

June 24, 2025

The Benton County Board of Supervisors met in regular session with Supervisors Seeman, Tippet and Volz present. Chairman Seeman called the meeting to order at 9:00 a.m. 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>. *Full Resolutions will be available in the Auditor's office and at: www.bentoncountyiowa.gov*

Tippet moved/Volz seconded: To approve the agenda. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To approve Resolution #25-48, Approving Final Plat for Re-Plat of Lot 14, Raue's Jomesa Estates to Benton County, Iowa. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-48

APPROVING FINAL PLAT FOR RE-PLAT OF LOT 14 RAUE JOMESA ESTATES TO BENTON COUNTY, IOWA

WHEREAS, a Re-Plat of Lot 14 in Raue Jomesa Estates 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:

Re-Plat of Lot 14, Raue Jomesa Estates, Benton County, Iowa all in Section Thirty (32), Township Eighty-Five (85) North, Range Nine (9), West of the 5th P.M.

Subject to restrictions, easements, covenants, ordinances, and limited access provisions of record and not of record.

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 Benton County Board of Supervisors find that the Final Plat of Re-Plat of Lot 14 in Raue Jomesa Estates Addition to Benton County, Iowa, would be advantageous to Benton County, Iowa, and

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that said Final Plat of Re-Plat of Lot 14 Raue Jomesa Estates to Benton County, Iowa, will be and the same hereby acknowledged, 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 Health Department.
3. Any new sewage treatment system will be constructed with the approval of the Benton County Health Department.
- 4.

BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that said board, on May 27, 2025, at the request of Scott Ford & Trisha Richart did grant a variance waiving the following items regarding the submission of the Final Plat for Re-Plat of Lot 14 Raue Jomesa Estates to Benton County, Iowa:

Article IV, Sections 4.01 through 4.05; Article V, Sections 5.04 through 5.07; Article VI, Sections 6.02 through 6.03 and 6.05(f); and Article VII, Section 7.01

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

Resolution passed and approved on this 24th day of June, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

Attest:

Hayley Rippel, Benton County Auditor

Tippet moved/Volz seconded: To approve the revised minutes from June 10, 2025 and June 17, 2025. Supervisor Tippet read his clarified motion for denying the land use change on June 10 as follows: To deny the request for the application for the land use change as the proposed new non-agricultural use is inconsistent with the purpose of Ordinance 24. The proposed use is an incompatible use that could materially alter the stability of the overall land use pattern in the area. The proposed use would have no doubt impact adjacent property owners, whether that impact be in property values, farming operations, or overall enjoyment of the land. I do believe that these gentlemen will be successful in marketing their property, but I don't believe that this project is a good project for Benton County. Volz adding, that based on what he's heard today, he didn't believe this would be the way to do it, and he seconded the motion Tippet, Seeman and Volz voting aye. Motion carried to approve both sets of minutes.

Volz moved/Tippet seconded: To approve payroll checks numbered 143794 through 143805, ACH Deposits 61539 through 61705, vendor checks 254119 through 254125, claims 254126 through 254298. Tippet, Seeman and Volz voting aye. Motion carried.

Volz moved/Tippet seconded: To approve paying the claim to 2NSystems, LLC in the amount of \$48,868.52 using ARPA funds. Tippet, Seeman and Volz voting aye. Motion carried.

Allison Hicks, Historic Preservation reported on the CLG Grant. Last week they received a stop order from the state because federal funding did not come through. She said the options are to put everything on hold or terminate their contract with the state. She added registrations are already coming in for the window restoration workshop. The contract was for \$1,230. The board was in favor terminating the contract, but wasn't on as an action item so will wait until next week.

Meredith Runge, from the Vinton Area Substance Abuse Council met with the board inquiring about using a room a few hours a week at the county's service center. Supervisor Chairman Tracy Seeman said it depends on where they want to be located. The board felt they could make this work.

Continued discussion on verbiage change to the MOU for the Mental Health Regional changes that will occur July 1st. The Board had made some changes to the MOU and would like the Regional Board to approve it before taking action. Julie Davidson explained that the regional board was meeting Thursday.

Tippet moved/Volz seconded: To table action on the MOU for Disability Access Point and transferring of assets until Friday, June 27, 2025 at 3:00 p.m. in the County Auditor's Office. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To acknowledge the resignation of Zackary Fiser in the Sheriff's Department effective June 28, 2025. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To re-appoint Mark Phippen as the County Attorney's appointee to the Civil Service Commission, term ending June 30, 2029. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To approve Resolution # 25-49, Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-49

WHEREAS, the Benton County Treasurer has reported that a mobile home have been deemed to have no value by the mobile home court pursuant to Iowa Code 555C.2B ; and

WHEREAS, there are currently tax liens filed against the properties and has determined that it is impractical to pursue collection of the total amount of tax due through the tax sale and the personal judgment remedies and has recommended that the board of supervisors abate the tax on these parcels;

IT IS THEREFORE RESOLVED that the delinquent tax, penalty, interest and costs assessed on parcel(s):

31737	\$1232.00
06L13320	\$ 313.00

is hereby abated pursuant to Iowa Code 445.16. The treasurer is directed to strike the amount due from the county system.

