

**BOARD OF SUPERVISORS**

District 1 | **Stacey Walker**  
District 2 | **Ben Rogers**  
District 3 | **Louis J. Zumbach**

**JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER**

935 2ND ST. SW  
CEDAR RAPIDS, IA 52404  
PH: 319-892-5000 | FAX: 319-892-5009  
LinnCounty.org



**LINN COUNTY BOARD OF SUPERVISORS  
MEETING AGENDA**

Wednesday, November 24, 2021  
11 a.m.

Formal Board Room—Jean Oxley Public Service Center  
935 2nd St. SW, Cedar Rapids, IA

**Call to Order**

**Pledge of Allegiance**

**Public Comment: Five Minute Limit per Speaker**

This comment period is for the public to address topics on today's agenda.

**Consent Agenda**

Items listed on the consent agenda are routine and will be considered by one motion without individual discussion unless the Board removes an item for separate consideration.

Approve extension of the Board of Supervisors policy FM-038, Investment Policy.

**Reports**

**Resolutions**

Resolution to approve a 2-lot final plat to be named Mosbeck First Addition, case JF21-0017.

Resolution to approve a final plat to be named Nowak First Addition, case JF21-0015.

**Contract and Agreements**

Approve purchase order #PO196 to purchase a hydraulic hammer attachment in the amount of \$6,237.50 for the Secondary Road Department.

Approve purchase order #PO197 to purchase two 2022 Ford Transit LXT vans in the amount of \$81,262.00 for Options.

Approve purchase order #PO210 to purchase 4 Zbooks lapbooks from HP Inc in the amount of \$8,768.00 for the Engineers Office.

**Licenses & Permits**

**Regular Agenda**

**Discuss and Decide on Consent Agenda**

**Minutes**

Discuss and decide on meeting minutes.

**Claims**

Discuss and decide on claims.

Discuss and decide on the Linn County Sustainability + Resiliency Advisory Committee rules and operating procedures.

**Public Comment: Five Minute Limit per Speaker**

This is an opportunity for the public to address the board on any subject pertaining to board business.

**Payroll Authorizations**

Discuss and decide on Employment Change Roster (payroll authorizations).

**Board Member Reports****Correspondence****Appointments****Adjournment**

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at [bd-supervisors@linncountyiowa.gov](mailto:bd-supervisors@linncountyiowa.gov).



# Board of Supervisors Linn County, Iowa

<b>Policy Title:</b> Investment Policy			
<b>Document Owner:</b> Finance & Budget Department		<b>Document Number:</b> FM-038	
<b>Approval Date:</b> 3/14/2018	<b>Effective Date:</b> 3/14/2018	<b>Last Revision Date:</b> 8/28/2019	<b>Expiration Date:</b> Until repealed
<b>Distribution:</b> Intranet		<b>Responsible Party:</b> Finance & Budget Department / Investment Committee	

## I. PURPOSE/OBJECTIVE

The primary objectives, in order of priority, of all investment activities involving the financial assets of the County shall be the following:

1. Safety: safety and preservation of capital in the overall portfolio.
2. Liquidity: maintaining the necessary liquidity to match expected liabilities.
3. Return: obtaining a reasonable return.

## II. SCOPE

This policy shall apply to all operating funds, bond proceeds, and other funds and all investment transactions involving operating funds, bond proceeds and other funds accounted for in the financial statements of Linn County (the "County"). Applicable law and this written Investment Policy must authorize each investment made pursuant to this Investment Policy.

The investment of bond funds or sinking funds shall comply not only with this Investment Policy, but also be consistent with any applicable bond resolution.

This Investment Policy is intended to comply with Iowa Code Sections 11.6, 12B.10, 12B.10A, 12B.10B, 12B.10C, Iowa Code Chapter 12C, and all other applicable law.

Upon passage and upon future amendment, if any, copies of this Investment Policy shall be delivered to all the following:

1. The County Board of Supervisors.
2. All depository institutions or fiduciaries for public funds of the County.
3. The external auditor engaged to perform the audit of any fund of the County.
4. All third parties assisting with or facilitating investments of the funds of the County.

