

March 15, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Bierschenk and Primmer present. The meeting was called to order at 9:00 a.m. at the conference room at the Benton County Service Center. Members of the public were provided the zoom access capability to join in during open session and livestream at <https://www.youtube.com/bentoncountyiowa>. Unless otherwise noted, all actions were approved unanimously. Summarized Resolutions will be available in the Auditor's office and at: [www.bentoncountyiowa.gov](http://www.bentoncountyiowa.gov)

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

**Primmer moved/Bierschenk seconded:** To set Tuesday April 12, 2022 at 9:15 a.m. for a land use hearing for Ryan and Karlee Kasal in part of the SW1/4 SW1/4 of 30-84-11. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve the minutes of Tuesday, March 8, 2022. Motion carried. The time of 9:05 Election Deputy Gina Edler and the board proceeded with canvassing the March 8, 2022, Special City of Atkins Election. Rick Stoltfus of **City of Atkins** was declared the winner.

**Bierschenk moved/Primmer seconded:** To approve the canvass of the March 8, 2022 Special City Election for Atkins to be complete and the votes cast to be official. The official results are to be recorded in the office of the County Auditor. Motion carried.

Discussion regarding notice of tax penalty and interest on parcel #280-03900 due to them not receiving the tax statement. Pursuant to Iowa Code 331.301(13) gives the Board of Supervisors power to waive the fees if they felt it was a clerical error. There was a document provided showing why the tax record was changed to how it was mailed. At this time, the board tabled action for further research.

**Primmer moved/Bierschenk seconded:** To approve Resolution #22-20, Adoption of the FY 23 County Budget. Motion carried.

RESOLUTION #22-20  
ADOPTION OF THE FY23 COUNTY BUDGET

**BE IT REMEMBERED** that on this, the 15th day of March 2022, 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 2022-23 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 FY23 salaries for elected officials and as set forth and adopted in Resolution #22-12 is included in the FY23 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** - \$596,000 equipment/vehicle replacement, Emergency response, infrastructure
- Rural Services Fund** - \$16,000 land use administrator vehicle replacement
- EMS Revolving Loan Fund** - \$125,000 for emergency services loans
- LOSST Fund** - \$125,000 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 2022-23 (without gas and electric):

General Basic	\$5,865,661
General Supplemental	\$3,838,639
Mental Health Services	\$ 0
Rural Services Basic	\$4,208,181
Debt Service	\$800,101

**IT IS THEREFORE RESOLVED**, by the Benton County Board of Supervisors that the FY23 budget is hereby adopted.

Dated this 15<sup>th</sup> day of March 2021.

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Tracy Seeman, Chairman

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Gary Bierschenk

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Rick Primmer

ATTEST:

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Hayley Rippel, Auditor

**Primmer moved/Bierschenk seconded:** To set first reading for Ordinance #77, Repealing #76, County Precincts as March 29, 2022 at 9:15 a.m. and second reading for March 30, 2022 at 9:15 a.m. and waiving the third reading. Motion carried. The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jill and Brian Kuhn in part of SW1/4 NW1/4 of 12-84-9. Brian Kuhn and his father in law Rex Miller were both present, no media was present. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Kuhns would like to propose a change of the 2 acres and build a new home. CSR is irrelevant since the ground is not in production. The site will need a new driveway that has been reviewed and meets the requirements. This site will need a new septic and well. Notice was sent to 4 adjacent owners and published in the newspapers. There were no comments in regards ahead of the meeting. After hearing no further comments, the public hearing was closed.

**Primmer moved/Bierschenk seconded:** To approve the land use change for Jill and Brian Kuhn in part of SW1/4 NW1/4 of 12-84-9. Motion carried.

**Primmer moved/Bierschenk seconded:** To approve Resolution #22-21, Authorizing Adoption of Policies and Procedures regarding Municipalities Securities. Motion carried.

RESOLUTION #22-21

WHEREAS, pursuant to the laws of the State of Iowa, Benton County, Iowa (the "County") has publicly offered, and likely will issue and publicly offer in the future, its notes, bonds or other obligations (the "Bonds"); and

WHEREAS, the County deems it necessary and desirable to adopt certain Policies and Procedures Regarding Municipal Securities Disclosure to be followed in connection with the issuance and on-going administration of publicly offered Bonds; and

WHEREAS, the proposed Policies and Procedures Regarding Municipal Securities Disclosure are attached hereto as Exhibit A (the "Disclosure Policies and Procedures");

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

Section 1. The Disclosure Policies and Procedures attached hereto as Exhibit A are 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 March 15, 2022.

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Tracy Seeman, Chairman

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Gary Bierschenk

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Rick Primmer

ATTEST:

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Hayley Rippel, Benton County Auditor

**SEE EXHIBIT "A"**

**Commented [HR1]:**

**Bierschenk moved/Primmer seconded:** To approve Resolution #22-22, Approving new hire in the Sheriff's Department. Motion carried.

RESOLUTION #22-22

APPROVING HIRE IN SHERIFF'S DEPARTMENT

IT IS HEREBY RESOLVED that the Civil Service Commission was convened and conducted required testing on February 2, 2022 and compiled a list for consideration for hiring;

WHEREAS, Hunter Mast is hereby approved as a Full-time Deputy Officer, fulfilling a void in the department;

WHEREAS, Mast has completed all the requirements and testing and is on the Civil Service List;

WHEREAS, Brandt has signed a conditional job offer with the Benton County Sheriff's Office;

IT IS FURTHER RESOLVED that the starting wage of Hunter Mast is as follows:

Deputy Sheriff - \$24.85 per hour per union contract effective March 21, 2022.

Date this 15th day of March, 2022.

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Tracy Seeman, Chairman

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Gary Bierschenk

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Rick Primmer

ATTEST:

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Hayley Rippel, Benton County Auditor

Wayne Siela met with the board regarding the status on the 61<sup>st</sup> Street Project. Siela has headed this conversation in the past and initiated the joint meeting that was had with the City of Vinton and Vinton-Shellsburg School officials. This is a dirt road south of Vinton that farmers would like to use to bypass going by the busy schools during busy harvest times. Supervisor Seeman agreed this was a good idea, but Vinton said they didn't have the funds to help with the project. Supervisor Primmer's concern was the cost to county taxpayers and the possibility this could annexed into the City. Seila stressed the responsibility of the county is to maintain their roads. He urged them to have another sit down with the City and work it out since they could afford to spend \$800,000 on a walking trail in that area that is covered with mud and water. County Engineer Myron Parizek was also present, and commented in the past how those people who have asked for improvements to benefit them they participate in the costs. Parizek also said it was his understanding that the cost of the survey for this to even get an estimate of what such a project would cost was also to be split with the City. Seila also brought up a concern on a road south of Mt. Auburn and how moving a utility pole to make it easier coming from the west would also be a benefit to those in that area.

Siela also mentioned his concern with the Integrated Roadside Vegetation Management Committee (IRVM). What is the point of this committee if members aren't involved with budgeting or performance reviews of the department.

Ben Bonar, Weed Commissioner presented the chemical bids for the 2022 spray season as follows:

Nutrien-\$39.20 per gallon

VanDiest-\$49.04 per gallon

**Primmer moved/Bierschenk seconded:** To accept chemical bid from Nutrien for \$39.20 a gallon. Motion carried.

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

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Tracy Seeman, Chairman

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

Hayley Rippel, Benton County Auditor