

September 27, 2022

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Primmer and Bierschenk 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 (<https://www.youtube.com/bentoncountyiowa>)*

Primmer moved/Bierschenk seconded: To approve payroll checks numbered 142467 through 142507, ACH Deposits 50630 through 507825, claims numbered 243811 through 243967 and vendor checks 243968 through 243974. Motion carried.

Primmer moved/Bierschenk seconded: To approve the tier 2 canvass of the September 13, 2022 Special School Election for Benton Community Schools. Benton County had 429 no votes and 375 yes votes. Iowa County had 5 yes votes and 14 no. Tama County had 3 yes and 5 no. Total ballots cast was 831 with a combined total of 378 Yes and 434 No votes. Public Measure failed. Motion carried.

Primmer moved/Bierschenk seconded: To acknowledge the successful Post Election Audit of the Special Benton community School Election on the Big Grove-Union -Van Horne precinct. Motion carried.

Primmer moved/Bierschenk seconded: To approve the minutes of Tuesday, September 20, 2022. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-87, Amending Resolution #15-91, Veteran's Affairs Donation Fund. Motion carried.

RESOLUTION #22-87
Amending Resolution #15-91

RESOLUTION FOR THE VETERAN AFFAIRS DONATION FUND

WHEREAS, the Benton County Board of Supervisors adopted Resolution #15-91 on December 15th, 2015;

WHEREAS, the Benton County Commission of Veterans Affairs has requested that said Resolution be edited to remove some verbiage pertaining to expenditures in paragraphs #3 and #4, remove all of paragraph #7, and add a new paragraph #8.

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING policies are amended accordingly and adopted for the Benton County Veterans Affairs donation fund:

1. That monetary donations shall be clearly identified and designated by the donor that the intended purpose is for county Veteran services.
2. That no monetary donations shall be used for any administrative costs of Veterans Affairs, including but not limited to salaries and benefits, office supplies, or equipment.
3. All expenditures must be in accordance with state law and county policy.
4. All expenditures must be approved by the Benton County Veterans Affairs Commission.
5. All donations must be promptly deposited with the Benton County Treasurer.
6. All expenses shall be submitted with an invoice with proper authorization to the Benton County Auditor for payment.
7. The fund shall be non-interest bearing.
8. At the end of each fiscal year, any funds remaining in the donation fund shall be kept as they were specifically earmarked for Benton County Veterans.

Dated this 20th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-88, Approve Final Plat for Level B Subdivision to Benton county, Iowa. Motion carried.

BENTON COUNTY, IOWA
#22-88
RESOLUTION APPROVING FINAL PLAT OF LEVEL B SUBDIVISION TO BENTON COUNTY, IOWA

WHEREAS, A PLAT OF LEVEL B SUBDIVISION TO BENTON COUNTY, IOWA, containing three (3) numbered lots, numbered Lots 1 through 3, has been presented to the Benton County, Iowa, Supervisors consisting of the following described real estate: A part of the Northwest Quarter of the Northwest Quarter of Section 13, Township 82 North, Range 11, West of the 5th P.M., Benton County, Iowa, described as follows:

Lots One (1), Two (2), Three (3), Level B Subdivision to Benton County, Iowa.

WHEREAS, after consideration, the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa and the Ordinances of Benton County, Iowa; and

WHEREAS, the owners have executed and filed a Consent and Dedication for said Plat; and

WHEREAS, the Benton County Board of Supervisors find that the plat would be advantageous to Benton County, Iowa.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BENTON COUNTY BOARD OF SUPERVISORS that said plat of Level B Subdivision to Benton County, Iowa, will be the same and is hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations:

1. Any new driveway will be built to comply with Benton County's driveway resolution dated October 17, 1975, and amended September 4, 1981.
2. Any new private water supply will be constructed with the approval of the Benton County Department of Health
3. Any private on-site sewage treatments will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify this Resolution Approving Plat and affix the same to said Plat as provided by law.