### III. DEFINITIONS

**Agent:** individual authorized by another person, called the principal, to act on behalf of the latter, in transactions involving a third party.

**Certificate of Deposit (CD):** a time deposit, a financial product offered consumers in the United States by depository institutions. CDs have specific, fixed terms (monthly, three months, six months, or one to five years) and, usually at a fixed interest rate.

**Commercial Paper:** short-term obligation with maturities ranging from 2 to 270 days issued by banks, corporations, and other borrowers to investors with temporarily idle cash. Such instruments are unsecured and usually discounted, although some are interest-bearing.

**Custodial Agreement:** arrangement under which a nominee or registered owner holds an asset or property as a custodian on behalf of an actual owner (beneficial owner). Such agreements are generally entered into by state agencies to administer various benefit programs.

**Delivery Versus Payment (DVP):** securities industry procedure common with institutional accounts whereby delivery of securities sold is made to the buying customer's bank in exchange for payment, usually cash.

**Depository Institution:** a financial institution in the United States (such as a savings bank, commercial bank, savings and loan association, or credit union) that is legally allowed to accept monetary deposits from customers. An example of a non-depository institution is a mortgage bank. While licensed to lend, a mortgage bank cannot accept deposits.

**Derivative:** a security whose price is dependent upon or derived from one or more underlying assets. A derivative itself is a contract between two or more parties. Its value is determined by fluctuations in the underlying asset. The most common underlying assets include stocks, bonds, commodities, currencies, interest rates, and market indexes. Most derivatives are characterized by high leverage.

**Fiduciary:** person, company, or association holding assets in trust of a beneficiary.

**Futures Contract:** agreement to buy or sell a specific amount of a commodity or financial instrument at a particular price on a stipulated future date.

**Iowa Public Agency Investment Trust (IPAIT):** professionally managed common law trust organized and operated as a diversified open-end management investment company created with the objective of providing Iowa cities, counties, city utilities, and other eligible participants with a convenient method for investing their funds in a manner that will maximize current income consistent with safety of principal and the required degree of liquidity for operating funds.

**Open – End Management Investment Company:** Investment Company that sells mutual funds to the public. The terms arise from the fact that the firm continually creates new shares on demand. Mutual fund shareholders buy shares at net asset value and can redeem them at any time at the prevailing market price, which may be higher or lower than the price at which the investor bought.

**Operating Funds:** those funds that are reasonably expected to be expended during the current budget year or within fifteen (15) months of receipt.

**Option:** right to buy or sell property that is granted in exchange for an agreed-upon sum. If the right is not exercised after a specified period, the option expires and the option buyer forfeits the money.

**Portfolio:** combined holding of more than one stock, bond, commodity, real estate investment, cash equivalent, or other asset by an individual investor.

**Prime Banker's Acceptance:** time draft drawn on and accepted by a bank, the customary means of effecting payment for merchandise sold in import-export transactions and a source of financing used extensively in international trade.

**Repurchase (Repo) Agreement:** agreement between a seller and a buyer, usually of U.S. Government securities, whereby the seller agrees to repurchase the securities at an agreed upon price and, usually at a stated time.

**Reverse Repurchase Agreement:** the purchase of securities with agreement to sell them at a higher price at a specific future date. For the party selling the security (and agreeing to repurchase it in the future) it is a repo; for the party on the other end of the transaction (buying the security and agreeing to sell in the future) it is a reverse repurchase agreement.

**Safekeeping:** storage and protection of a customer's financial assets, valuables, or documents, provided as a service by an institution serving as agent and, where control is delegate by the customer, also as custodian.

**Sinking Fund:** a fund established by a government or business for the purpose of reducing debt by repaying or purchasing outstanding loans and securities held against the entity.

