

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, JANUARY 12, 2022 11:01 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.  
Present: Chairperson Rogers, Vice Chairperson Zumbach and Supervisor Walker. Board members voting "AYE" unless otherwise noted.

Chairperson Rogers called the meeting to order and led the pledge of allegiance.

Motion by Rogers, seconded by Zumbach to approve Consent Agenda as follows:

Resolution 2022-1-8

RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR 'REVITALIZE IOWA'S SOUND ECONOMY' (RISE) FUNDING FOR THE ROAD IMPROVEMENTS ALONG WALFORD ROAD AS PART OF A PROJECT TO CONVERT THE 6<sup>TH</sup> STREET SW AND WALFORD ROAD INTERSECTION TO A ROUNDABOUT. WHEREAS, the RISE fund was created by the Iowa Legislature in 1985 to assist in promoting economic development in Iowa through the construction and improvement of Iowa roads pursuant to Iowa Code Chapter 315; and WHEREAS, the City of Cedar Rapids has identified a location along 6<sup>th</sup> Street SW and Walford Road where the road improvement project described below is consistent with the purpose of the RISE program. The portion of the project to be funded by RISE is on Walford Road from 6<sup>th</sup> Street SW west 2,000 feet. WHEREAS, all of the roadway improvements involved in the project area are currently dedicated for public use; and WHEREAS, the road improvement project along Walford Road lies within Linn County jurisdiction; and WHEREAS, all project funding, design, administration, and inspection will be the responsibility of the City of Cedar Rapids. WHEREAS, future road maintenance and winter service will be Linn County's responsibility as per the existing 28E agreement and will be adequately maintained. NOW THEREFORE, BE IT RESOLVED BY THE LINN COUNTY BOARD OF SUPERVISORS, that: The Linn County Board of Supervisors endorses the City of Cedar Rapids' application for RISE funding. The Board of Supervisors approves the City of Cedar Rapids funding, designing, and constructing roadway improvements in Linn County jurisdiction.

Resolution 2022-1-9

PETITION for SUSPENSION of FISCAL 2022/ASSESSMENT 2020 PROPERTY TAXES WHEREAS, the Linn County Board of Supervisors is this day presented with the attached petitions for suspension of taxes and/or special assessments pursuant to Section 427.8 of the Code of Iowa and; WHEREAS, the properties for which assessments against these Petitioners are made lie within Linn County and; WHEREAS, these Petitioners are unable to contribute to the public revenue by reason of age, infirmity, or both. NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that the attached petitions be approved for the following Petitioners, parcels, and tax years:

PETITIONER	PARCEL #	TAX YEARS	Special #
Langham, Portia	14201-01008-00000	2020	

The Linn County Treasurer is ordered to suspend the collection of taxes assessed against these Petitioners, their polls or estates, for the above parcels for the above tax years as indicated.

Resolution 2022-1-10

A Resolution approving a two lot final plat to be named Emig First Addition The following description is a summary of Resolution No. 2022-1-10 as passed and approved by Linn County Board of Supervisors, effective January 12, 2022. Emig First Addition (Case # JF21-0016) to Linn County, Iowa, containing two (2) lots, numbered Lot 1 and Lot 2, a subdivision of real estate located in the SENE of Section 18, Township 82 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: Lot 1, Mackey's Second Addition, Linn County, Iowa The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at [www.linncountyiowa.gov](http://www.linncountyiowa.gov)

Resolution 2022-1-11

A Resolution approving a one lot final plat to be named Holmans Road First Addition. The following description is a summary of Resolution No. 2022-1-11 as passed and approved by Linn County Board of Supervisors, effective January 12, 2022. Holmans Road First Addition (Case # JF21-0014) to Linn County, Iowa, three (3) lots, numbered Lot 1 and Lot 2 and lettered Lot A, has been filed for approval, a subdivision of real estate located in Section 35, Township 83 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: HOLMANS ROAD FIRST ADDITION TO LINN COUNTY, IOWA, Is PARCEL A, PLAT OF SURVEY NO. 2416 RECORDED IN BOOK 10635, PAGE 523, LINN COUNTY RECORDER'S OFFICE & LOTS 3 & 4, IRREGULAR SURVEY OF THE SW 1/4, SECTION 35-T83N-R6W OF THE 5TH PRINCIPAL MERIDIAN, ALL IN LINN COUNTY, IOWA The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours,

8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at [www.linncountyiowa.gov](http://www.linncountyiowa.gov)

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Approve and authorize Chair to sign an amendment to the Contract for Provision of Service Agreement between Hawkeye Area Community Action Program, Inc. (HACAP) and Linn County outlining mask and COVID-19 vaccination requirements, effective January 31, 2022.

Approve and authorize Chair to sign form CC-213 recertifying Linn County's participation in the Community Rating System

Approve and authorize Chair to sign a 2022 Linn County Medical Examiner Service Agreement between Donald J Linder, D.O., Linn County Medical Examiner and Linn County

Approve reallocation of Tanager Place Linn County fund balance project funding to include the flexibility to use the funding to provide additional mental health related services at the Collins Community Credit Union Hub and/or Willis Dady Homeless Shelter

Approve and authorize Chair to sign Pre-Employment Training Agreements for the following new employees of the Linn County Sheriff's Office: Ryan Harkey for \$35,575.10 and Ryle Koenig for \$30,067.00

Motion by Walker, seconded by Zumbach to approve minutes of January 7, 2022 as printed.

