

September 23, 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.bentoncountya.gov*

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

Volz moved/ Tippet seconded: To approve minutes from September 15, 2025 and September 16, 2025. All members voting aye. Motion carried.

Tippet moved/Volz seconded: To approve payroll checks numbered 143873 through 143884, ACH Deposits 62695 through 62854, claims 255036 through 255154, and payroll vendor checks 255155 through 255163. Tippet, Seeman and Volz voting aye. Motion carried.

Tippet moved/Volz seconded: To approve paying \$20,000 out of the ARPA fund for 2NSystems, LLC for part of a new IT server. Tippet, Seeman and Volz voting aye. Motion carried.

Larry Hlas, Representing Van Horne Benefitted Fire met with the Board to get pre-approved for Local Option Sales and Service Tax (LOSST) 10% gift matches. The department is looking for around \$35,000 in total for some new fire gear that is lighter weight and better to help battle grass fires and vehicle extractions. The other purchase is a new fire truck, rough estimate of \$500,000. Hlas understands they need to have full invoices of the purchase prices and will present to the Auditor before the Board can take formal action on the Resolutions. The Board unanimously were in favor for these purchases.

The Board discussed room space for the Area Substance Abuse Council (ASAC) in the Benton County Service Center. Supervisor Seeman explained how they were looking for two small rooms and a conference room. The only thing accommodating would be the old Human Resources office space. No action was taken. ASAC will visit the board at a later date with their long-range plans.

Volz moved/Tippet seconded: To approve Resolution #25-76, Temporary road closure due to construction. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-76

BE IT RESOLVED by the Benton County Board of Supervisors that the following described Secondary Road be closed for CONSTRUCTION effective from September 29, 2025, through the completion of the project.

From 29th Avenue thence easterly 1.0 mile to 30th Avenue along 69th Street in Fremont Township.

Signed this 23rd day of September, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippett moved/Volz seconded: To set land use hearing date of Tuesday, October 21, 2025 at 9:15 a.m. for Scott Schulte for a part of the SE ¼ of SW ¼ of 17-82-9. Tippett, Seeman and Volz voting aye. Motion carried.

Tippett moved/Volz seconded: To approve hiring Christine DeVore for a part-time driver for Transportation at an hourly rate of \$16.52 effective September 29, 2025 pending pre-employment drug screen. Tippett, Seeman and Volz voting aye. Motion carried.

Volz moved/Tippett seconded: To approve and authorize signature on 28E for liability agreement with the various counties participating in the East Central Iowa Workforce Development Group. Tippett, Seeman and Volz voting aye. Motion carried.

The time of 9:15 a.m. having arrived, and this being the time and date set for a land use hearing for Jearid Merchant in part of the SW ¼ of the NE ¼ Section 30-85-9. Jearid Merchant was present. Matt Even presented the technical information with the Benton County Agricultural Land Use Preservation Ordinance. Merchant would like to change the use of approximately one acre to allow for a single family dwelling. This site has a CSR of 20, and has not been used for ag production. Access to the property will continue via an existing easement from John and Melea Merchant. For the driveway to be compliant, a 72" culvert will be required with dirt added to the backslope. This site will require a new septic system and private water well. Surrounding area is timber with a few other single family dwellings to the south and east. Five notices were sent out and there have been no comments in regards. This site is not expected to negatively impact nearby agricultural operations. Hearing no other further comments, the public hearing was closed.

Tippett moved/Volz seconded: To approve the land use change for Jearid Merchant in part of the SW ¼ of the NE ¼ Section 30-85-9. Tippett, Seeman and Volz voting aye. Motion carried.

Derek Marsh, Assistant County Attorney met with the board regarding future sales of conservation properties. Marsh also addressed the need for an open records policy for the County. Marsh stressed the importance of tracking the requests processes with all departments and stressed that is should be uniformly and all be treated the same.

Tippett moved/Volz seconded: To approve Resolution #25-77, Proposal for Conservation's Animal Shelter Property. Tippett, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-77

PROPOSAL IN RE: ANIMAL SHELTER PROERTY

WHEREAS, pursuant to Iowa Code Section 350.4(2), on or about August 11, 2025, the Benton County Conservation Board passed a resolution where the property referred to as the Animal Shelter Property was determined as an unsuitable property for Conservation purposes; and

WHEREAS, the Animal Shelter Property is located within Benton County, Iowa, with the following legal description,

One acre in the Southeast corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), all in the West Half (W½) of the Southeast Quarter (SE¼) of Section Twenty-Two (22), Township Eighty-Five (85) North, Range Ten (10) West of the 5th P.M.,

and WHEREAS, pursuant to Iowa Code Section 331.361(2), the Board of Supervisors proposes to sell the Animal Shelter Property; and

WHEREAS, a public hearing will be set at 12:30 P.M. on Tuesday, October 14, 2025 at the Benton County Service Center in accordance with Iowa Code Section 331.305 as required under Iowa Code Section 331.361(2)(a).

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors hereby proposes the sale of the property known as the Animal Shelter Property and will hold a public hearing regarding this proposal at 12:30 P.M. on Tuesday, October 14, 2025 at the Benton County Service Center.