Dated this 24th day of June, 2025

Tracy Seeman, Chairman

Ronald Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippet moved/Volz seconded: To approve Resolution #25-50, Transfer of Funds For FY 26. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-50

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 in the amount of \$390,000.00

County Attorney Collections Incentive Fund to General Basic in the amount of \$7,500.00

The auditor is authorized to make the necessary adjustments to the FY26 budget.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 24, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

ATTEST:

Bruce Volz

Hayley Rippel, Benton County Auditor

Tippett moved/Volz seconded: To approve Resolution #25-51, Interfund Operating Transfers for FY 26. Tippett, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-51

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 2025-2026 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, 2025, shall not exceed the amounts listed in the respective funds as follows:

<u>FROM (Fund)</u>	<u>TO (Fund)</u>	<u>AMOUNT (max.)</u>
General Basic	Secondary Road	\$ 285,750.00
Rural Services Basic	Secondary Road	\$ 3,288,400.00
General Basic	Conservation Land Acquisition	\$ \$100,000.00

Section 2. The auditor shall order a transfer each quarter of fiscal year 2025-2026. 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 June 24, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippet moved/Volz seconded: To approve Resolution #25-52, FY 26 Appropriations. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION # 25-52
APPROPRIATIONS

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2025, in accordance with Section 331.434, Subsection 6, Code of Iowa,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BENTON COUNTY, IOWA, as follows:

Section 1. The amounts as shown, published, and approved in the County Budget for fiscal 2025/2026 on April 29, 2025, be and are itemized by service area to each department on the budgets filed in the office of the county auditor on July 1, 2025 are hereby appropriated. Federal and State grants and/or reimbursements expendable during the fiscal year are hereby appropriated to the designated departments or offices. For purposes of this resolution all departments relating to elections are considered one department. Further, the auditor is authorized to expend funds from the following budgets: Auditor, Elections, District Court, General Services, Non-departmental, GIS, Medical Examiner, Human Resources, and other budgets not under the specific authority of an elected official or full-time county official to ensure the day-to-day operations of the county.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations, effective July 1, 2025.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract, which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 2025-2026 budget year the auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately so inform the Board of Supervisors and recommend appropriate corrective action.

Section 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The auditor shall report the status of such accounts to the applicable departments and officers at least quarterly during the 2025-2026 budget year.

Section 6. Tax Increment payments, which are subject to annual appropriation are authorized.

Section 7. All appropriations authorized pursuant to this resolution lapse at the end of the business day on June 24, 2025, for payment of goods and services received and/or performed as of that date. The board reserves the right to waive this date at its sole discretion for specific payments for the provision of goods and services that it deems should be paid within said fiscal year.

Section 8. Departmental appropriations remain in full force and effect through June 30, 2026, for payroll expenses occurring after the date stated in Section 7, for the final processing of expenses submitted on or before June 17, 2026, and for any expenses approved by the Board of Supervisors subsequent to June 24, 2025. All appropriations will lapse at the close of business June 30, 2026.

The Board of Supervisors of Benton County, Iowa, adopted the above and foregoing resolution on June 23, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

	<u>Department</u>	<u>FY 26 Adopted Budget</u>	<u>FY 26 Appropriations</u>
1	Board of Supervisors	\$325,148.65	\$325,148.65
2	Auditor	\$369,727.59	\$369,727.59
3	Treasurer	\$838,411.11	\$838,411.11
4	Attorney	\$1,089,998.98	\$1,089,998.98
5	Sheriff	\$6,273,578.42	\$6,273,578.42
7	Recorder	\$358,991.00	\$358,991.00
9	Rural Addressing	\$7,500.00	\$7,500.00
10	Sanitarian	\$440,520.34	\$440,520.34
13	Transportation	\$732,468.61	\$732,468.61
14	GIS	\$158,700.00	\$158,700.00

15	Pioneer Cemetery	\$6,300.00	\$6,300.00
16	HUB	\$2,760.00	\$2,760.00
19	Relief	\$45,089.32	\$45,089.32
20	Secondary Roads	\$16,921,065.00	\$16,921,065.00
21	Veteran Affairs	\$116,928.69	\$116,928.69
22	Conservation	\$1,907,521.00	\$1,907,521.00
23	Public Health	\$304,022.89	\$304,022.89
24	Weed Commissioner	\$700,972.16	\$700,972.16
25	DHS	\$43,560.00	\$43,560.00
28	Medical Examiner	\$97,200.00	\$97,200.00
31	District Court	\$47,500.00	\$47,500.00
33	County Library	\$82,110.00	\$82,110.00
35	Historic Preservation	\$19,035.00	\$19,035.00
42	Federal Forfeiture	\$20,000.00	\$20,000.00
43	State Forfeiture	\$7,000.00	\$7,000.00
49	Elections	\$256,919.64	\$256,919.64
50	Personnel	\$67,150.52	\$67,150.52
51	General Services- Maintenance	\$563,169.03	\$563,169.03
52	Information Technology	\$866,602.89	\$866,602.89
54	Sanitary Disposal	\$307,500.00	\$307,500.00
55	Debt Service	\$810,950.00	\$810,950.00
60	Mental Health	\$191,318.74	\$191,318.74
61	Juvenile Probation	\$169,100.00	\$169,100.00
71	Fairgrounds	\$23,750.00	\$23,750.00
73	Primary Elections	\$40,200.00	\$40,200.00
74	City/School Elections	\$36,700.00	\$36,700.00
76	Special County Elections	\$36,300.00	\$36,300.00
77	Special City Elections	\$6,950.00	\$6,950.00
78	Special School Elections	\$11,600.00	\$11,600.00
81	Operating Transfers	\$4,170,930.00	\$4,170,930.00

