section 2-82-9. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Food pantry representatives came to discuss their concerns with the Board about storage space. With the transition of office spaces at the service center, they said their space gets smaller and smaller with each change. They were expecting delivery of a new freezer also, and that led to electrical and fire panels discussion also. The hallway area used for storage, and if that could be insulated or closed off better. Rick Wood, maintenance director also was present and brought up the fire code and how he needs unobstructed routes to areas too. The Board agreed at the end of the meeting to go take a look together in this area of the building.

Sue Wilber gave an update on the clinical care coordinator position for the public health department. A candidate has been selected to be hired with a July 1st start date.

Seeman moved/Bierschenk seconded: To acknowledge the early retirement for Karen Uthoff effective December 31, 2024. Primmer, Seeman and Bierschenk voted aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To Approve FY 25 HIPPA Program renewal through ISAC. All members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve 3% increase for Mark Erickson effective July 1, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To remove Dean Vrba from the ECICOG Region 10 Passenger Transportation Advisory Committee and replace him with Mark Erickson.

Tracy Seeman reported on the recent conservation meeting along with the work getting done by the Weed department.

Rick Primmer reported on the facilities tour by Holmes Murphy, along with a recent discussion with Sheriff Tippett on the idea of a pool vehicle in the county.

The Board left the conference room and toured the food pantry space.

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

Richard Primmer, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor

June 18, 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.bentoncountya.gov*

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

Seeman moved/Bierschenk seconded: To approve the minutes of June 11, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

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BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Bierschenk seconded: To approve Resolution #24-56, Approving Hire of Corrections Officer in the Sheriff's Department. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION #24-56

APPROVING HIRE OF CORRECTIONS OFFICER

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

WHEREAS: Applications were accepted for the position, and

WHEREAS: These applications have been reviewed and evaluated, and

WHEREAS Dylan Ryder has been selected to fill this vacancy;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Dylan Ryder be hired for corrections officer for the Sheriff's department, effective July 1, 2024, at an hourly rate of \$21.92.

Date this 18th day of June, 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: Approve Resolution #24-57, Approve Resolution to Compromise and Assign Tax Sale Certificate and Abate Subsequent Tax. Primmer, Seeman and Bierschenk voted aye thereon. Motion carried.

RESOLUTION #24-57

RESOLUTION TO COMPROMISE AND ASSIGN TAX SALE CERTIFICATE AND ABATE SUBSEQUENT TAX

WHEREAS, Benton County, Iowa, acquired Tax Sale Certificate number 150150 at the June 15, 2015 Tax Sale for the following described parcel, and

WHEREAS, several years of delinquent taxes have continued to accrue against said parcel, and

WHEREAS, the property has sat vacant and the deedholder has not paid clean up and repair and for snow removal, and

WHEREAS, The City of Belle Plaine, Iowa has requested assignment of said Tax Sale Certificate from Benton County, Iowa, and

WHEREAS, 2024 Iowa Code Sections 446.16 and 446.31 provide for the Board of Supervisors to compromise and assign the Tax Sale Certificate and abate the, subsequent tax, interest, fees, and costs in the amount of \$3561.00

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Benton County, Iowa, that the Chairperson of the Board of Supervisors is authorized to compromise and assign for the \$10 assignment fee, the following described Tax Sale Certificate number 150150 to the City of Belle Plaine, Iowa, and abate the subsequent years of real estate tax, interest, and costs.

Parcel: 03041150

Legal Description: 125' E of the NW Corner Lot 2, Blk 3, E45', S 100 to the Point of Beginning, Hutton's Add to the town of Belle Plaine, Iowa, also known as: N 100', E45', W170' of Lot 2, Blk 3, Hutton's Add to Belle Plaine, Iowa.

APPROVED this 11th day of June 2024, with the vote thereon being as follows:

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Sheriff Tippett has been approached by a few employees who would like to donate 200 sick hours to another employee. This amount is outside of any current policy we have in place. He asked that this be given some thought or amending current policy to allow it to take place. These individuals both currently have the maximum accumulated allowed.

Bierschenk moved/Seeman seconded: To table action on the sick leave donation until a further date. All members voting aye. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Primmer moved/Seeman seconded: To Approve Resolution #24-58, Amending Resolution #17-29, Approving Ordinance #73. All members voting aye thereon. Motion carried.