Signed this 23rd day of September, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippet moved/Volz seconded: To approve Resolution #25-78, Proposal for Conservation's property referred to as the Cherveny Wildlife Area. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-78

PROPOSAL IN RE: CHERVENY WILDLIFE AREA

WHEREAS, pursuant to Iowa Code Section 350.4(2), on or about August 11, 2025, the Benton County Conservation Board passed a resolution where the property referred to as the Cherveny Wildlife Area was determined as an unsuitable property for Conservation purposes; and

WHEREAS, the Cherveny Wildlife Area is located within Benton County, Iowa, with the following legal description,

All of Chicago Milwaukee Corporation's (the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company) 100 foot wide and extra width right of way located in the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) and the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) lying westerly of the West line of County Road Highway V56 of Section Sixteen (16), Township Eighty-three (83) North, Range Eleven (11) West, containing 7.15 acres, more or less,

and WHEREAS, pursuant to Iowa Code Section 331.361(2), the Board of Supervisors proposes to sell the Cherveny Wildlife Area; and

WHEREAS, a public hearing will be set at 12:45 p.m. on Tuesday, October 14, 2025 at the Benton County Service Center in accordance with Iowa Code Section 331.305 as required under Iowa Code Section 331.361(2)(a).

NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Supervisors hereby proposes the sale of the property known as the Cherveny Wildlife Area and will hold a public hearing regarding this proposal at 12:45 p.m. on Tuesday, October 14, 2025 at the Benton County Service Center.

Signed this 23rd day of September, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippet moved/Volz seconded: To approve Resolution #25-79, Establishing a Benton County Open Records Policy. Tippet, Seeman and Volz voting aye. Motion carried.

RESOLUTION #25-79

ADOPTING BENTON COUNTY OPEN RECORDS POLICY

WHEREAS, Iowa Open Records laws are regulated under Chapter 22 of the Iowa Code and are designated to ensure the public's right to access public records at all levels of government.

WHEREAS, to adopt a policy that establishes protocols and procedures when a member of the public makes an open records request would provide clarity, uniformity, and documentation within the structure of our county government.

NOW, THEREFORE, BE IT RESOLVED, the Benton County Board of Supervisors do hereby adopt the Benton County Open Records Policy.

Signed this 23rd day of September, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Tippet moved/Volz seconded: To approve Resolution #25-80, Central Iowa Juvenile Detention Center Compromise Agreement. All members voting aye. Motion carried.

Resolution#25-80

Central Iowa Juvenile Detention Center Compromise Agreement

WHEREAS Benton County is a stakeholder in the Central Iowa Juvenile Detention Center (hereinafter CIJDC), and

WHEREAS the CIJDC is the Respondent in Hardin County Case No. CVCV102247, whereby Hardin County calls into question the validity of prior 28E agreements, and

WHEREAS the outcome of that litigation is uncertain, and Benton County has an interest in the outcome of that litigation, and

WHEREAS the CIJDC Commission has voted 22-5 to approve the attached compromise settlement agreement resolving the litigation, and

WHEREAS the compromise settlement agreement is a compromise between Hardin County and the CIJDC that acknowledges the membership of counties joining the CIJDC through 2012 and also allows the remaining counties to maintain certain benefits that the litigation does not otherwise guarantee, while also allowing the counties joining through 2012 to adopt a new 28E agreement and even vote to allow the remaining counties to regain full membership in the CIJDC, and

WHEREAS the Parties will file with the Court a consent decree memorializing the full terms and conditions of the Parties' compromise settlement agreement following approval of the compromise settlement by a majority of the member counties.

THEREFORE, the Benton County Board of Supervisors hereby approve and adopt the attached compromise agreement, and authorize the CIJDC to execute and present to the court a consent decree consistent with the attached compromise settlement.

Signed this 23rd day of September, 2025.

Tracy Seeman, Chairman

Ronald J. Tippet

Bruce Volz

ATTEST:

Hayley Rippel, Benton County Auditor

Supervisor Reports:

Ron Tippet reported on his recent trou of HACAP and how they put together weekend lunches for those students who qualify. He said this is one of those great resources that the county gets great benefits from helping fund.

Bruce Volz had an East Central Iowa Workforce Development Board meeting. He reported that those who asking for assistance now have to provide proof of U.S. Citizenship.

Tracy Seeman had a county safety meeting. They are currently working on getting a policy for safety glass and shoes and setting limits for reimbursement amounts. Seeman also reported that the landfill lagoon is now 99 percent done and the DNR approved a chain link fence to go around it.

Tippet moved/Volz seconded: To enter recess at 10:12 a.m. All members voting aye. Motion carried.

Tippet moved/Volz seconded: To reconvene the meeting at 11:28 a.m. Tippet, Seeman and Volz voting aye. Motion carried.

Tippett moved/Volz seconded: To enter closed session at 11:30 a.m. pursuant to Iowa Code section 21.5(1)(a.): to review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body's possession or continued receipt of federal funds.

Tippett Moved/Volz seconded: To exit closed session at 12:22 p.m. Tippett, Seeman and Volz voting aye. Motion carried.

Tippett moved/Volz seconded: To adjourn meeting at 12:23 p.m. Volz, Seeman and Tippett voting aye. Motion carried.

Tracy Seeman, Chairman

ATTEST: _____

Hayley Rippel, Benton County Auditor