99	Non-Departmental	\$2,832,878.00	\$2,832,878.00
TOTAL		\$41,308,127.58	\$41,308,127.58

Volz moved/Tippett seconded: To approve Resolution #25-53, Bank Depositories and limits. Tippett, Seeman and Volz voting aye. Motion carried.

Resolution #25-53

Bank Depositories

BE IT RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following named banks to be depositories for the County funds in amounts not to exceed the amount named opposite said designated depository, and the County Treasurer is hereby authorized to deposit said county funds in amounts not to exceed the maximum approved for each respective bank as follows for fiscal year 2026.

Farmers Savings Bank & Trust

Vinton/Traer \$ 20,000,000

Chelsea Savings Bank

Belle Plaine \$ 5,000,000

Chelsea Savings Bank

Van Horne \$ 5,000,000

Benton County State Bank

Blairstown \$ 4,000,000

Bank Iowa

Norway \$ 2,000,000

Watkins Savings Bank

Watkins \$ 1,000,000

Cedar Valley Bank & Trust

La Porte City/Vinton \$ 13,000,000

Central State Bank

Walford \$ 2,000,000

Atkins Savings Bank & Trust

Atkins \$ 1,000,000

Keystone Savings Bank

Keystone \$ 3,000,000

First Federal Credit Union

Urbana

\$ 2,000,000

Signed this 24th day of June, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippet moved/Volz seconded: To approve Resolution #25-54, FY26 County Official Bank Depository Limits. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-54

COUNTY OFFICIAL BANK DEPOSITORY LIMITS

IT IS HEREBY RESOLVED by the Benton County Board of Supervisors that we do hereby designate the following named banks to be depositories for County funds in amounts not to exceed the amount named opposite said depository and the following named county officers are hereby authorized to deposit said County funds in amounts not to exceed the maximum amount named after said bank as follows for fiscal year 2026:

Lexa Speidel, Recorder

Cedar Valley Bank and Trust	\$150,000
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David Upah, Sheriff

Farmers Savings Bank & Trust – Vinton	\$ 500,000
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David Upah, Sheriff

US Bank	\$ 1,000
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Mark Erickson, Transportation Dept.

Midwest One Bank	\$ 2,500
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Signed this 24th day of June, 2025

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Derek Marsh, Assistant County Attorney explained the need for an outside prosecutor for a variance request in regards to the Vicious Animal Ordinance #37. There was members of the public also asking about the process and how it will work.

Volz moved/Tippet seconded: To set the following public hearing dates for Ordinance #80, Amending Ordinance #37, Vicious Animal Ordinance: July 15, 2025 at 10:00 a.m. 1st reading, July 22, 2025 at 10:00 a.m. 2nd reading and July 29, 2025 at 10:00 a.m. for the 3rd reading. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To approve Resolution #25-55, Appoint Prosecutor to represent Benton County for a variance request to Ordinance 37. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-55

APPOINT PROSECUTOR ON REQUEST FOR VARIANCE

WHEREAS, Benton County Ordinance 37.19 provides that the Board of Supervisors to sit before a request for variance regarding the disposition of a dangerous or vicious animals and,

WHEREAS, the Benton County Attorney's Office cannot ethically sit as legal counsel and request Victoria Cole be appointed as special prosecutor to sit opposition to this request for variance and,

NOW THEREFORE BE IT RESOLVED by the Benton County Board of Supervisors that the request for variance hearing shall be set on Tuesday, July 1st, 2025, in the District Court Room within the Benton County Courthouse at 1:30 pm; and

IT IS FURTHER RESOLVED that Victoria Cole be appointed special prosecutor for this matter at a rate to be negotiated between Ms. Cole and the Benton County Attorney's Office;

Signed this 24th day of June, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippett moved/Volz seconded: To set a hearing date of Tuesday, July 1, 2025 at 1:00 p.m. for an appeal to citation #25-004621. It will be held in the 3rd floor courtroom at the courthouse. Tippett, Seeman and Volz voting aye. Motion carried.

Tippett moved/Volz seconded: To adjourn meeting at 11:00 a.m. Tippett, Seeman and Volz voting aye. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor