

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, JANUARY 13, 2021 11:00 A.M.

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

Chairperson Walker called the meeting to order and led the Pledge of Allegiance.

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

Authorize Board to sign, retroactive to January 11, 2021, a letter to Governor Reynolds requesting a waiver of FEMA matching requirements.

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor Receipts and Disbursements for the Month of December, 2020.

Resolution 2021-1-5 CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2021 and January 31, 2022 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LINN COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Resolution 2021-1-6 APPLICATION FEE SCHEDULE FOR LINN COUNTY PLANNING AND DEVELOPMENT

WHEREAS, on March 12, 2003, the Board of Supervisors adopted, by Resolution #2003-3-5, the application fee schedule for the Linn County Department of Planning and Development; and

WHEREAS, the application fee schedule was last amended by resolution #2014-12-222 on December 17, 2014; and

WHEREAS, the application fee schedule must now be revised to reflect additional application types and fees as shown on Attachment A.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Linn County, Iowa that the following application fee schedule as shown on Attachment A, be adopted.

Resolution 2020-1-7

A Resolution approving a one lot final plat to be named Schrantz Addition.

The following description is a summary of Resolution No. as passed and approved by Linn County Board of Supervisors, effective January 13, 2021.

Beginning at the South Corner of Lot 1, Lisbon Development Corp. 3rd Addition, Linn County, Iowa; thence N1°35'44"W, 239.86 feet to the Southwest Corner of Parcel A, Plat of Survey No. 2461 ; thence N88°48'22"E, 164.60 feet to the Southeast Corner of said Parcel A; thence S31°28'39"E along the centerline of Country Club Drive, 122.00 feet; thence S57°52'20"W along the southerly boundary of said Lot 1, a distance of 261.65 feet to the point of beginning.

Said parcel contains 0.82 acre, subject to easements and restrictions of record. 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.linncounty.org](http://www.linncounty.org)

Resolution 2021-1-8

A Resolution approving a one lot final plat to be named Whitters' Turf Addition.

The following description is a summary of Resolution No. as passed and approved by Linn County Board of Supervisors, effective January 13, 2021. WHITTERS TURF FARMS

ADDITION (JPS20-0020) TO LINN COUNTY, IOWA, containing two (2) lots, numbered lot 1 and lettered lot A, a subdivision of part of the West Half of the Southeast Quarter of the Southwest Quarter of Section 34, Township 82 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa, described as follows: Commencing at the Southwest Corner of Section 34, Township 82 North, Range 7 West of the Fifth

Principal Meridian; thence N89°41'28"E along the south line of the Southwest Quarter of said Section 32, a distance of 1974.00 feet to the Southeast Corner of a parcel described in the warranty deed found at book 1791 , page 99, Office of the Recorder, Linn County, Iowa; thence N1°38'55"W, 653.35 feet to a point described in said deed; thence N1°32'44"W along the east line of said parcel, 278.83 feet to the point of beginning; thence continuing N1°32'44"W along said east line, 374.06 feet to the centerline of Western College Road; thence S88°17'05"W along said centerline, 653.50 feet to the west line of the Southeast Quarter of said Southwest Quarter; thence S1°56'43"E along said west line, 374.06 feet; thence N88°17'05"E, 650.89 feet to the point of beginning. Said parcel contains 5.60 acres, subject to easements and restrictions of record. 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

Approve and authorize Chair to sign contract amendment between Linn County and the following Providers for services at the Mental Health Access Center effective January 1, 2021 through June 30, 2021:

- Abbe Center
- Foundation 2 Crisis Services
- Penn Center, Inc.
- Area Substance Abuse Council, Inc.

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 Management Representation Letter to Eide Bailey LLC for the fiscal year 2020 audit

Approve and authorize Chair to sign a 28E agreement with the City of Bertram for bridge inspections to be completed on city bridges by the county's inspector, IIW, P.C.

Approve and authorize Chair to sign a final Iowa Department of Transportation contract construction voucher for FM-C057(144)-55-57, Hot Mix Asphalt (HMA) resurfacing on West Mt. Vernon Rd.

Approve and authorize Chair to sign 36 month copier lease agreement with Gordon Flesch Company, Inc. at \$97.25 per month for the Sheriff's Office.

Motion by Walker, seconded by Rogers to approve minutes of January 12, 2021 as printed.

Pramod Dwivedi, Public Health Dir., gave the following update on Linn County's response to COVID-19:

- Vaccine statistics.
- Still in Phase 1A (long term care facilities residents/staff and health care workers) with Phase 1B expected in early February.
- Receiving a large amount of phone calls and emails regarding vaccines and working to improve response time.
- Linn County has had 17,449 cases and 224 deaths.

Tricia Kitzmann, Public Health, stated that they had a press briefing this morning to update the community on vaccine distribution. She also clarified that individuals that work in a hospital that do not have direct patient care are not receiving the vaccination in Phase 1A.

Darrin Gage, Dir. of Policy & Admin., presented proposed Linn County 2021 State Legislative priorities, which includes three additional priorities from Monday's meeting plus language changes.

Motion by Walker, seconded by Rogers to move Pandemic Relief priority from "additional priorities" to "top priorities".

Discussion: Chairperson Walker stated that the legislature needs to consider a robust pandemic relief bill.

Supervisor Zumbach stated that he has no problem moving it to "top priorities" and suggested that they scrap the \$1 billion dollar part of it.

Supervisor Rogers stated that they are at the level of government that tries to shore up the safety net that many people fall through because there is not enough money to meet the need.

VOTE: All Aye.

Supervisor Zumbach voiced his opinions on his seven preferred top priorities (Property Tax Backfill; Mental Health & Disability Serv.; Emergency Medical Serv.; Derecho Recovery & Investment; Unfunded & Underfunded Mandates; and Fair Chance Hiring). He stated that he prefers focusing on fewer priorities that are attainable.

Motion by Zumbach, seconded by Walker to approve the seven top legislative priorities as he previously stated and to leave the rest.

Discussion: Chairperson Walker acknowledged the fact as to the different ways to approach lobbying strategies. It is important for this Board to formulate their statement of purpose to signal to the legislature and constitutes that these are the things that the Board thinks are important. He likely will not support this methodology by limiting their asks.

Supervisor Rogers clarified that this list also includes the work of other Linn County elected officials and department heads and that there are several that have been on the list year after year.

Supervisor Zumbach stated that after working at the legislature he knows that some of the priorities are already in the works. He also stated that he is in no way interested in legalizing cannabis.

VOTE: Zumbach - Aye                      Rogers and Walker - Nay

Tamara Marcus, Sustainability Program Mgr., explained the Derecho Recovery & Investment priority.

Motion by Walker, seconded by Rogers to affirm the legislative list of top priorities, which includes Pandemic Relief.

VOTE: All Aye

Additional Legislative Priorities were discussed.

Motion by Walker, seconded by Rogers to approve the Additional Legislative Priorities which includes Cannabis Legislation.

Discussion: Supervisor Zumbach stated that he is not in favor of cannabis legislation. There is no chance of it making it through the Iowa Legislature. They would be sending their lobbyists out to do something that will not go anywhere which is a waste of resources. It is not county government.

Supervisor Rogers stated that it relates to county government as it involves law enforcement, incarceration and prosecution, which are all components of county government. There is also a cascading effect. Linn County has held expungement clinics and the County Attorney has a diversion program that affects county resources.

Chairperson Walker stated that Supervisor Rogers covered it all. He wants to acknowledge that Supervisor Zumbach has the prerogative to determine what is county government and what is state government. He agrees with Supervisor Rogers that it is within the county's prerogative for all of the reasons stated previously. He also stated that it is the job of elected officials to be forward thinking and legalizing cannabis is imminent.

VOTE: Zumbach - Nay                      Rogers and Walker - Aye

Motion by Walker, seconded by Rogers to approve the fully amended slate of Additional Legislative Priorities, which will now include cannabis legislation. Supervisor Zumbach has lodged his opinion.

VOTE: All Aye.

The Board reviewed and discussed the Board of Supervisors committee and liaison assignments.

Motion by Walker, second by Rogers to ratify the 2021 Board of Supervisors committee and liaison assignments noting that they will revisit appointments to ECICOG.