**RESOLUTION #24-58
AMENDING RESOLUTION #17-29
APPROVING BENTON COUNTY
ORDINANCE #73**

WHEREAS, the Benton County Board of Health has adopted Benton County Ordinance #73 amending regulations pertaining to the installation of private sewage disposal systems; and

WHEREAS, the Benton County Board of Health made publication and held a public hearing on said amendments to Ordinance #73 in accordance with law; and

WHEREAS, the Benton County Board of Supervisors approves of said regulations;

WHEREAS, There was an error found in the Purpose Statement on Ordinance #73 and needs to be corrected;

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Benton County Ordinance #73 Purpose Statement should be worded as such:

This Ordinance is Created to Protect the Health, Safety, and Welfare of Benton County and its residents by regulating on-site wastewater treatment and disposal Systems. Ordinance #60 is Hereby Repealed and Ordinance #73 is adopted in Lieu thereof.

IT IS FURTHER RESOLVED that publication of said Ordinance is directed and said Ordinance is to be effective upon publication in the official newspapers of Benton County, Iowa.

Dated this 11th day of June, 2024.

BENTON COUNTY BOARD OF SUPERVISORS

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST: _____

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve farm exemption application for Paul Erger and Jess Andrew in SE ¼ SE1/4 of 12-83-10. All members voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To Approve Resolution #24-59, Temporary Construction Closure. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION #24-59

BE IT RESOLVED by the Benton County Board of Supervisor's that the following described Secondary Road be closed for CONSTRUCTION effective from June 18, 2024, through the completion of the project.

From near the NW corner of Section 18-T86N-R11W thence south 1 mile to the SW corner Section 18-T86N-R11W along 16th Avenue in Cedar Township.

Signed this 18th day of June, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Seeman moved/Bierschenk seconded: To approve the Class C Retail Alcohol License for Traveling Tapster, LLC for July 18, 2024 through July 22, 2024. All members voting aye. Motion carried. Tracy reported on the recent EMS advisory council meeting last week. They are going to be taking a county wide approach. Seeman moved/Bierschenk seconded: To Adjourn at 9:31 a.m. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST: Hayley Rippel, Benton County Auditor

June 25, 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.bentoncountyiowa.gov

Bierschenk moved/Seeman seconded: To approve the agenda. All members voting aye thereon. Motion carried. Seeman moved/Bierschenk seconded: To approve the minutes of June 18, 2024. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried. Bierschenk moved/Seeman seconded: To approve Payroll checks numbered 143265 through 143330, ACH Deposits 57368 through 57532, vendor checks 250270 through 250276 and claims numbered 250277 through 250454. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried. Seeman moved/Bierschenk seconded: To approve ARPA Tribal Claim for Iowa Natural Heritage Foundation in the amount of \$6,500 for conservation's Wildcat project. Primmer, Seeman and Bierschenk all voted aye. Motion carried. Bierschenk moved/Seeman seconded: To approve farm exemption application for Karen Fountain in a part of the SE 1/4 SW 1/4 of Section 6-84-10. Voting aye were: Primmer, Seeman and Bierschenk. Motion carried. Seeman moved/Bierschenk seconded: To approve Class C Retail Alcohol License for Beyonder Resort at Lazy Acres LLC. Effective May 31, 2024 through May 30, 2025. All members voting aye thereon. Motion carried. Barb Greenlee asked that the board approve an additional 5 days of vacation pay for her effective July 1, 2024. It was her understanding that there have been recent new hires who are getting more than the capped 4 weeks that pertains to employees who have been here 17 years or more. Greenlee has been a county employee for 39 years and felt she was deserving of this and it was her understanding that the handbook committee has been discussing this. Sue Wilber reported there was going to be another handbook sub-committee meeting on July 10th and they will be discussing it further. The Board thought it was a good idea to handle everyone at the same time, so no action was taken and they will wait until the revision to the handbook is brought back to the Board. Bierschenk moved/Seeman seconded: To re-appoint Michael Silhanek and Jeffery Holmes to the Veterans Affairs Commission with a term ending June 30, 2027. All members voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Seeman moved/Bierschenk seconded: To approve and acknowledge Eide Bailey's FY24 arrangement for the audit and statements. All members voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: Approve Resolution #24-60, County Official Bank Depository Limits. Primmer, Seeman and Bierschenk voted aye thereon. Motion carried.

RESOLUTION #24-60

COUNTY OFFICIAL BANK DEPOSITORY LIMITS

IT IS HEREBY RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following named banks to be depositories for County funds in amounts not to exceed the amount named opposite said depository and the following named county officers are hereby authorized to deposit said County funds in amounts not to exceed the maximum amount named after said bank as follows for fiscal year 2025:

Lexa Speidel, Recorder

Cedar Valley Bank and Trust \$150,000

Ron Tippett, Sheriff

Farmers Savings Bank & Trust – Vinton \$ 500,000

Ron Tippett, Sheriff

US Bank \$ 1,000

Mark Erickson, Transportation Dept.

Midwest One Bank \$ 2,500

Signed this 25th day of June, 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 Bank Depositories for FY 25. All members voting aye. Motion carried.

Resolution #24-61
Bank Depositories

BE IT RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following named banks to be depositories for the County funds in amounts not to exceed the amount named opposite said designated depository, and the County Treasurer is here by authorized to deposit said county funds in amounts not to exceed the maximum approved for each respective bank as follows for fiscal year 2025.

Farmers Savings Bank & Trust	
Vinton/Traer	\$ 20,000,000
Midwest One Bank & Trust	
Belle Plaine	\$ 1,000,000
Chelsea Savings Bank	
Belle Plaine	\$ 5,000,000
Chelsea Savings Bank	
Van Horne	\$ 5,000,000
Benton County State Bank	
Blairstown	\$ 4,000,000
Bank Iowa	
Norway	\$ 2,000,000
Watkins Savings Bank	
Watkins	\$ 1,000,000
Cedar Valley Bank & Trust	
La Porte City/Vinton	\$ 13,000,000
Central State Bank	
Walford	\$ 2,000,000
Atkins Savings Bank & Trust	
Atkins	\$ 1,000,000
Keystone Savings Bank	
Keystone	\$ 3,000,000
Dysart State Bank	
Dysart	\$ 500,000
First Federal Credit Union	
Urbana	\$ 2,000,000

Signed this 25th day of June, 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 #24-62, FY25 Appropriations. All members voting aye thereon. Motion carried.

RESOLUTION #24-62
APPROPRIATIONS

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2024, in accordance with Section 331.434, Subsection 6, Code of Iowa,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY, IOWA, as follows:

Section 1. The amounts as shown, published, and approved in the County Budget for fiscal 2024/2025 on April 23, 2024, be and are itemized by service area to each department on the budgets filed in the office of the county auditor on July 1, 2024 are hereby appropriated.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations, effective July 1, 2024.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract, which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 2024-2025 budget year the auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The auditor shall report the status of such accounts to the applicable departments and officers at least quarterly during the 2024-2025 budget year.

Section 6. Tax Increment payments, which are subject to annual appropriation are authorized.

Section 7. All appropriations authorized pursuant to this resolution lapse at the end of the business day on June 25, 2025, for payment of goods and services received and/or performed as of that date. The board reserves the right to waive this date at its sole discretion for specific payments for the provision of goods and services that it deems should be paid within said fiscal year.

Section 8. Departmental appropriations remain in full force and effect through June 30, 2025, for payroll expenses occurring after the date stated in Section 7, for the final processing of expenses submitted on or before June 18, 2025, and for any expenses approved by the Board of Supervisors subsequent to June 24, 2025. All appropriations will lapse at the close of business June 30, 2025.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 25, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Seeman moved/Primmer seconded: To approve Resolution #24-63, Amending Service Area(s) in the FY 24 Budget. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

RESOLUTION #24-63

SERVICE AREA BUDGET AMENDMENTS

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 0) 1500-98-0220-000-429000-000 -\$2,200

0030-99-0030-000-429000-000 +\$2,200

Service Area 1) 0002-61-1620-000-425000-000 -\$2,000

0002-31-1500-000-425045-000 +\$2,000

Service Area 8) 0024-07-8110-000-447000-000 -\$1,500

0001-07-8110-000-413000-000 +\$1,000

0001-07-8110-000-412000-000 +\$500

IT IS FURTHER RESOLVED that said funds are hereby appropriated. The auditor is directed to make the necessary changes.