**Speculation:** assumption of risk in anticipation of gain but recognizing a higher than average possibility of loss.

#### **IV. INDEX OF POLICY SECTIONS**

Section V	Delegation of Authority
Section VI	Prudence
Section VII	Instruments Eligible for Investment
Section VIII	Prohibited Investments and Investment Practices
Section IX	Investment Maturity Limitations
Section X	Diversification Requirements
Section XI	Safekeeping and Custody
Section XII	Ethics and Conflict of Interest
Section XIII	Reporting
Section XIV	Investment Policy Review and Amendment

#### **V. DELEGATION OF AUTHORITY**

In accordance with Iowa Code Sections 12B.10 and 12C.1, the responsibility for conducting investment transactions resides with the Treasurer of Linn County (the "Treasurer"). Only the Treasurer, a Deputy of the Treasurer, and those authorized in writing by the Treasurer may invest public funds. A copy of any empowering documentation shall be attached to this investment policy. All contracts or agreements with outside persons investing public funds, advising on the investment of public funds, directing the deposit or investment of public funds, or acting in a fiduciary capacity for the County shall require the outside person to notify the County, in writing, within thirty (30) days of all communications from the auditor of the outside person, or any regulatory authority, of the existence of a material weakness in the internal control structure of the outside person, or of any regulatory orders or sanctions regarding the type of services being provided to the county by the outside person.

The records of investment transactions made by or on behalf of Linn County are public records and are the property of the County whether in the custody of the County or in the custody of a fiduciary or other third party.

The Treasurer shall establish a written system of internal controls and investment practices. The controls shall be designed to prevent losses of public funds, to document those officers and employees of the Treasurer responsible for elements of the investment process, and to address the capability of investment management. The controls shall provide for receipt and review of the audited financial statements and related reports on internal control structure of all outside persons performing any of the following for this public body:

1. Investing public funds.
2. Advising on the investment of public funds.
3. Directing the deposit or investment of public funds.
4. Acting in a fiduciary capacity for Linn County, Iowa.

A Bank, Savings and Loan Association, or Credit Union providing only depository services shall not be required to provide audited financial statements and related reports on internal control structure.

The Treasurer shall establish an Investment Committee whose purpose shall be to assist in creating an investment strategy, reviewing quarterly the investment statements and policies, and assisting in the selection and retention of professional advisors or consultants to the portfolio. The Committee shall consist of the Treasurer, a Deputy Treasurer, the County Finance Director, and the County Budget Director. Unanimous approval of the Investment Committee shall be required for single investments in excess of five million dollars.

The Treasurer and all employees authorized to place investments shall be covered by either individual bonds or a blanket bond or insurance policy pursuant to Iowa Code Sections 64.10 and 64.15 in a total amount of not less than five million dollars.

## **VI. PRUDENCE**

The County Treasurer, when investing or depositing public funds, shall exercise the care, skill, prudence, and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the Section I investment objectives. This standard requires that when making investment decisions, the Treasurer shall consider the role that the investment or deposit plays within the portfolio of financial assets of the County and the investment objectives stated in Section I.

## **VII. INSTRUMENTS ELIGIBLE FOR INVESTMENT**

Financial assets of the County may be invested in the following:

1. Interest-bearing savings accounts, interest bearing money market accounts, and interest-bearing checking accounts at any bank, savings and loan association or credit union in the State of Iowa. Each financial institution shall be properly declared as a depository by resolution of the Linn County Board of Supervisors. Deposits in any financial institution shall not exceed the maximum amounts approved by the resolution.
2. Obligations of the United States government, its agencies and instrumentalities.
3. Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions approved pursuant to Iowa Code Chapter 12C.
4. Iowa Public Agency Investment Trust (IPAIT).

5. Prime bankers' acceptances that mature within 270 days of purchase and that are eligible for purchases by a Federal Reserve Bank.
6. Commercial paper or other short-term corporate debt that matures within 270 days of purchase and is rated within the two highest classifications, established by a least one of the standard rating services approved by the superintendent of banking rules adopted pursuant to Iowa Code Chapter 17A.
7. Repurchase agreements, provided that the underlying collateral consists of obligations of the United States government, its agencies and instrumentalities, and provided that the County Treasurer takes delivery of the collateral either directly or through an authorized custodian.
8. An open-end management investment company, organized in trust form, registered with the Securities and Exchange Commission under the federal Investment Company Act of 1940, 15 U.S.C. 80(a) and operated in accordance with 17 C.F.R. Section 270.2a-7.
9. Property tax payments may be deposited in non interest-bearing accounts.