Motion by Zumbach, seconded by Walker to approve Claims (including void/reissues) for AP checks #71005594-#71005658 in the amt. of \$189,425.46; AP ACH (including void/reissues) in the amt. of \$414,316.73; and payroll reissue onsite check #63000013 in the amt. of \$3,391.67.

Luke Maloney, Building Official, discussed the following two agenda items relating to the third consideration of four ordinances. He stated that no verbal or written communication has been received.

Motion by Rogers, seconded by Zumbach to approve upon third and final consideration of ordinance #2-1-2022 amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 12, Fire Code of the Linn County Code of Ordinances. (Updating Building, Fire, Plumbing, and Mechanical codes to the 2021 versions with amendments).

Motion by Rogers, seconded by Walker to approve upon third and final Consideration of ordinance #3-1-2022 amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 105, Articles II of the Linn County Code of Ordinances. (Updating Building, Fire, Plumbing, and Mechanical codes to the 2021 versions with amendments).

Motion by Rogers, seconded by Walker to approve upon third and final consideration of ordinance #4-1-2022 amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 105, Articles IV of the Linn County Code of Ordinances. (Updating Building, Fire, Plumbing, and Mechanical codes to the 2021 versions with amendments).

Motion by Rogers, seconded by Walker to approve upon third and final consideration of ordinance #5-1-2022 amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 105, Articles V of the Linn County Code of Ordinances. (Updating Building, Fire, Plumbing, and Mechanical codes to the 2021 versions with amendments).

Dave Thielen, LCCS Dir., discussed the use of an additional \$19,590 of Linn County MHDD Fund Balance dollars for the cost of vans purchased by Options of Linn County noting that if this item is approved by the Board it will go before the East Central Region for approval.

Motion by Rogers, seconded by Zumbach to approve the use of an additional \$19,590 of Linn County MHDD Fund Balance dollars for the cost of vans purchased by Options of Linn County.

Ashley Balias, LCCS, discussed a Duplication of Benefits Confidentiality Agreement with the Iowa Finance Authority noting that the Board's approval is needed for the state.

Motion by Rogers, seconded by Zumbach to authorize Chair to sign a Duplication of Benefits Confidentiality Agreement with the Iowa Finance Authority.

Balias also discussed the use of up to \$175,000 of General Assistance Funds to assist Linn County residents that received an approval notification from the Linn County Emergency Rent Assistance Program prior to funds running out noting that this is in partnership with HACAP. The demand for General Assistance has decreased allowing surplus funds to be available.

Motion by Rogers, seconded by Zumbach to approve the use of up to \$175,000 of General Assistance Funds to assist Linn County residents that received an approval notification from the Linn County Emergency Rent Assistance Program prior to funds running out.

Discussion: Supervisor Walker expressed his appreciation for all the work Balius does with regard to the general welfare of the population.

Vote: All aye

Public Comment:

Jon Zakrasek, 541 Lawndale Dr, Cedar Rapids, read a prepared statement highlighting Linn County's climate resolution and the reduction of CO2 emissions and clean energy. He also noted that community solar and rooftop solar are mentioned as alternatives and the 300' setback needs to be reinstated.

Marc Franke, 4205 Vista Rd, Ely, read a prepared statement highlighting the setback change from 300' to 1250' noting that could easily change the economics of reliable farm income from feasible to not feasible. He asked the Board to not change the 300' setback.

Josh Henick, 654 Wilcox Rd., Mt. Vernon, speaking on behalf of the Linn County Farm Bureau (LCFB) representing the Board of Directors making some updates to their statement that was read on Monday. It is the position of LCFB that siting and setback rules for utility scale solar should be considered as well as the landowner preference, ag. productivity, environmental and neighborhood impacts. It is the determination of the LCFB Board of Directors that those conditions have not been met and there are yet unresolved concerns about damage to drainage tile of adjacent neighboring properties that will substantially impact not only ag. productivity of the land on which this project will be placed but also the productivity of the surrounding area. Additionally, it is the position of the LCFB that LSISP should not be built on productive farmland nor should LSISP be allowed on leased land. That being said, the LCB understands the importance of balancing private property rights and the impact of this scale of project will have on adjacent landowner's and communities. They are encouraged by and support the recent changes by furthering the distance as an important first step in managing the balance. IFB thanked the Board for their actions and trying to mitigate the impact to non participating neighbors. The decision the Board makes will set the precedent for future large scale solar projects in Linn County. The LCFB urges the Board to carefully weigh the impact this project will have on the rural and agricultural communities of Linn County noting that they are all in new territory with these solar projects. He added that it makes sense to look at livestock siting as guidance to try and figure out what the best policy would be regarding projects of this scale.

Ben Rogers, Supervisor, spoke regarding Franke's comment regarding the setback distance. The Board deliberated Monday night and will have a more robust discuss on Thursday night at 6 p.m. He does value the opinions of others and is in favor of this project and industrial scale solar.

Board Member Reports: Supervisor Walker stated that later today is the first of several meetings with stakeholders regarding Linn County's 3<sup>rd</sup> Annual Expungement Clinic.

Supervisor Zumbach stated that as a reminder tomorrow night is the second consideration for the Coggon Solar project.

Supervisor Rogers stated that he sent out a countywide email yesterday encouraging staff to participate in a Make It Ok survey.

The Board received and placed on file a petition of a court case for the Robinson's vs. the Iowa Utilities Board and a letter voicing opposition to the proposed pipeline project.

Adjournment at 11:36 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor  
By: Amanda Hoy, Executive Assistant

Approved by:

BEN ROGERS, Chairperson  
Board of Supervisors