Signed this 25th day of July, 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 #24-64, FY 24 Certification of Deputies and Assistants Salaries.
RESOLUTION #24-64

CERTIFICATION OF DEPUTY SALARIES FOR FY25

WHEREAS, Iowa Code 331.904(1) states that auditor, treasurer, and recorder shall certify the annual base salary of the deputies in the auditor's, recorder's, and treasurer's office pursuant to said code section; and

WHEREAS, Iowa Code 331.904(2) states that the sheriff shall certify the salaries of the first and second deputies within his department pursuant to said code section; and

WHEREAS, Iowa Code 331.904(3) states that the county attorney shall set the salaries of the assistant county attorneys pursuant to said code section; and

WHEREAS, the salaries of the deputies and assistants of the auditor, treasurer, recorder and sheriff, have been certified by the principal officers to the board of supervisors; and

WHEREAS, the base salaries will not exceed the limitations specified in Iowa Code for the deputies in the auditor's, treasurers, recorder's and sheriff's departments; and

WHEREAS, Iowa Code 331.904 states that the Board shall certify the salaries to the county auditor if the salaries are within the budgets set for the auditor, treasurer, recorder and sheriff,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the following salaries for deputies and assistants in the respective offices be certified to the county auditor:

Auditor's Office:

Gina Edler – 85% of the principal officer
Nancy Jorgensen –70% of the principal officer
Alisha Burmeister-70% of the principal officer

Recorder's Office:

Marla Sutton-85% of the principal officer
Katelyn Welper-55% of the principal officer

Treasurer's Office:

Rose Sackett – 85% of the principal officer
Joy McGowan – 81% of the principal officer
Jodi Bonar– 69% of the principal officer
Beth Geater-59% of the principal officer
Ariane Geiger-54% of the principal officer
Ann Stephens-53% of the principal officer

Sheriff's Department:

Chief Deputy– John Lindaman-85% of the principal officer
Second Deputy-Josh Karsten-80% of the principal officer
Karen Uthoff-Office Administrator-\$70,720

FURTHER BE IT KNOWN that the county attorney has set the salaries for the assistants in his office as follows:

Alisha Stach-Lorang- 90% of the principal officer

BENTON COUNTY BOARD OF SUPERVISORS RECORD "S-S"

Dated this 25th day of June 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Seeman seconded: To acknowledge resignation of Ann Stephens in the Treasurer's office effective July 5, 2024. Motion carried.

Hayley Rippel, County Auditor brought up the quote they obtained from Tyler Technologies software in March for the add on piece for paperless time sheets called Executive Time and Attendance that expires on June 30. She reminded the Board they actually approved this same software in September of 2023 but she later learned that Sue Wilber redacted it from the vendor herself without board action. Rippel reminded them this was a payroll matter and her office handles payroll. The upfront fee is \$15,870 for the conversion and implementation and after that, just like any software it will have an annual licensing fee of \$14,505. Rippel also shared with the board a list of the 59 counties who utilize this software. The state only has so many options to be compatible to what we need. HR director Sue Wilber said she still had unanswered questions and wants to make sure it is a system that will do all the things they want. She didn't know it would be on the agenda and didn't have time to vet out her concerns and asked that they hold off until Friday. Rippel replied, she apologized, but didn't know she needed permission to put something on the agenda and that she wouldn't be able to attend another meeting Friday, she will be gone to Auditor's summer school. Supervisor Primmer said it would be nice to get questions answered and what would a few days matter.

Seeman moved/Bierschenk seconded: To table action on approving quote for the Tyler Technologies software (Exec Time and Attendance) Payroll add-on. This will be addressed at a meeting Friday, June 28, 2024 at 10:00 a.m. All members voting aye thereon. Motion carried.

Sue Wilber, HR director reported on the handbook revisions and the sub committee's recommendation to make changes to section 2.7 regarding mileage and expense reimbursement. The various mileage rates and meal reimbursements along with still the possibility of a pooled car was also discussed.

Seeman moved/Bierschenk seconded: To approve the handbook modification to section 2.7, Mileage and Expense Reimbursements. All members voting aye thereon. Motion carried.

Auditor Rippel asked if this could be done by Board Resolution so that its clearly stated in the minutes for reference what those changes are along with previous revisions already made to the handbook. The Board agreed to place it on a future agenda.

Tracy Seeman reported on his landfill committee meeting he attended. Supervisor Primmer added he was recently there and noted how fast that new cell is filling up. Primmer attended the Heartland Insurance zoom meeting last week to discuss insurance renewal amounts that go into effect July 1st. Supervisor Bierschenk reported he has a committee meeting Thursday to attend.

Russ Glime, Historic Preservation brought up office space and being allowed use of the Conference room. This will also be placed on a future agenda.