All instruments eligible for investment are further qualified by all other provisions of this Investment Policy, including Section IX, Investment Maturity Limitations and Section X, Diversification Requirements.

## **VIII. PROHIBITED INVESTMENTS AND INVESTMENT PRACTICES**

Assets of the County shall not be invested in the following:

1. Reverse repurchase agreements.
2. Futures and options contracts.
3. Derivatives

Assets of the County shall not be invested pursuant to the following investment practices:

1. Trading of securities for speculation or the realization of short-term trading gains.
2. Pursuant to a contract providing for the compensation of an agent or fiduciary based upon the performance of the invested assets.
3. If a fiduciary or third party with custody of public investment transaction records of the County fails to produce requested records when requested by the County within a reasonable time, the County shall make no new investments with or through the fiduciary or third party and shall not renew maturing investments with or through the fiduciary or third party.



## **IX. INVESTMENT MATURITY LIMITATIONS**

Operating Funds must be identified and distinguished from all other funds available for investment. Operating Funds are defined as those funds that are reasonably expected to be expended during a current budget year or within fifteen (15) months of receipt.

All investments authorized in Section VII are subject to the following maturity limitations:

1. Operating Funds may be invested only in instruments authorized in Section VII of this Investment Policy that mature within three hundred ninety-seven (397) days.
2. The Treasurer may invest funds of the County that are not identified as Operating Funds in investments with maturities longer than three hundred ninety-seven (397) days. However, all investments of the County shall have maturities that are consistent with the needs of the County and the strategy of the County Investment Committee.

## **X. DIVERSIFICATION REQUIREMENTS**

Certain other instruments if held by the County are subject to the following diversification requirements:

Prime bankers' acceptances:

1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of the County shall be invested in prime bankers' acceptances.
2. At the time of purchase, no more than five percent (5%) of the investment portfolio of the County shall be invested in the securities of a single issuer.

Commercial paper or other short-term corporate debt:

1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of the County shall be in commercial paper or other short-term corporate debt.
2. At the time of purchase, no more than five percent (5%) of the investment portfolio of the County shall be invested in the securities of a single issuer.
3. At the time of purchase, no more than five percent (5%) of all amounts invested in commercial paper and other short-term corporate debt may be invested in paper and debt rated in the second highest classification.

Where possible, it is the policy of the County to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer, or a specific class of securities. In establishing specific diversification strategies, the following general policies and constraints shall apply:

1. Portfolio maturities shall be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities shall be selected which provide stability of income and reasonable liquidity.
2. Liquidity practices shall be used at all times to ensure that the next disbursement date and/or payroll date is covered through maturing investments, marketable U.S. Treasury bills or cash on hand.
3. Risks of market price volatility shall be controlled through maturity diversification so that aggregate price losses on instruments with maturities approaching one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.

## **XI. SAFEKEEPING AND CUSTODY**

All invested assets of the County involving the use of a public funds custodial agreement, as defined in Iowa Code Section 12B.10C, shall comply with all rules adopted pursuant to said Section. All custodial agreements shall be in writing and shall contain a provision that all custodial services be provided in accordance with the laws of the State of Iowa.

All invested assets of the County eligible for physical delivery shall be secured by having them held by a third-party custodian. All purchased investments shall be held pursuant to a written third-party custodial agreement requiring delivery versus payment (DVP) and compliance with all rules set out elsewhere in this Section.

## **XII. ETHICS AND CONFLICT OF INTEREST**

The Treasurer and all officers and employees of the County involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Any personal investments or loans in excess of \$10,000 in or with any entity with which the County regularly conducts investment business shall be disclosed in writing to the Linn County Board of Supervisors.

## **XIII. REPORTING**

The Treasurer shall submit quarterly an investment report summarizing quarter-to-date investment activity, market conditions, and setting forth aggregate amounts invested in each type of instrument authorized in Section VII of this policy, and with whom such amounts are invested.

**XIV. INVESTMENT POLICY REVIEW AND AMENDMENT**

The County Investment Committee shall review the County investment policy every three (3) years or more frequently as appropriate. Notice of amendments to the Investment Policy shall be given promptly to all parties noted in Section II of this policy.

**LINN COUNTY BOARD OF SUPERVISORS**

**RESOLUTION # \_\_\_\_\_**

**APPROVING A FINAL PLAT**

**WHEREAS**, a final plat of Mosbeck First Addition (Case #JF21-0017) to Linn County, Iowa, containing two (2) lots, numbered Lot 1 and Lot 2 has been filed for approval, a subdivision of real estate located in the SWSE of Section 3, Township 82 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

Lot 3, Selzer's Fourth Addition to Linn County, Iowa.

**WHEREAS**, said plat is accompanied by a certificate acknowledging that said subdivision is by, and with the free consent of the proprietors, and is accompanied by a certificate dedicating certain property to the public, as shown on the plat; and

**WHEREAS**, said plat and its attachments thereto have been found to conform to the requirements of the comprehensive plan and the subdivision ordinance; and the requirements of other ordinances and state laws governing such plats; and

**WHEREAS**, the following conditions as listed on the Planning and Development Staff Report of July 21, 2021 as last amended on August 16, 2021 have been addressed:

**LINN COUNTY SECONDARY ROAD DEPARTMENT**

1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). All approved entrances shall be brought into conformance with County standards. Lot 1 and Lot 2 are each allowed a single access. Lot 1 shall be accessed from Selzer Road and Lot 2 shall be accessed from the frontage road off US Highway 151 (Williams Boulevard).
2. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.
3. Entrance permits and E-911 address signs to be applied for at Linn County Secondary Road Department, 319-892-6400.

**IOWA DEPARTMENT OF TRANSPORTATION**

1. If any work is to be done in the State of Iowa right-of-way, contact the IDOT for additional permits.

**LINN COUNTY PUBLIC HEALTH DEPARTMENT**

1. New well is needed, apply for permit through Linn County Public Health department.

**NATURAL RESOURCES CONSERVATION SERVICE**

1. Submit erosion and sediment control plan for review and acceptance.
2. Submit site grading plan showing existing and proposed surface grades.
3. No changes to existing drainage flow paths that would impact off-site drainage onto, across, or around new lot will be allowed.

**LINN COUNTY CONSERVATION DEPARTMENT**

No conditions to be met.

**LINN COUNTY EMERGENCY MANAGEMENT**

No conditions to be met.

**LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION**

1. Various revisions to the site plan and final plat.

2. Prior to approval of the final plat, the owner must sign an "Acceptance of Conditions" form. The "Acceptance of Conditions" form states that the owner understands and agrees to comply with the agreed upon conditions as stated in the staff report.
3. This plat lies within the 2-mile jurisdiction of the City of Cedar Rapids, and as per the 28E Agreement between the City and the County, will require City approval or a waiver of the right to review. This plat also lies within the 2-mile jurisdiction of the City of Fairfax, and as per Chapter 354 of the Code of Iowa, a certified resolution by any municipality that has authority to review the plat to either approve the plat or waive its right to review must be provided.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. The proposed subdivision name and proposed names of all roads, streets and lanes shall be submitted for review and approval by the Linn County Auditor's office prior to approval of the final plat.
6. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **AUGUST 16, 2022** as per Article IV, Section 107-72, § (1)(g), and shall be recorded within 1 year of that approval, as per Article IV, Section 107-72, § (2)(f) of the UDC.
7. One original and 3 complete copies of the final plat bound documents that must include the following:
  - i. Owner's certificate and dedication certificate executed in the form provided by the laws of Iowa, dedicating to Linn County title to all property intended for public use, including public roads
  - ii. Title opinion and a consent to plat signed by the mortgage holder if there is a mortgage or encumbrance on the property as well as a release of all streets, easements, or other areas to be conveyed or dedicated to local government units within which the land is located
  - iii. Surveyor's certificate
  - iv. Auditor's certificate
  - v. Resolution of the Planning and Zoning Commission
  - vi. Resolution of the Board of Supervisors
  - vii. Resolution of approval or waiver of review by applicable municipalities
  - viii. Treasurer's certificate
    - i. Agricultural Land Use Notification. The landowner shall ensure that such notification shall be attached to the deed and shall become a separate entry on the abstract of title for all the property that is subject of the permit or development as per Article V, Section 107-91, § (h) of the UDC.
    - ii. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
    - iii. Twelve original signed plat drawings
    - iv. A covenant for a secondary road assessment

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors, of Linn County, Iowa, that said plat is hereby approved. The Board of Supervisors and County Engineer are hereby authorized to enter approval upon the final plat resolution. The Board of Supervisors' Chairperson is also hereby authorized to sign said plat which executes an acceptance of dedication of property to the public, as shown on said plat.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded by November 24, 2021 to be valid.

Passed and approved this 24<sup>th</sup> day of November, 2021

Linn County Board of Supervisors

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Vice Chair

\_\_\_\_\_  
Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

\_\_\_\_\_  
Joel Miller, Linn County Auditor

Linn County Engineer

\_\_\_\_\_  
Brad Ketels, Engineer

State of Iowa    )  
                          ) SS  
County of Linn    )

Linn County Board of Supervisors  
November 24, 2021  
Resolution # \_\_\_\_\_  
JF21-0017  
Page 4 of 4

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

\_\_\_ Aye \_\_\_ Nay \_\_\_ Abstain \_\_\_ Absent

\_\_\_\_\_  
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, \_\_\_\_\_,

on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public State of Iowa

**LINN COUNTY BOARD OF SUPERVISORS**

**RESOLUTION # \_\_\_\_\_**

**APPROVING A FINAL PLAT**

**WHEREAS**, a final plat of Nowak First Addition (Case #JF21-0015) to Linn County, Iowa, containing five (5) lots, numbered Lot 1, Lot 2, and lettered Lot A, Outlot A, and Outlot B has been filed for approval, a subdivision of real estate located in the SWSE of Section 31, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the S ¼ Corner of said Section 31; thence N01°07'45"W along the west line of said SW¼ SE ¼, 1324. 79 feet to the NW Corner of said SW ¼ SE ¼; thence N88°08'56"E along the north line of said SW ¼ SE ¼, 1172. 79 feet; thence S01°49'05"E, 1324.24 feet to the south line of said SW¼ SE ¼; thence S88°08'05"W along said south line, 1188. 72 feet to the Point of Beginning, containing 35.91 acres which includes 1.09 acres of road right of way.

**WHEREAS**, said plat is accompanied by a certificate acknowledging that said subdivision is by, and with the free consent of the proprietors, and is accompanied by a certificate dedicating certain property to the public, as shown on the plat; and

**WHEREAS**, said plat and its attachments thereto have been found to conform to the requirements of the comprehensive plan and the subdivision ordinance; and the requirements of other ordinances and state laws governing such plats; and

**WHEREAS**, the following conditions as listed on the Planning and Development Staff Report of July 21, 2021 as last amended on August 16, 2021 have been addressed:

**LINN COUNTY SECONDARY ROAD DEPARTMENT**

1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). All approved entrances shall be brought into conformance with County standards. Lot 1, Lot 2, and Outlot A are each allowed one access and a second with justification.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. Forty feet of right-of-way on Abbe Hills Road adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.
4. Entrance permits and E-911 address signs to be applied for at Linn County Secondary Road Department, 319-892-6400.

**IOWA DEPARTMENT OF TRANSPORTATION**

1. Not within the jurisdiction of the Iowa Department of Transportation.

**LINN COUNTY PUBLIC HEALTH DEPARTMENT**

No conditions to be met.

**NATURAL RESOURCES CONSERVATION SERVICE**

1. Show approximate location of natural drainage ways and a note restricting building within the natural drainage way should be shown on the final plat. Contact the NRCS office for widths and building restriction requirements.
2. Land disturbance greater than 1 acre in size, not associated with agricultural crop production, will require a NPDES permit granted by the Iowa Department of Natural Resources.



3. The presence of wet soils indicates a need for subsurface drainage. Existing drains need to be shown on site plan or an agreement addressing subsurface drainage is needed.
4. Clarify plans to address potential wetland area with NRCS.

**LINN COUNTY CONSERVATION DEPARTMENT**

No conditions to be met.

**LINN COUNTY EMERGENCY MANAGEMENT**

No conditions to be met.

**LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION**

1. Various revisions to the site plan and final plat.
2. Prior to approval of the final plat, the owner must sign an "Acceptance of Conditions" form. The "Acceptance of Conditions" form states that the owner understands and agrees to comply with the agreed upon conditions as stated in the staff report.
3. This plat lies within the 2-mile jurisdiction of the City of Mount Vernon. As per Chapter 354 of the Code of Iowa, a certified resolution by any municipality that has authority to review the plat to either approve the plat or waive its right to review must be provided.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. The proposed subdivision name and proposed names of all roads, streets and lanes shall be submitted for review and approval by the Linn County Auditor's office prior to approval of the final plat.
6. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **AUGUST 16, 2022** as per Article IV, Section 107-72, § (1)(g), and shall be recorded within 1 year of that approval, as per Article IV, Section 107-72, § (2)(f) of the UDC.
7. One original and 3 complete copies of the final plat bound documents that must include the following:
  - i. Owner's certificate and dedication certificate executed in the form provided by the laws of Iowa, dedicating to Linn County title to all property intended for public use, including public roads
  - ii. Title opinion and a consent to plat signed by the mortgage holder if there is a mortgage or encumbrance on the property as well as a release of all streets, easements, or other areas to be conveyed or dedicated to local government units within which the land is located
  - iii. Surveyor's certificate
  - iv. Auditor's certificate
  - v. Resolution of the Planning and Zoning Commission
  - vi. Resolution of the Board of Supervisors
  - vii. Resolution of approval or waiver of review by applicable municipalities
  - viii. Treasurer's certificate
    - i. Agricultural Land Use Notification. The landowner shall ensure that such notification shall be attached to the deed and shall become a separate entry on the abstract of title for all the property that is subject of the permit or development as per Article V, Section 107-91, § (h) of the UDC.
    - ii. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
    - iii. Twelve original signed plat drawings
    - iv. A covenant for a secondary road assessment

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors, of Linn County, Iowa, that said plat is hereby approved. The Board of Supervisors and County Engineer are hereby authorized to enter approval upon the final plat resolution. The Board of Supervisors' Chairperson is also hereby authorized to sign said plat which executes an acceptance of dedication of property to the public, as shown on said plat.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded by **November 24, 2022** to be valid.

**Passed and approved this 24<sup>th</sup> day of November, 2021**

Linn County Board of Supervisors

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Vice Chair

\_\_\_\_\_  
Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

\_\_\_\_\_  
Joel Miller, Linn County Auditor

Linn County Engineer

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Brad Ketels, Engineer

State of Iowa    )  
                          ) SS  
County of Linn    )

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

\_\_\_ Aye \_\_\_ Nay \_\_\_ Abstain \_\_\_ Absent

\_\_\_\_\_  
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, \_\_\_\_\_,  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public State of Iowa

# LINN COUNTY SUSTAINABILITY + RESILIENCY ADVISORY COMMITTEE

## RULES AND OPERATING PROCEDURES

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### Section I. Creation, Name and Authority

The Linn County Board of Supervisors hereby creates an organization known as the Linn County Sustainability + Resiliency Advisory Committee, hereinafter referred to as the Advisory Committee.

### Section II. Purpose

The purpose of the Advisory Committee is to complete an annual greenhouse gas inventory for Linn County, with support from the Linn County Office of Sustainability, and the International Council for Local Environmental Initiatives (ICLEI), to help review and monitor progress toward the goals and objectives of Linn County's climate resolutions.

### Section III. Duties

Advisory Committee members:

- A. Will engage with material and information provided by Linn County staff, and will come to meetings prepared to ask questions, share perspectives, and create a space comfortable for dialogue and learning.
- B. Will care for transparency, understanding of decisions, and the importance of the goals and objectives of Linn County's climate resolutions.
- C. May connect with individuals or organizations for further engagement or feedback.
- D. May attend events outside of official meetings to help represent the planning process.
- E. May need to or wish to conduct self-guided learning or research online.

### Section IV. Membership

- A. The Advisory Committee will consist of no more than fifteen (15) members appointed by the Linn County Board of Supervisors.
- B. The Advisory Committee shall include at least one member:
  1. From each county supervisor district
  2. From each climate-vulnerable community listed in Linn County's climate resolution(s).
- C. The Advisory Committee should aim to be a diverse representation of community stakeholders and include representatives from the following groups:
  - a. Energy industry workers/leaders

- b. Food-insecure residents
  - c. Public transit riders
  - d. Sustainable business/industry leaders
  - e. Sustainability-focused nonprofits
  - f. Conservation organizations
  - g. Small businesses
- D. Advisory Committee members shall be residents within the geographic boundaries of Linn County.
- E. No Linn County official or employee, nor any official or employee of any city within the geographic boundaries of Linn County, shall be appointed to the Advisory Committee.
- F. Advisory Committee members shall serve without pay, but may receive reimbursement for actual expenses incurred in the performance of their official duties.

#### **Section V. Terms of Membership**

- A. Terms will be 12 months with the opportunity to extend up to two terms (i.e. a member can serve up to 3 years.)
- B. In the event of a vacancy, the Board of Supervisors shall appoint a successor to serve for the remainder of the unexpired term.
- C. If at any time the Board of Supervisors finds that a member is not performing his/her duties, or is impairing the ability of the Advisory Committee to perform its duties, that member may be removed by a majority vote of the Board of Supervisors.

#### **Section VI. Offices, Duties, and Terms of Office**

- A. The first regularly scheduled Advisory Committee meeting following each January 1 shall be an organizational meeting at which the members shall, among other regular business, elect the following officers:
- 1. Two Co-Chairs
  - 2. Secretary
- B. Each member elected as Co-Chair or Secretary shall serve for one (1) year, or until he/she is re-elected, or until a successor is elected.
- C. The Co-Chairs shall preside at all meetings, assign duties to members, appoint subcommittees, and call meetings and establish the agenda for meetings in consultation with the Secretary and the staff member appointed pursuant to Section VI.F.

- D. The Secretary shall, during the absence of both Co-Chairs and the Vice Chair, have and exercise all of the duties and powers of a Co-Chair.
- E. In the event that both Co-Chairs and the Secretary expect to be absent from an Advisory Committee meeting, the Co-Chairs shall appoint another member to serve as Chair pro tem. In the event no Chair pro tem is appointed, any member may call the meeting to order and the members present shall elect one of the members in attendance to serve as Chair pro tem.
- F. A staff member from the Office of Sustainability shall assist with the duties of Secretary. The duties include providing the records of all meetings of the Advisory Committee including meeting agendas, minutes and other documents as deemed necessary. The staff member appointed to perform these duties shall not be a voting member of the Advisory Committee. Linn County shall provide the Advisory Committee with other technical or administrative assistance in furtherance of its purpose and/or duties.

### **Section VII. Subcommittees**

- A. The Advisory Committee may establish and appoint subcommittees in furtherance of the purpose and/or duties listed in Section II and Section III.
- B. At the request of the Linn County Board of Supervisors, the Co-Chairs shall appoint an Advisory Committee member or members to serve on joint committees with representatives of other committees or organizations.

### **Section VIII. Meetings**

- A. Meetings shall be scheduled either on a regular monthly basis, or as necessary, but at least once every six months, to perform the duties established for the Public Review Board in Section III.
- B. Special meetings may be called by either Co-Chair or at the request of eight (8) or more members.
- C. An agenda shall be prepared for each Advisory Committee meeting.
- D. A quorum is required for the consideration of business. A minimum of eight (8) members of the Public Review Board shall constitute a quorum.
- E. Affirmative votes by a majority of the members present and voting at any meeting at which a quorum exists shall be necessary to adopt any measure.
- F. Minutes shall be recorded and kept for all meetings.

### **Section IX. Adoption and Amendments**

These rules and operating procedures are effective upon the approval of the majority vote of the Linn County Board of Supervisors.

These rules and operating procedures may be amended by an affirmative vote of at least two-thirds of the members of the Linn County Board of Supervisors.