Public Comment: Supervisor Rogers stated that he sent a countywide email to employees this morning inviting them to tour the Mental Health Access Center.

Motion by Rogers, seconded by Walker to approve claims and ACH in the amount of \$21,851.83.

Board Member Reports: Supervisor Zumbach met with the staff of Planning & Development this morning.

Supervisor Rogers stated that he met with LCCS and worked on budget which will be presented this afternoon; conference call today with Solid Waste Agency on data he needed; communicated with members of the principals of the casino license effort as there are some statutory deadlines for the Board to put a gambling referendum on the ballot this year. He asked them for a preference on a date and they will get back to him for either the September or the November ballot.

Chairperson Walker met with a resident interested in acquiring properties that did not sell at tax sale and he is trying to get him connected with the proper people; County

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Attorney staff has followed up on legal research regarding a question about townships and he will share that research; met with members of the Greater Cedar Rapids Foundation regarding the management of SAT funds (he encouraged them to meet with Supervisor Zumbach); missed negotiations on the citizens review board; will be sitting in on a conversation with the bargaining unit for the University of Iowa bargaining efforts today; Board of Health meeting later today and tomorrow will interview with students from Iowa Big (innovative ways to approach youth gun violence). Meeting with Gazette reporter for a 1 on 1 (off the record).

The Board recessed at 12:45 p.m. and reconvened at 1:30 p.m. to review proposed FY 22 budgets. Present: Dawn Jindrich, Finance Dir.; Sara Bearrows, Budget Dir.; David Thielen and Staci Meade, LCCS; Sheriff Gardner and Col. Riniker.

Linn County Community Services (LCCS) - Proposed FY22 general fund net appropriation request is under the Board's guidelines by \$57,345 due to a decrease of \$141,403 in the Substance Abuse function, net against an increase of \$81,555 in the Community Services function and an increase of \$2,503 in the Youth Services function.

Thielen and Meade presented the budget review, Key Performance Indicators and Offers as follows:

- Detention - .58 FTE Supervisor - \$54,517
- Family Transformational Serv. - 2 vehicles - \$56,000
- Ryan White Program - 1 FTE Case Manager - \$83,798

Motion by Rogers, seconded by Walker to approve FY 22 LCCS expenditures in the amount of \$22,944,853; Revenues in the amount of \$6,975,415 for a net of \$15,969,438.

The Board recessed at 2:44 p.m. and reconvened at 2:48 p.m.

Sheriff - The FY22 proposed general fund appropriations budget exceeds the Board's guidelines by \$119,505 including \$44,000 for bank fees previously deducted from revenues. Revenue has also been increased by \$44,000 due to the accounting change. The remaining \$75,505 is due to contractual increases and actual costs for food, tires and other items that have increased in cost. The cost for 12 patrol cars has also increased by \$1,000 each.

Col. Riniker gave the budget presentation narrative.

Motion by Rogers, seconded by Zumbach to approve Sheriff's FY22 expenditures in the amount of \$26,707.123 and revenue in the amount of \$7,186,588.

Discussion: Col. Riniker gave a summary of Key Performance Indicators.

Chairperson Walker asked the Sheriff if the Sheriff's Association's has any proposed legislation regarding the legalizing of cannabis in the state.

Sheriff Gardner stated that they do not have the issue on their list of legislation and explained the concerns and challenges of law enforcement.

Chairperson Walker stated that he has made it no secret that he wants to address systemic inequities across institutions and one is law enforcement. He stated that he appreciates the Sheriff's ability to fairly assess various perspectives and he has never felt that the Sheriff was unfair.

VOTE: All Aye.

Col. Riniker presented the following Offer:

- Additional Sheriff's Office Transport/Courthouse Deputy - \$54,000.00.

Bearrows noted that during yesterday's board meeting, GovSense was discussed. She stated that the Sheriff's Office has encountered hardships throughout the transition process and she wanted to make the Board aware of the monumental level of effort by the Sheriff's staff.

Adjournment at 3:45 p.m.

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Respectfully submitted,

JOEL D. MILLER, Linn County Auditor  
BY: Rebecca Shoop, Deputy Auditor

Approved by:

STACEY WALKER, Chairperson  
Board of Supervisors