Seeman moved/Bierschenk seconded: To Adjourn at 10:50 a.m. Primmer, Seeman and Bierschenk voting aye. Motion carried.

Richard Primmer, Chairman

ATTEST:

Hayley Rippel, Benton County Auditor

June 28, 2024

The Benton County Board of Supervisors met in special session with Supervisors Primmer, Bierschenk and Seeman present. Supervisor Primmer called the meeting to order at 10:00 a.m. at the Benton County Service Center. Members of the public are invited to join in during open session or watch the livestream at https://www.youtube.com/bentoncountyiowa. Summarized Resolutions will be available in the Auditor's office and at: www.bentoncountyiowa.gov

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

Primmer moved/Bierschenk seconded: To approve the minutes of June 25, 2024, with corrections given to Auditor's office for items to be removed. Primmer, Seeman and Bierschenk voting aye thereon. Motion carried.

Seeman moved/Bierschenk seconded: To approve and authorize signature on the quote from Tyler Technologies for Exec Time and Attendance Software. All members voting aye thereon. Motion carried.

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To approve Resolution #24-65, FY25 Interfund transfers. All members voting aye thereon. Motion carried.

**RESOLUTION #24-65
INTERFUND OPERATING TRANSFERS**

WHEREAS, it is desired to authorize the auditor to periodically transfer sums from the general basic fund to the secondary road fund, general supplemental fund, and conservation land acquisition fund; and rural services fund to secondary road and sanitary disposal funds during the 2024-2025 budget year, and

WHEREAS, said transfers must be in accordance with section 331.432, Code of Iowa,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY, IOWA as follows:

Section 1. The total maximum transfers for the fiscal year beginning July 1, 2024, shall not exceed the amounts listed in the respective funds as follows:

<u>FROM (Fund)</u>	<u>TO (Fund)</u>	<u>AMOUNT (max.)</u>
General Basic	Secondary Road	\$ 295,264.00
Rural Services Basic	Secondary Road	\$ 3,360,768.00
General Basic	Conservation Land Acquisition	\$ \$200,000.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2024-2025. Said quarterly transfers shall be one quarter of the total transfer to each fund as set forth in Section 1.

Section 3. Exceptions to Section 2 shall be transfers to the Conservation Land Acquisition fund, which may be done at any time during the fiscal year

Section 3. The amount of the transfers required in section 1 to the Secondary Road fund shall be in accordance with Iowa Code 331.429(1)(a) and (b).

Section 4. The amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 5. The auditor is directed to transfer said funds in accordance with this resolution and to notify the treasurer and county engineer of the amounts of said transfers.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 28, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Alisha Burmeister, Benton County Deputy Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To approve Resolution #24-66, FY25 Transfer of Funds. All members voting aye thereon. Motion carried.

RESOLUTION #24-66
TRANSFER OF FUNDS

BE IT RESOLVED by the Benton County Board of Supervisors that the following interfund funds are ordered:

Local Option Sales & Services (LOSST) to Secondary Roads - \$267,500.00
Local Option Sales & Services (LOSST) to General Basic - \$65,000.00

The auditor is authorized to make the necessary adjustments to the FY25 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 25, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Alisha Burmeister, Benton County Deputy Auditor

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

Bierschenk moved/Seeman seconded: To approve Resolution #24-67, Handbook revision to 2.7 Mileage and Expense Reimbursement. All members voting aye thereon. Motion carried.

RESOLUTION #24-67
HANDBOOK REVISION TO 2.7 MILEAGE and EXPENSE REIMBURSEMENT

WHEREAS, the Benton County Employee Handbook Mileage and Expense Reimbursement section 2.7 is amended and attached hereto as Exhibit A.

NOW, THEREFORE, Be it Resolved by the Board of Supervisors of Benton County, Iowa, as follows:

Section 1. The Handbook section attached hereto as Exhibit A is hereby adopted and shall be dated as of the date hereof.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved June 28, 2024.

Rick Primmer, Chairman

Gary Bierschenk

Tracy Seeman

ATTEST:

Alisha Burmeister, Benton County Deputy Auditor

“Exhibit A”

BENTON COUNTY, IOWA
HANDBOOK POLICIES AND PROCEDURES RE: MILEAGE and EXPENSE REIMBURSEMENT 2.7

Officials and employees shall be granted reasonable expenses while attending meetings pertaining to county government as outlined below. No reimbursement will be allowed for expenses of anyone other than the county employee.