Dated this 27th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Resolution #22-89, Approving the Replat of Lot 2, Red Brush Estates First Addition to Benton County, Iowa. Motion carried.

REPLAT OF LOT 2, RED BRUSH ESTATES FIRST ADDITION

TO BENTON COUNTY, IOWA

RESOLUTION APPROVING PLAT

RESOLUTION #22-89

WHEREAS, a Plat of Replat of Lot 2, Red Brush Estates First Addition to Benton County, Iowa, containing two (2) lots has been presented to the Benton County Board of Supervisors consisting of the following described real estate:

Lot Two (2) of Red Brush Estates First Addition to Benton County, Iowa

And

WHEREAS, after consideration, the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa and the ordinances of Benton County, Iowa, and

WHEREAS, the owners have executed and filed an Owner's Certificate containing consent and dedication for said Plat: an

WHEREAS, the Benton County Board of Supervisors find that the plat would be advantageous to Benton County, Iowa,

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors that said plat of Replat of Lot 2, Red Brush Estates First Addition to Benton County, Iowa, will be and the same is hereby acknowledged and approved and accepted on the part of Benton County, Iowa, subject to the following stipulations

1. Any new driveways will be built to comply with Benton County's driveway resolution dated October 17, 1975 and amended September 4, 1981, and April 17, 2008.
2. Any new water supply will be constructed with the approval of the Benton County Department of Health.
3. Any new sewage treatment system will be constructed with the approval of the Benton County Department of Health.

The Benton County Auditor is hereby directed to certify this Resolution Approving Plat and affix the same to said Plat as provided by law.

This resolution passed and approved on the 27th day of September, 2022.

Benton County Board of Supervisors

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

Attest:

Hayley Rippel, Benton County Auditor

The time of 9:30 a.m. having arrived, and this being the time and date for the third consideration on Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein. The board took up the matter. The Auditor explained some of the modifications made due to expired ordinances and how they were moved within the Chapters of the new Ordinance. There was no other comments or questions in regards, so the public hearing was closed.

Bierschenk moved/Primmer seconded: To approve the third consideration of Ordinance #78, An Ordinance readopting the existing Benton County Code of Ordinances and/or repealing certain portions therein and waiving the second consideration. Motion carried.

Primmer moved/Bierschenk seconded: To approve Resolution #22-90, Adopting Ordinance #78, Readopting the Existing Benton County code of Ordinances and/or repealing certain portions therein. Motion carried.

RESOLUTION #22-90

An Ordinance Readopting the Existing Benton County Code of Ordinances and/or Repealing Certain Portions Therein

WHEREAS, the Board of Supervisors considered the adoption of Ordinance #78 on this date; and

WHEREAS, publication of the hearings were made in accordance with Iowa Code; and

WHEREAS, a copy of said Ordinance was available to the public in the Benton County Auditor's office, and

WHEREAS, no persons appeared or filed comment either for or against said Ordinance; and

WHEREAS, no persons requested a copy of Ordinance #78 prior to this date; and

WHEREAS, the Ordinance merely readopts ordinances already legally adopted; and

WHEREAS, the second consideration was waived,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that Ordinance #79, An Ordinance Readopting the Existing Benton County Code of Ordinances and/or Repealing Certain Portions Therein, is fully adopted. The Benton County Auditor is directed to publish Ordinance #79 in the official newspapers of Benton County.

Dated this 27th day of September, 2022.

Tracy Seeman, Chairman

Gary Bierschenk

Rick Primmer

ATTEST: _____

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To table action on the lease modification between Benton County and the Cedar Valley Ranch. Motion carried.

Primmer moved/Bierschenk seconded: To approve and authorize signature on the agreement with Auxiant, for increased broker fees for Group Benefits Partners effective January 1, 2023. Motion carried.
Committee Reports were had from various meetings the Board attended.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor