

December 6, 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.bentoncountya.gov](http://www.bentoncountya.gov) ( <https://www.youtube.com/bentoncountyiowa>)

**Bierschenk moved/Primmer seconded:** To approve the minutes of November 29, 2022. Motion carried.  
**Seeman moved/Bierschenk seconded:** To approve Resolution #22-110, Service Area 6 Amendment. Voting aye were Seeman and Bierschenk. Primmer abstained. Motion carried.

RESOLUTION #22-110

SERVICE AREA BUDGET AMENDMENT

**WHEREAS**, the Benton County Board of Supervisors adopted the FY2023 budget on March 15, 2022;

**WHEREAS**, the Board now desires to amend said budget within a service area to reallocate funds;

**NOW, THEREFORE BE IT RESOLVED** by the Benton County Board of Supervisors that the FY2023 county budget is hereby amended within the following service areas:

**Service Area 6**

0011-24-7140-000-101935-000 -\$29,000  
0011-24-7140-000-100933-000 +\$29,000

**IT IS FURTHER RESOLVED** that said funds are hereby appropriated.

The auditor is directed to make the necessary changes.

Signed this 6th day of December, 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

Auditor Rippel discussed FY 24 Budget Requests and how she would like to send out a form to outside entities notifying those entities who ask for funding to get those requests in by a certain date. Adding that also on that form, they can explain or describe projects they have done or will do with the county funding. The Board agreed this would be a good idea.

Supervisor Primmer reported an update from a recent Heartland Insurance Meeting. The contract with Arthur J. Gallagher had a breach, and they will be utilizing Holmes Murphy in the near future. Chairman Seeman reported on his ECICOG meeting and also a recent meeting for E911 dispatch fees to those cities utilizing Benton County's call center. The City of Vinton, Belle Plaine and Urbana will reimburse the county a set fee for the services provided.

The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Shawnee Lines in a part of E ½ of the SE ¼ SE ¼ of Section 32-84-10. Lines was present along with one other family member. Marc Greenlee presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Lines would like make a small building located on the parcel into a dog grooming business. The site has an existing driveway that meets all the criteria. Existing well will handle the water but there will need to have a holding tank for the wash water. Three adjacent land owners were notified and nothing was heard for or against.

**Bierschenk moved/ Primmer seconded:** To approve the land use hearing change for Shawnee Lines in a part of E ½ of the SE ¼ SE ¼ of Section 32-84-10. Motion carried

The Time of 9:30 a.m. was set for a request by Kim Dulin for a variance to the Benton County Sub-division Ordinance. Land Use Administrator Marc Greenlee went over why the variance is needed since there is a third parcel being proposed. Dulin was previously given an exemption for his own new home being built. Now Dulin has been approached by a future buyer who would like

to build another home also. Greenlee cautioned the Board about setting a precedent if a variance was approved, that they should be consistent in what they do. The applicant does not meet the requirement in the ordinance that calls for a hard-surfaced road for subdivisions. Matt Dulin, brother of Kim was present to voice his concern regarding a family agreement and he was not in favor of developing the land. Mark Dulin, another brother was not present but Greenlee read his letter in disapproval also. Supervisor Primmer stated he had no problem with the variance that he does not like the current ordinance and felt if we don't do something about it, we will be taxing the citizens to death. Supervisor Bierschenk stated his concern about the lack of hard-surfaced road. **Primmer moved/Bierschenk seconded:** To approve Resolution #22-111, Variance to Sub Division Ordinance. Bierschenk and Primmer voting aye. Seeman voting Naye. Motion carried.

**RESOLUTION #22-111**

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 by Kim Dulin to vary the required provisions in Article IV, Sections 4.01 through 4.05; Article V, Sections 5.01 through 5.07; Article VI, 6.2 through 6.03 and 6.05 (f); and Article VII, Section 7.01 of the ordinance to allow for the creation of one new parcel to be created within the SW ¼ NE ¼ of Section 22-85-10.

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the requirements of Ordinance #72 are hereby varied as stated for the division of real property located in a parcel within the SW ¼ NE ¼ of Section 22-85-10.

Signed this 6th day of December, 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

**Primmer moved/Bierschenk seconded:** To approve utility permit for Alliant Energy on 55<sup>th</sup> Street in Cedar Township. Motion carried.

Lighting discussion for Blairstown/HWY 30 intersection. Parizek explained the state allows two types at intersections, one is a destination light and the other is full-fledged intersection lighting. The Department of Transportation (DOT) evaluates the intersections to see what is needed. Parizek did say he made an informal request with the DOT. The lighting at county road intersections are the county's responsibility and would need planning. The Board agreed to wait until they hear back from the DOT.

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

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Tracy Seeman, Chairman

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

Hayley Rippel, Benton County Auditor