1. Mileage:

Mileage will only be reimbursed if traveling outside of the city limits of your office’s primary location.

1. Benton County will compensate an employee at the rate set forth by the IRS on a per mile basis when the employee is required to provide his or her own transportation in order to perform their job function. Mileage will start at employee’s residence, unless the employee is reporting from work first, then it would be place of employment to meeting and back to employment.
2. In the instance where a County vehicle is available for use, and the employee chooses to drive their own vehicle, the employee will be reimbursed at the GSA (General Services Administration) current rate. Privately owned vehicle (POV) mileage reimbursement rates | GSA Exception to this would be if it would be farther distance traveled to get the county vehicle to drive to destination. In this case, employee must show documentation of shorter route.

2. Lodging:

Lodging is warranted in the following scenarios:

1. 60 miles one way from employee’s home. Exception to this would be if a trial takes place in any county outside of Benton County pursuant to a court ordered change of venue, lodging would be permissible.
2. If event start time is prior to 7:30 am (This does not include registration time) or if event goes past 5:00 pm in the evening. (This does not include social hour).
3. Any exceptions to this will need to be approved by immediate supervisor in advance of incurring the expense or employee could be liable for the expense themselves.

Per Section 80.45 of the Department of Public Safety, before securing any lodging accommodations, employees must confirm a lodging provider’s current certification status by the Public Safety Commission that Human Trafficking

BENTON COUNTY BOARD OF SUPERVISORS RECORD “S-S”

prevention training has been completed. Public funds cannot be used to pay for lodging for an establishment that does not have this certification. As a result, the cost of lodging would be the responsibility of the employee and not the County. More information on this requirement can be found here: <https://www.legis.iowa.gov/docs/code/80.45A.pdf>

3. Meals & Incidentals:

Meals and incidental expense while traveling inside of Benton County are not eligible for reimbursement.

1. Employees will be reimbursed for meals and incidental expenses related to authorized travel based on the “M&IE Total” column of the “Per Diem Rates” table as published on the U.S General Services Administration website.
[Per diem rates](#)
[IGSA](#)
2. If the event you are attending provides meals, those amounts will be subtracted from your per diem rate. Conference agendas must be included when submitting expense reimbursement claims. If you fail to provide an agenda, you will need to submit receipts to get reimbursed for your meals.
3. If employee chooses to submit actual receipts instead of using the GSA per diem rates, and those receipts are more than the per diem rate, reimbursement will only be approved up to the per diem rate. In addition, Tips/Gratuities and alcoholic beverages will not be reimbursed by the County. No exceptions. If your department gets any grant funding that covers these expenses, contact the Auditor’s office in advance for guidance.
4. Meals cannot be paid for on Benton County credit cards. (Refer to credit card section 6.9 for more information on credit cards.)

4. Parking Fees:

1. Parking fees are allowable only when validation or free parking is not available. Receipts are required for reimbursement.
2. Parking tickets or traffic violations are the responsibility of the employee and will not be reimbursed by the county, unless approved by the Board of Supervisors.

Alternative Transportation: When driving is not feasible or cost effective, payment for alternative transportation must be pre-approved by the Board of Supervisors.

1. Claims of transportation expense must show point of departure, intermediate, and final destinations. Claims for commercial carrier transportation reimbursement must be accompanied by receipts, and shall not exceed coach fare.
2. The cost of first class transportation will be considered standard only when coach fare is not available, and must be approved by the Board of Supervisors in advance.
3. Early ticket purchase of coach fare tickets will be allowed to take advantage of reduced costs. However, if an employee fails to cancel the ticket within the proper time if unable to attend conference, employee will be responsible for the cost of the prepaid ticket, unless justified emergency can be proven by written explanation provided to Board of Supervisors.

Approved 6/25/24

Discussion was had on Historic Preservation office space and storage. No action taken.

Seeman moved/Bierschenk seconded: To approve fireworks permit for Watkins Community Athletic Association for July 6, 2024. All members voting aye. Motion carried.

Bierschenk moved/Primmer seconded: To approve new Human Resource Information System (HRIS) with Rippling. Primmer and Bierschenk voting aye, Seeman voting nay. Motion carried.

Supervisor Seeman reported on Eastern Iowa Housing and ECICOG committee meetings. He also reported on the tower project. Supervisor Bierschenk reported on the Mental Health committee meeting.

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

Richard Primmer, Chairman

ATTEST: _____

Alisha Burmeister, Benton County Deputy Auditor