

July 11, 2023

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

Primmer moved/Bierschenk seconded: To approve the minutes of July 5, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve payroll checks numbered 142906 through 142917, ACH Deposits 53610 through 53762, vendor checks numbered 246715 through 246721 and claims numbered 246722 through 246848. Motion carried.

Primmer moved/Bierschenk seconded: To appoint Darren Stein as Benton County Weed Commissioner pursuant to Iowa Code 317.3. Motion carried.

Primmer moved/Bierschenk seconded: To approve the use of courthouse lawn for the Vinton Cruise Committee on September 23, 2023. Motion carried.

Primmer moved/Bierschenk seconded: To approve Special Class C Retail Alcohol License for The Topsy Traveler's LLC for August 2-6, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve farm exemption application for Timothy Stainbrook in part of the SE ¼ of Section 24-86-10. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #23-50, Approving Ludden Second Addition Final Plat in Benton County, Iowa. Motion carried.

RESOLUTION #23-50
AMENDING RESOLUTION #22-107

RESOLUTION ACCEPTING AND APPROVING LUDDEN SECOND ADDITION FINAL PLAT, IN BENTON COUNTY, IOWA

WHEREAS, A Final Plat of Ludden Second Addition to Benton County, Iowa, containing four (4) lots, has been submitted and previously approved by the Benton County Board of Supervisors on November 14, 2022 by Resolution #22-107,

WHEREAS, Ludden Second Addition to Benton County, Iowa, consisting of the following described real estate:

Legal Description:

(Part of Quit Claim Deed recorded in Book 18 Page 1207 dated 06/01/2018)

Lot One (1) in Ludden First Addition to Benton County, Iowa EXCEPT Parcel A in Lot One (1) in Ludden First Addition to Benton County, Iowa per Survey recorded in Book 18, Page 357.

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 Benton County Board of Supervisors find that the Final Plat of Ludden Second Addition would be advantageous to Benton County, Iowa, and

NOW, THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that said Final Plat of Ludden Second Addition to Benton County, Iowa, will be and the same 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 system will be constructed with the approval of the Benton County Health Department.
3. Any new private on-site sewage treatment system will be constructed with the approval of the Benton County Health Department.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that said board, on October 4, 2022, at the request of Jodene Ludden, did grant a variance waiving the following items regarding the submission of the Ludden Second Addition Final Plat:

Article IV, Sections 4.01 through 4.05; Article V, sections 5.01 through 5.07, Article VI, 6.2 through 6.30 and 6.05(f); and Article VII: Section 7.01 Other Provisions

The Benton County Auditor is hereby authorized and directed to certify a copy of this Resolution to the County Recorder of Benton County, Iowa, and affix the same to said Final Plat as provided as law.

Date this 11th day of July, 2023

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Primmer moved/Bierschenk seconded: To approve Auditor's Quarterly Report ending June 30, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve General Assistance Quarterly Report ending June 30, 2023. Motion carried. The time of 9:15 a.m. having arrived, and this being the time and date for a land use hearing for Jennifer and Bryan Bearbower in part of the SE ¼ NE ¼ of 24-85-10. Bryan Bearbower was present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Bearbower would like to change 2 acres for a new residence. The site is not in production and has a CSR of 85. There is an existing driveway that meets all policy requirements. This location will need a new well and septic. The required notifications were sent to 8 adjacent landowner's and published in the official newspapers. There was no comments heard for or against prior to today's hearing and Even felt this proposal should not have any negative impacts to the surrounding farm operations. Allowing time for public input, adjacent owner Eric Legue voiced his concerns with the poor water quality in the area and how another residence nearby could affect the value of his property. Barb Greenlee replied to the water concerns asking if it was pump problems or aesthetics of the water. Unfortunately the minerals and odors of the water would be a private issue. The nearby pond was also discussed and how it has been empty for a few years. Another adjacent property owner, Doris Walker also had concerns with the privacy if another residence is nearby along with the dust control in the area. Supervisor Seeman reported with how dry it is, that dust is a concern everywhere. Hearing no other further comments, the public hearing was closed.

Bierschenk moved/Seeman seconded: To approve the land use change for Jennifer and Bryan Bearbower in part of the SE ¼ NE ¼ of 24-85-10. Voting aye were Primmer, Bierschenk and Seeman. Motion carried.

Bierschenk moved/Seeman seconded: To approve Sheriff's Quarterly Report ending June 30, 2023. Motion carried.

Bierschenk moved/Seeman seconded: To approve Resolution #23-51, Transfer of Funds for FY 24. Motion carried.
RESOLUTION #23-51

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 - \$265,000.00

The auditor is authorized to make the necessary adjustments to the FY24 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on July 11, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

Bierschenk moved/Seeman seconded: To approve Resolution #23-52, Interfund Operating Transfers for FY 24. Motion carried.

RESOLUTION #23-52

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 2023-2024 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, 2023, shall not exceed the amounts listed in the respective funds as follows:

FROM (Fund)	TO (Fund)	AMOUNT (max.)
General Basic	Secondary Road	\$ 270,000.00
Rural Services Basic	Secondary Road	\$ 3,100,00.00
General Basic	Land Acquisition	\$ 200,000.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2023-2024. 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 July 11, 2023.

Tracy Seeman, Chairman

Rick Primmer

Gary Bierschenk

ATTEST:

Hayley Rippel, Benton County Auditor

The Board looked at the County Handbook, and the Auditor's office needed some clarification on some recent revisions in personal paid holidays, particularly for all the new employees. The handbook that was posted on line from prior Human Resources Director had some revisions that weren't all approved by the Supervisors. Nancy Jorgensen, Deputy Auditor pointed out those areas and provided copies. The county employees last version that they were asked to sign was in 2019. The Board agreed to proceed using that version that employees signed off on and in particularly referencing for the 4th of July holiday pay which is affected in this next payroll.

Ben Turnis, IT Director was inquiring on a new county ID system. The state no longer issues them and there are two different suggestions to switch to. The one being the Salamandar system numerous counties are using statewide. No action was taken as they find out more on the costs and what will be our best option. Auditor Rippel reminded them that county credit card policy requires a county ID be shown when using them, so we can't wait too long.

Committee reports were had for Supervisor Seeman's conservation meeting, and Supervisor Primmer's Heartland Insurance Risk Pool. Topics included the funds raised for the Wildcat project along with upcoming training dates for all employees.

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

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor