

August 26, 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 amend motion to approve agenda and add parcel #030-15410 to agenda item #12 for abatement of taxes. Tippet, Seeman and Volz voting aye. Motion carried.

Volz moved/ Tippet seconded: To approve minutes from August 19, 2025. All members voting aye. Motion carried.

Volz moved/ Tippet seconded: To set land use hearing date for Jearid Merchant in part of the SW ¼ of NE ¼ of Section 30-85-9, for Tuesday September 23, 2025 at 9:15 a.m. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To approve payroll checks numbered 143855 through 143864, ACH Deposits 62366- through 62531, claims 254760 through 254891, vendor checks 254892 through 254900. Tippet, Seeman and Volz voting aye. Motion carried.

Volz moved/Tippet seconded: To approve Special Class C Retail Alcohol License for Blairstown Sauerkraut Days for August 27-31, 2025. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To approve Resolution #25-70, Applying for FY 26 Living Roadway Trust Funds (LRTF). Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-70

WHEREAS, the Benton County IRM Department has applied for Fiscal Year (FY) 2026 Living Roadway Trust Funds for a spray truck system, and

WHEREAS, this equipment will make the local IRVM program more effective, and

WHEREAS, the IDOT has approved for funding up to \$15,000 for the application submitted, and

WHEREAS, the IDOT has prepared a project development agreement,

BE IT THEREFORE RESOLVED by the Benton County Board of Supervisors that this project development agreement be approved, and

BE IT FURTHER RESOLVED by the Benton County Board of Supervisors that County Roadside Manager, Eric Schares be authorized to sign and execute this project development agreement.

Signed this 26th day of August, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippett moved/Volz seconded: To approve the revised contract with the ABBE Center to lease additional office space from the Benton County Service Center. This lease is for two years, beginning September 1, 2025 through August 31, 2027 \$850/month per suite for a total of \$1,700 a month. Tippett, Seeman and Volz voting aye. Motion carried.

The Board of Health recently had a meeting and drafted a job description and job posting to fill the position for Environmental Health and Land Use Administrator.

Tippett moved/Volz seconded: To approve the job description and job posting for the position for Environmental Health and Land Use Administrator and direct the Auditor to post on the official newspapers, Des Moines Register along with some on line platforms and have the position posted until September 15, 2025. Tippett, Seeman and Volz voted aye. Motion carried.

Tippett moved/Volz seconded: To acknowledge the voluntary annexation for City of Walford filed with the county. All members voting aye. Motion carried.

Tippett moved/Volz seconded: To approve Resolution #25-71, Abatement of Taxes pursuant to Iowa Code 445.63. Tippett, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-71

WHEREAS, The County of Benton, City of Atkins, City of Urbana, Belle Plaine Schools have all acquired property for public purposes and were given the appropriate notice of the taxes due; and

WHEREAS, Iowa Code 445.63 provides that the board of supervisors shall abate the tax if the governing body fails to immediately pay the tax,

IT IS THEREFORE RESOLVED that the 2024 tax assessed against parcels listed below as follows are hereby abated in the amounts listed pursuant to Iowa Code 445.63: the treasurer is directed to strike the amount listed due from the county system.

<u>Parcel #</u>	<u>Taxes plus interest and costs Due:</u>
350-13951 (Benton Co)	\$4.00
270-04580 (Benton Co)	\$2.00
440-10640 (Benton Co)	\$18.00
550-01651 (Benton Co)	\$4.00
550-01301 (Benton Co)	\$4.00
840-02110 (Benton Co)	\$4.00
840-03410 (Benton Co)	\$6.00
010-32850 (City of Atkins)	\$36.00
010-32630 (City of Atkins)	\$822.00
210-17730 (City of Urbana)	\$138.00
030-15410 (Belle Plaine Schools)	\$1,680.00

Dated 26th day of August, 2025

Tracy Seeman, Chairman

Ronald Tippett

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Volz moved/Tippett seconded: To award bid to Taylor Construction, Inc. in the amount of \$523,671.02 for Bridge Replacement Project BROS-CO06(125)-8J-06 on 69th Street in Fremont Township. Tippett, Seeman and Volz voting aye. Motion carried.

Tippett moved/Volz seconded: To approve Resolution #25-72, Designating the County Engineer to execute contract for Project BROS-CO06(125)-8J-06. All members voting aye. Motion carried.

RESOLUTION #25- 72

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the BROS-C006(125)- -8J-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 Bridge Replacement-CCS on 69th St., over Little Bear 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 Taylor Construction Inc. in the amount of \$523,671.02 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 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 August, 2025.

Tracy Seeman, Chairman

Ronald Tippett

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Volz moved/Tippett seconded: To award bid to Iowa Bridge & Culvert, LC in the amount of \$312,845.15 for the RCB Culvert Replacement Project BROS-CO06(120)—8J-06 on 52nd Street in Polk Township. Tippett, Seeman and Volz voting aye. Motion carried.

Tippett moved/Volz seconded: To approve Resolution #25-73, Designating the County Engineer to execute contract for Project BROS-CO06(120)—8J-06. All members voting aye. Motion carried.

RESOLUTION #25- 73

WHEREAS, the Benton County Board of Supervisors, hereafter referred to as “the Board”, believes the BROS-C006(129)- -8J-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 Replacement-Twin Box on 52nd St over 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 \$312,845.15 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 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 August, 2025.

Tracy Seeman, Chairman

Ronald Tippett

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Volz moved/Tippett seconded: To approve the petition, contract and waiver for sealcoat improvement project along 32nd Ave., 74th and 75th Street. The total project cost is estimated at \$855,000 with estimated cost sharing not to exceed what is listed. Tippett, Seeman and Volz voting aye. Motion carried.

PETITION, CONTRACT AND WAIVER

THIS AGREEMENT is made and entered into by and between Benton County, Iowa (hereinafter referred to as the "County"), and the undersigned property owners (hereinafter referred to as the "Property Owners").

WHEREAS, the Property Owners are respectively the owners of the tracts of real estate set opposite their names; and

WHEREAS, the Property Owners desire that the public improvements described as macadam base/sealcoat improvements to portions of the secondary road along 32nd Avenue, from 75th Street north 1.5 miles, and 74th Street, from 32nd Avenue west 3000 feet, and 75th Street, from 32nd Avenue west 950 feet (hereinafter referred to as the "Project") be accomplished; and

WHEREAS, such construction will specifically benefit the respective property of the Property Owners; and

WHEREAS, the County has the power to accomplish the Project and assess a portion of the cost thereof to the Property Owners pursuant to Sections 331.485 and 331.486 of the Code of Iowa, by using the procedures set out in Chapter 384, Division IV of the Code of Iowa; and

WHEREAS, the total estimated cost of the project is \$855,000 and

WHEREAS, the County proposes to pay half of the cost of the project and to assess one-half of the cost to the Property Owners, with that one-half to be divided equally among the Property Owners and assessed in equal amounts, presently estimated to be \$9,817.07 each (exceptions noted).

NOW, THEREFORE, IT IS AGREED AMONG THE PARTIES HERETO AS FOLLOWS:

The Property Owners and the County, by execution of this Agreement, agree and intend that this Agreement shall constitute a written contract and petition as required by Section 384.41 of the Code of Iowa, for the initiation of a plan for a public improvement to be paid in whole or in part by special assessments to be levied against the below listed properties of the Property Owners.

FURTHER, the County, by execution of this Agreement, agrees to proceed as soon as practicable, to take any and all action required by Chapters 331 and 384 of the Code of Iowa, or any and all other actions required by law to be taken in order to complete the Project.

FURTHER, each of the Property Owners, by execution of this Agreement:

Waives notice to property owners by publication and mailing as provided by Section 384.50 of the Code of Iowa (relating to notice of hearing at which the owners of property to be assessed or other interested parties may appear and be heard for or against the making of the improvement, the boundaries of the district, the cost, the assessment against any lot, or the final adoption of the resolution of necessity).

