

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, FEBRUARY 16, 2022 11:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.
Present: Chairperson Rogers, Vice Chairperson Zumbach (via phone) 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 Walker to approve Consent Agenda as follows:

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor Receipts and Disbursements for the Month of January, 2022.

Resolution 2022-2-25

SET PUBLIC HEARING FOR CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under authority of §331.361, Code of Iowa, to dispose of the interest of Linn County, Iowa, in real property, and WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated portions of right-of-way described as:

LEGAL DESCRIPTION

The east 30 feet of vacated Vermont Way as recorded in Resolution 2006-4-42, Bk 6303, Pg 342, Linn County Records Office, lying south of Waubeek Road ROW and west of Lot 1, Block 7. Located in Original Town of Waubeek, Section 19, T.85N., R.05W., Linn County, Iowa. Said area is subject to easements and restrictions of record or use. And WHEREAS, Delores J. Neilsen and Melinda E. Dolan, owners of real property adjacent to the above described parcel of vacated right-of-way desire to obtain whatever interest Linn County may have in the above described parcel of vacated right-of-way. NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that a public hearing shall be held for the purpose of determining whether Linn County, Iowa, will convey to Delores J. Neilsen and Melinda E. Dolan, whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way. BE IT FURTHER RESOLVED that said hearing shall be held on the 7th day of March, 2022, at 11 o'clock, in the Formal Board Room on the lower level of the Jean Oxley Linn County Public Service Center, 935 2nd St SW, Cedar Rapids, Iowa, for the above stated purpose and that notice of the time and place of said public hearing shall be published in accordance with §331.305, Code of Iowa.

Approve and authorize Chair to sign an agreement between KDM Consults and Linn County Juvenile Detention Center for a re-certification audit to meet the Prison Rape Elimination Act standards. The Auditor's fee is \$3,000 plus expenses not to exceed an additional \$800.

Approve and authorize Chair to sign an annual agreement between the Child Care Nurse Consultant for Linn County and the Linn County Child Development Center for the provision of consultation services, which could include health and safety observations and consultation, at no cost to the County.

Approve and authorize Chair to sign a Shared Road Maintenance and Snow & Ice Control Agreement between Linn County and the City of Bertram.

Approve purchase order #PO240 for \$80,295 to Unzeitig Construction Co for ADA concrete upgrades and repairs at the Community Services Building.

Motion by Rogers, seconded by Walker to approve minutes of February 15, 2022 as printed.

Motion by Rogers, seconded by Walker to approve claims for AP checks #71006017 - #71006055 in the amt. of \$129,027.49 and AP ACH in the amt. of \$390,047.47.

The Board continued their discussion from Monday regarding mask requirements for Linn County employees and customers while in a Linn County building.

Chairperson Rogers stated that with the State and other authorities easing the mask requirement, Linn County needs to have a conversation about their mask requirement in county buildings. He noted that they have seen a significant decrease in the number of customers coming into the Public Service Center and Plexiglas barriers are still in place.

Supervisor Walker stated that he signaled his position on Monday. There are several measures in place to protect public health. Numbers are heading in the right direction but it is still strongly recommended that masking continue in public places. He cautioned that another variant is likely and it would be difficult to implement re-masking in buildings. Government is supposed to be a role model for society and they should try to do their best to encourage good behavior in the public. This is a simple ask of people.

Supervisor Zumbach stated that he understands Supervisor Walker's concerns and personally does not agree with him. He feels that it is a personal choice. He preferred going with the State guidelines at the beginning.

County Attorney Nick Maybanks stated that the State lifted their mask mandate at the Courthouse. A mask mandate has provided his staff and attorney's a piece of mind that there is some protection. He was looking for guidance from Public Health officials and perhaps one last push for vaccinations. He stated that ultimately they will have to lift the mandate and he would like the Board to consider a target date with bench marks.

Chairperson Rogers stated that this is an issue that ultimately will have to come to a conclusion at some point. He gave several examples of places that do not require masks (schools and grocery stores) and Linn County is the outlier. He is looking at Monday, February 28 for the date to lift the mask mandate.

Treasurer Sharon Gonzalez stated that she has both vaccinated and unvaccinated employees. They have the Plexiglas barriers and employees can wear a mask if they choose to. She is fine with lifting the mandate on February 28.

Walker stated that he wanted folks to understand the logic and reasoning. Yes, they are the outlier because there are very few other public spaces requiring masks. The Public Health Director does not recommend lifting the mandate. They are following science, listening to public health experts and folks that do this for a living. As Mr. Maybanks pointed out, for the record, he too would like to see a deadline for one last vaccination push; they could have a public awareness campaign and a deadline set by meeting a certain matrix. The February 28 deadline was not created with the guidelines of a matrix in mind.

Motion by Rogers, seconded by Zumbach to rescind the motions approved by the Linn County Board of Supervisors on August 6, 2021 and August 11, 2021 pertaining to the implementation of a mask mandate for certain Linn County buildings, employees, and occupants at those buildings, and to end the requirements imposed in accordance with those motions on February 27, 2022 at 11:59 p.m.

Discussion: The Board agreed to continue providing masks and hand sanitizer. They also agreed to continue with Per Mar Security until such time a Deputy Sheriff is available for the Public Service Center.

VOTE: Rogers & Zumbach - Aye Walker - Nay

Motion by Rogers, seconded by Walker to approve Employment Change Roster (payroll authorizations) as follows:

COUNTY ATTORNEY'S OFFICE

Clerk Typist Patricia Nunemaker New hire - FT 02/21/22 53A \$16.76 Replaces E. Pecinovsky

PLANNING & DEVELOPMENT

Senior Combination Insp. Matt Ruff Step increase/contract 02/20/22 23C \$30.36 - 23D \$31.65

FACILITIES

Custodian Jose Alfaro Termination 02/18/22

COMMUNITY SERVICES

Account Technician Veronica Ridenour New hire - FT 02/21/22 58A \$24.61 Replaces K. Klinefelter

PUBLIC HEALTH

Communications Specialist Terry Bergen Transfer - internal applicant 02/12/22 37B \$31.53 New position

Senior Environ. Chemist Robyn Nyberg Promotion - internal applicant 02/12/22 39E \$36.41 - 40D \$37.22

New position

Board Member Reports - Supervisor Walker stated that he has been talking to representatives of the Cedar Rapids Greater Comm. Foundation to discuss changes happening with group violence intervention.

Legislative Update - Gage reported that next week is funnel week and gave a recap of bills that Linn County is registered in favor and against:

Bills In Favor:

- HSB 648 Allows the use of design build in addition to low build.
- HSB 666 Allows Board of Supervisors to dissolve the Compensation Commission.
- HSB 682 Designates Courthouse improvements as an essential county purpose.
- HSB 714 Authorizes counties to establish a capital improvement fund and increases reverse referendum threshold.
- HF 2086 Board of Supervisors can approve EMA budget or reject without an amendment.
- HF 2166 Designate certain flood mitigation activities as an essential county purpose.
- HF 2288 Acquisition, development and improvement of information systems to protect against cybersecurity event as an essential county purpose.
- HF 2295 If state employees assist in response to a disaster and cause damage, they are not liable to the local government.
- HF 2366 Allows for the electronic submission of bids.
- SSB 3116 Increase amount of cash reserve MHDS Region can have on hand.
- SF 2216 Directs DHS to establish intensive psychiatric units at mental health institutions.

Bills Opposed:

- HSB 536 Prohibits counties from adopting storm water regulations that exceed state or federal regulations.
- HF 2296 Prohibits counties from requiring utilities to use county owned conduit as a condition of using right of way.

Chairperson Rogers noted that there was a public comment on Monday asking the Board to register their support for SF 2160 and HF 2320 that stops eminent domain by private industry. There is also a bill that would prohibit the installation of utility scale solar on land over 65 CSR.

Motion by Rogers, seconded by Walker to appoint Tina Lenton to the Sustainability & Resiliency Advisory Committee, term ending 12/31/22.

Adjournment at 11:43 a.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors