

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

Primmer moved/Bierschenk seconded: To approve the minutes of April 19, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142241 through 142251, ACH Deposits 48984 through 49127, claims numbered 242219 through 242356 and vendor checks 242357 through 242363. Motion carried

Bierschenk moved/Primmer seconded: To approve and authorize chairman's signature on the 2022 Tax Suspension List to the Department of Human Services. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-30, Variance to the Sub-Division Ordinance. Motion carried.

RESOLUTION #22-30

Variance to the Benton County Subdivision Ordinance

WHEREAS, Benton County adopted the Benton County Subdivision Ordinance #72; and

WHEREAS, said ordinance prohibits the creation of multiple splits within a 40-acre aliquot part; and

WHEREAS, said ordinance sets forth the minimum requirements and improvements for subdivisions created in the unincorporated area of Benton County; and

WHEREAS, a request has been presented to the Board of Supervisors to vary the requirements of the ordinance to allow one additional division on a parcel located in the NW ¼ NE ¼ of 30-85-9.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied in its entirety for one additional division of real property located in the parcel located in NW ¼ NE ¼ of 30-85-9.

Adopted this 26th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: to approve and authorize signature on the FY 21 Cost Advisor Plan prepared by CASI. Motion carried.

Primmer moved/Bierschenk seconded: To approve the Sheriff's Union Contract Memorandum of Understanding and authorize signature. Motion carried.

Lisa Staude, DECAT Coordinator was at the meeting for a budget amendment and to update the board on some of the recent projects DECAT has been doing in the area such as helping out local seniors in need.

Primmer moved/Bierschenk seconded: To approve the DECAT Contract Budget amendment in the amount of \$5,000 and authorize chairman's signature. Motion carried.

The Engineer presented the bids from letting the IDOT Project #BROS-SWAP-CO06(119)—SE-06, RCB Culvert, New-Twin Box on 75th Street over Prairie Creek.

Bids were as follows:

- Iowa Bridge & Culvert, L.C. -\$259,701.60
- Taylor Constructions, Inc. -\$305,830.90
- Progressive Structures, LLC-\$340,329.60
- Peterson Contractors Inc.-\$356,204.20
- Tschiggfrie Excavating Co. -\$358,849.00
- WRH, Inc.- \$447,864.75

Primmer moved/Bierschenk seconded: To accept all the bids as read and award bid to the Engineer's recommendation of Iowa Bridge & Culvert, L.C. the bid for project #BROS-SWAP-CO06(119)—SE-06 in the amount of \$259,701.60. Motion carried.

Bierschenk moved/Primmer seconded: To approve Resolution #22-31, Authorizing Engineer for signatures on documents pertaining to Project #BROS-SWAP-CO06(119)—SE-06. Motion carried.

RESOLUTION #22-31

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the BROS-SWAP-C006(119)--SE-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 New-Twin Box on 75th St over Br 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 Iowa Bridge & Culvert, L.C. in the amount of \$259,701.60 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 26th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Primmer seconded: To approve Resolution #22-32, Temporary Speed limit reduction due to the temporary closure of HWY 21 intersection at US HWY 30. Motion carried.

RESOLUTION #22-32

WHEREAS: Characteristics of 72nd Street Drive from the intersection of Ia Hwy 21 east 1.5 miles to the intersection of 11th Avenue Drive and characteristics of 74th Street from the intersection of Ia Hwy 21 east 3 miles to the intersection of 13th Avenue and characteristics of 11th Avenue Drive from the intersection of 72nd Street Drive south 3.5 miles to the intersection of 76th Street warrants a temporary change of speed limit, and

WHEREAS: The traffic on these Benton County Secondary Roads have increased due to the temporary closure of Ia Hwy 21 intersection at US Hwy 30, and

WHEREAS: A speed limit on these secondary roads will greatly increase the safety for the traveling public.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the temporary speed limit on these roads be set as follows:

"35 mph on 72nd Street Dr from Ia Hwy 21 east 1.5 miles to the intersection of 11th Avenue Dr and 35 mph on 74th Street from Ia Hwy 21 east 3 miles to the intersection of 13th Avenue and 35 mph on 11th Avenue Dr from 72nd Street Dr south 3.5 miles to the intersection of 76th Street," and

BE IT FURTHER RESOLVED that upon opening of interchange of IA Hwy 21, the temporary speed limit be removed.

Signed this 26th day of April, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Conservation Board members Mike Lagrange and Randy Scheel were back for today's meeting, along with Shelby Williams, Conservation Director and David Thompson, County Attorney following up from last week's discussion. Scheel explained how the Conservation Board was requesting support from the Supervisors to have consistency in the way the various county owned properties are titled, specifically for those that the conservation department manages. The County Attorney referred to Chapter 350.4 of the Powers and Duties for Conservation board, they shall have custody, control and management of property acquired by the county, but they can not sell without the Board of Supervisors action. Thompson asked what public benefit this would serve and Scheel clarified that clarification why a title of property is held as such so that future boards would understand and why it was specific for conservation. Thompson explained his office was too busy to do this, but he would prepare a memo for everyone in regards to his recommendations. The Board agreed for no action at this time and looked forward to receiving that memo. **Primmer moved/Bierschenk seconded:** To adjourn. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley, Benton County Auditor