Waives the right to a hearing on the proposed resolution of necessity as provided for in Section 384.51 of the Code of Iowa.

Consents to the adoption of a preliminary resolution, a plat, schedule and cost estimate, and resolution of necessity by the County for the Project.

Waives any objections to the Project, the boundaries of the district, the costs of the Project, the assessment against any lot, or the final adoption of the resolution of necessity.

Agrees that the amount and proportion of the cost of the construction of the Project, as ascertained and determined by the Board of Supervisors of the County and set forth in the Final Schedule of

Assessments to be prepared following completion of the construction of the Project and to be paid by the Property Owners, shall constitute assessments against the respective properties listed below.

Waives the notice to property owners by publication and mailing as provided by Section 384.60 of the Code of Iowa (relating to notice of certification to County Treasurer of final schedule of assessments).

Agrees that said assessments shall be paid by the undersigned Property Owners either in cash without interest within 30 days after the Board of Supervisors has levied the assessments, or in not more than seven equal annual installments of principal plus accrued interest at the rate of 3% per annum.

Agrees that this Agreement shall inure to the benefit of and be binding upon the successors and assigns of the Property Owners.

DATED as of the 26th day of August, 2025.

BENTON COUNTY, IOWA

By _____
Tracy Seeman-Chairperson, Board of
Supervisors

Attest:

Hayley Rippel, Benton County Auditor

SIGNATURES OF PROPERTY OWNERS

DESCRIPTION OF PROPERTY

Sheyenne M McNulty – 3151 74th St, Atkins

Parcel ID 56000680

Haley A McNulty

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Kara Mitchell – 3133 74th St, Atkins

Parcel ID 56000560

Travis Mitchell

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Timothy C Hagie – 3161 74th St, Atkins

Parcel ID 56000530

Anne L Fisher-Hagie

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Douglas K Westfall – 3153 74th St, Atkins

Parcel ID 56000540

Stacy J Westfall

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Gary F Schlotterbeck – 3147 74th St, Atkins

Parcel ID 56000660

Becky S Schlotterbeck

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Douglas J Martin – 3139 74th St, Atkins

Parcel ID 56000640

Doreen F Martin

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Craig Smith – 3141 74th St, Atkins

Parcel ID 56000720

Jodi L Smith

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Erin D Koenig – 3143 74th St, Atkins

Parcel ID 56000710

Christopher D Koenig

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Charles A Popeck – 3137 74th St, Atkins

Parcel ID 56000630

Deanne K Jones-Popeck

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Wayne A Schmidt – 3149 74th St, Atkins

Parcel ID 56000670

Janet M Schmidt

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Nathan Pickart – 3175 74th St, Atkins

Parcel ID 56000251

Jennah Pickart

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Brandon C Thompson – 3145 74th St, Atkins

Parcel ID 56000690

Sarah M Thompson

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Michael S Kies – 3135 74th St, Atkins

Parcel ID 56000620

Tamara A Kies

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Andre M Gallet – 3169 74th St, Atkins

Parcel ID 56000520

Lisa T Gallet

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Marcel Sebetka – 3181 75th St, Atkins

Susanne Sebetka

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Victor Sebetka Trust – 3229 75th St, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Robert L Harris – 3194 75th St Dr, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Jamie L Townsley – 3196 75th St, Atkins

Robert S Townsley

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Gary G Hayden – 3197 75th St, Atkins

Paula L Hayden

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Joseph E Wright – 3198 75th St, Atkins

Nicole M Wright

Proposed Assessment: \$9,817.07

DESCRIPTION OF PROPERTY

Parcel ID 51026750

DESCRIPTION OF PROPERTY

Parcel ID 51027150

DESCRIPTION OF PROPERTY

Parcel ID 51034350

DESCRIPTION OF PROPERTY

Parcel ID 51032850

DESCRIPTION OF PROPERTY

Parcel ID 51032950

DESCRIPTION OF PROPERTY

Parcel ID 51032900

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Highland View Farms LLC/Stephen J Krug – 7352 32nd Av, Atkins

Parcel ID 54011200

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Sarah J Fischer – 3200 75th St, Atkins

Parcel ID 51016500

Weston L Krug

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Rik A Haendler – 3202 75th St, Atkins

Parcel ID 51033000

Brenda S Haendler

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Adam J Tremmel – 3204 75th St, Atkins

Parcel ID 51033050

Brianne M Tremmel

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Cory Havill – 3205 75th St, Atkins

Parcel ID 51033910

Stacie Havill

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

William George – 3206 75th St, Atkins

Parcel ID 51033750

Angela George

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Phillip A Reges – 3207 75th St, Atkins

Samantha E Reges

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Debbie S Foster – 3208 75th St, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Eric O Greve – 3209 75th St, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Rebecca A Johnson – 3210 75th St, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

David L Cline – 3211 75th St, Atkins

Patricia A Stigers

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Matthew W Petrzela – 3212 75th St, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Mark A DeRycke – 3213 75th St, Atkins

Valerie A DeRycke

Proposed Assessment: \$9,817.07

DESCRIPTION OF PROPERTY

Parcel ID 51033100

DESCRIPTION OF PROPERTY

Parcel ID 51033900

DESCRIPTION OF PROPERTY

Parcel ID 51033150

DESCRIPTION OF PROPERTY

Parcel ID 51027350

DESCRIPTION OF PROPERTY

Parcel ID 51033200

DESCRIPTION OF PROPERTY

Parcel ID 51033700

DESCRIPTION OF PROPERTY

Parcel ID 51033250

SIGNATURE OF PROPERTY OWNER

Thomas D Cahalan – 3214 75th St, Atkins

Susan I Cahalan

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Terry J Porter – 3216 75th St, Atkins

Mary J Porter

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Allan D Bridge – 3218 75th St, Atkins

Shirley S Bridge

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Eric V Stark – 3219 75th St, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Michael D Hessenius – 3220 75th St, Atkins

Sally C Hessenius

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

Leona A Hall – 3222 75th St, Atkins

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Parcel ID 51033650

DESCRIPTION OF PROPERTY

Parcel ID 51033600

DESCRIPTION OF PROPERTY

Parcel ID 51033550

DESCRIPTION OF PROPERTY

Parcel ID 51033400

DESCRIPTION OF PROPERTY

Parcel ID 51033500

DESCRIPTION OF PROPERTY

Parcel ID 51033925

DESCRIPTION OF PROPERTY

Dennis P Choate – 3195 75th St, Atkins

Parcel ID 51032800

Cheryl L Choate

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Russell D Marcus – 7519 32nd Av, Atkins

Parcel ID 51009600

Kimberly M Marcus

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Lori A Paulsen Rev Trust – 1305 Pheasant Valley St, Iowa City

Parcel ID 51012250

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Sheri McKechnie – 208 Turner St, Watkins

Parcel ID 51000251

Proposed Assessment: \$4,908.54

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Sheri McKechnie – 208 Turner St, Watkins

Parcel ID 54014110

Proposed Assessment: \$4,908.54

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Bradley A Mihm – 3184 75th St, Atkins

Parcel ID 51000001

Amy L Mihm

Proposed Assessment: \$9,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Dennis P Choate – 3193 75th St, Atkins

Parcel ID 51032750

Cheryl L Choate

Proposed Assessment: \$11,817.07

SIGNATURE OF PROPERTY OWNER

DESCRIPTION OF PROPERTY

Matthew W Petrzelka – 3192 75th St, Atkins

Parcel ID 51037850

Proposed Assessment: \$11,817.07

Committee reports from Supervisor Volz about the historic preservation , and Supervisor Seeman reported on landfill commission meeting, the liner is being placed in the new lagoon.

Seeman moved/ Volz seconded: To adjourn meeting at 10:25 a.m. Tippet, Seeman and Volz voting aye. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor