

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MARCH 1, 2023 10:00 A.M.

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

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

Motion by Rogers, seconded by Running-Marquardt to approve Consent Agenda as follows:

Resolution 2023-3-22

A Resolution approving a three lot final plat to be named Kellogg Acres.
The following description is a summary of Resolution No. 2023-3-22 as passed and approved by Linn County Board of Supervisors, effective March 1, 2023.
Kellogg Acres (Case # JF22-0025) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lot 2, and lot 3, a subdivision of real estate located in the SESE of Section 36, Township 85 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows: Lot 2 of Otter Creek Second Addition in accordance with the plat thereof recorded in Book 3077, Page 74 of the Records of the Linn County Recorder's Office. Said Tract of Land contains 12.73 Acres and is 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.linncountyiowa.gov

Resolution 2023-3-23

A Resolution approving a three lot final plat to be named Rose Farmstead First Addition, case JF23-0002. The following description is a summary of Resolution No. 2023-3-23 as passed and approved by Linn County Board of Supervisors, effective March 1, 2023. Rose Farmstead First Addition (Case # JF23-0002) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lot 2 and lettered lot A, a subdivision of real estate located in the SWNW of Section 4, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing as a point of reference at the W $\frac{1}{4}$ Corner of said. Section 4; thence N89°41 '05"E along the south line of said NW FRL $\frac{1}{4}$, 820.00 feet to the Point of Beginning; thence N00°18'55"W, 245.00 feet; thence S89°41'05"W, 540.21 feet; thence N02°45'55"W, 785.83 feet to the south line of Parcel A, Plat of Survey No. 500; thence S89°18'54"E along said south line of Parcel A, 250.30 feet; thence NE-ly along said south line of Parcel A, on an arc of 1329.11 feet of a 4131.56-foot radius curve to the left, having a chord length of 1323.39 feet, bearing N78°45'52"E; thence N21 °29'54"W along said south line, 100.02 feet; thence N68°30'06"E along said south line, 900.91 feet to the east line of said NW FRL $\frac{1}{4}$; thence S01°10'55"E along said east line, 1695.43 feet to the Center of said Section 4; thence S89°41 '05"W along the south line of said NW FRL $\frac{1}{4}$, 1805.43 feet to the Point of Beginning, containing 64.59 acres which includes 1.87 acres of road right of way. 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.

Resolution 2023-3-24

A Resolution approving a three lot final plat to be named Rose Farmstead First Addition, case JF23-0002. The following description is a summary of Resolution No. 2023-3-24 as passed and approved by Linn County Board of Supervisors, effective March 1, 2023. Rose Farmstead First Addition (Case # JF23-0002) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lot 2 and lettered lot A, a subdivision of real estate located in the SWNW of Section 4, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing as a point of reference at the W $\frac{1}{4}$ Corner of said. Section 4; thence N89°41 '05"E along the south line of said NW FRL $\frac{1}{4}$, 820.00 feet to the Point of Beginning; thence N00°18'55"W, 245.00 feet; thence S89°41'05"W, 540.21 feet; thence N02°45'55"W, 785.83 feet to the south line of Parcel A, Plat of Survey No. 500; thence S89°18'54"E along said south line of Parcel A, 250.30 feet; thence NE-ly along said south line of Parcel A, on an arc of 1329.11 feet of a 4131.56-foot radius curve to the left, having a chord length of 1323.39 feet, bearing N78°45'52"E; thence N21 °29'54"W along said south line, 100.02 feet; thence N68°30'06"E along said south line, 900.91 feet to the east line of said NW FRL $\frac{1}{4}$; thence S01°10'55"E along said east line, 1695.43 feet to the Center of said Section 4; thence S89°41 '05"W along the south line of said NW FRL $\frac{1}{4}$, 1805.43 feet to the Point of Beginning, containing 64.59 acres which includes 1.87 acres of road right of way.
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.

Resolution 2023-3-25

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes FMC057(161)--55-57, hereafter referred to as "the project" is in the best interest of Linn County, Iowa, and the residents thereof. The project is defined as : a bridge replacement on N Center Point Road, over East Otter Creek, and
WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Linn County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and IT IS THEREFORE RESOLVED by Board to accept the bid from Jim Schroeder Construction, Inc., in the amount of \$1,396,440.33 and awards the associated contract(s) to the same; BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and BE IT FURTHER RESOLVED by the Board of Supervisors of Linn County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Bradley J. Ketels, the County Engineer for Linn County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Resolution 2023-3-26

A RESOLUTION DECLARING SURPLUS COUNTY PROPERTY AND AUTHORIZING ITS DISPOSAL
WHEREAS, the Linn County Secondary Road Department is in possession of a bridge identified as: Local Bridge #1053 and FHWA #220850
WHEREAS, said bridge no longer meets the needs of the Linn County Secondary Road Department, but is still usable to another organization; and,
WHEREAS, Indian Creek Nature Center is a non-profit organization that will accept the transfer of ownership for said bridge for use by the Indian Creek Nature Center for public purpose and use; and,
WHEREAS, it is in the best interest of the public to transfer ownership of said bridge to Indian Creek Nature Center in exchange for One Dollar (\$1.00).
BE IT THEREFORE RESOLVED the Linn County Board of Supervisors, this date met in lawful session, declares that the bridge in possession of the Linn County Secondary Road Department identified as Local Bridge #1053 and FHWA #220850 is surplus property.
BE IT FURTHER RESOLVED the Linn County Board of Supervisors finds that there is no further public use by Linn County for this property and authorizes the Linn County Secondary Road Department to transfer ownership of the same to the Indian Creek Nature Center upon receipt for One Dollar (\$1.00) with the understanding that the Indian Creek Nature Center accepts said bridge "as is" without warranty, guarantee, or representation of any kind, expressed or implied, and assumes all responsibility for the proper use, any required maintenance, and ultimately the disposal of said bridge.

Approve and authorize Chair to sign an American Rescue Plan Act (ARPA) Subaward Agreement between Linn County and City of Hiawatha for the Hiawatha Northwood Drive Storm Sewer Improvements Project in the amount of \$310,000.00.

Approve Change Order Number 3 to the Contract with Unzeitig Construction for the Linn County Correctional Center Video Visitation Project by adding \$8,953 to supply and install new cabinets, and authorize the Chairperson to sign the Change Order.

Approve Change Order Number 4 to the Contract with Unzeitig Construction for the Linn County Correctional Center Video Visitation Project by adding \$8,392 to adjust electrical items, and authorize the Chairperson to sign the Change Order.

Approve Change Order Number 5 to the Contract with Unzeitig Construction for the Linn County Correctional Center Video Visitation Project by adding \$1,549 to enlarge a window in a door, and authorize the Chairperson to sign the Change Order.

Approve purchase order PO443 in the amount of \$7,350.00 to Esco Electric CO for the wiring installation of the new chiller at the Correctional Center.

Approve purchase order PO444 in the amount of \$9,284.74 to CDW Govt for cloud log monitoring for the IT department.

Approve Gardner Golf Course Liquor License, 5101 Golf Course Rd., noting all conditions have been met.

Approve Liquor License for Airport National Golf Course, 3001 Wright Brothers Blvd. E, Ely, retroactive to February 27, 2023, noting all conditions have been met.

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

PLANNING & DEVELOPMENT

Sr. Combination Inspector Matthew Ruff Step increase/contract 02/20/23
23D \$32.36 - 23E \$34.78

SHERIFF'S OFFICE

Deputy Sheriff Chelsea Behel Termination/resignation 02/28/23
Communications Oper. Jennifer Unkrich Additional PT/on-call position
02/18/23 CB \$25.14

Communications Oper. Ana Brunscheen Additional PT/on-call position
02/18/23 CB \$25.14

Communications Oper. Samantha Jones Additional PT/on-call position
02/18/23 CB \$25.14

Deputy Sheriff Jackson Meyer New hire - FT 03/06/23 DB \$30.18
Deputy Sheriff Esteban Gutierrez Termination/resignation
02/24/23

Female Correctional Officer Chantel McDowell Amended resignation date 02/19/23

Senior Account Clerk Matthew Moses Termination/resignation 02/24/23

Senior Account Clerk Alicia English Termination/resignation 03/10/23

Senior Account Clerk Kay Stanford Termination/retirement 04/07/23

COMMUNITY SERVICES

Home Health Care Aide Wednesday Hartman Transfer to FT position -
internal applicant 03/04/23 53E \$21.10 Replaces M. Janey

ENGINEERING

Heavy Equip. Oper. Matthew Schmidt Step increase/contract 01/01/23
19D \$27.56 - 19E \$29.76

Light Equip. Oper. Taylor House New hire - FT 03/20/23 17A
\$22.92 Replaces C. Wendt

Motion by Rogers, seconded by Kirsten Running-Marquardt to approve claims for AP checks #71010171-#71010253 in the amt. of \$227,856.27 and ACH in the amt. of \$1,759,419.49, for a total of \$1,987,275.76.

Motion by Rogers, seconded by Running-Marquardt to approve payment to Chairperson Zumbach in the amount of \$390.91 for travel.

VOTE: Rogers & Running-Marquardt - Aye Zumbach - Abstain

Mike Tertinger, Planning & Development, presented the following Ordinance Amendment, noting that the first and second considerations were in October, 2022, and there has been no additional communication.

Motion by Rogers, seconded by Running-Marquardt to adopt Ordinance #2-3-2023 upon third and final consideration rezoning case JR22-0007, request of Nathan & Carrie Kellogg, owners, to rezone 12.73 acres located in the 3600 Blk of N Center Point Rd from the RR1 (Rural Residential 1-Acre) zoning district to the AG (Agricultural) zoning district.

Ashley Balius, Dir. Comm. Outreach & Asst. LCCS-Core Serv., gave an overview of the General Services office and explained Ordinance Amendment relating to the Linn County General Assistance Program.

Motion by Rogers, seconded by Running-Marquardt to approve first consideration of an Ordinance Amending Chapter 20 of the Code of Ordinances, Linn County, Iowa by Amending Sections in Article III Relating to the Linn County General Assistance Program.

Matt Warfield, Deputy Auditor, presented and explained the ordinance amendment that extends the time of imposition of a Local Sales and Services Tax (LOST) from 2024 to 2034 as approved by voters.

Motion by Rogers, seconded by Running-Marquardt to approve first consideration of an Ordinance Amending Chapter 24 of the Code of Ordinance, Linn County Iowa by Amending Provisions in Article II relating to the time of Imposition of a Local Sales and Services Tax.

The Board discussed proceeding with issuing approximately \$10 million in Conservation, Land, Water and Legacy Bonds.

Dawn Jindrich, Finance Dir., stated that the Conservation Board approved a resolution asking the Board to issue bonds and she provided the list. She stated that this is a lengthy process and if the Board agrees to proceed, she will work with a financial advisor. The plan is to issue bonds before the end of June 30, 2023. This is the fourth in this series and they have issued \$17.2 million thus far.

Chairperson Zumbach asked about the timing of the remaining \$12.5 million, hoping that it can be scheduled so that everything does not happen at the same time.

Dennis Goemaat, Conservation Dir., stated that they are open to working with everyone on the process and going forward, he will keep the Board informed of projects and timelines. They can be flexible.

Pae 4
March 1, 2023

Supervisor Running-Marquardt thanked Goemaat for the flexibility and noted that this was voted on by the people and approved by the people and she wants to follow the will of the people.

Supervisor Rogers highlighted the fact there is a cost associated with issuing bonds and there are a lot of mechanisms and moving parts, so there is a method to that madness. He stated that this process has demonstrated financial stewardship and they take advantage of the County's triple A bond rating.

Motion by Rogers, seconded by Running-Marquardt to direct Dawn Jindrich to start the process of issuing approximately \$10 million in Conservation, Land, Water and Legacy Bonds.

Lisa Powell, HR Dir., presented a 5-year contract between Linn County and IBEW Assistant County Attorneys effective July 1, 2023. The five year agreement was ratified on February 13th as follows: Year 1 - 5.7%; Year 2 - 5.5%; Year 3 - 5%. The last two years are wage reopeners.

Motion by Running-Marquardt, seconded by Rogers to accept the 5-year contract between Linn County and IBEW Assistant County Attorneys effective July 1, 2023.

Discussion: Supervisor Rogers stated that this is the second contract post chapter 20, noting that AFSCME is 2.5%. This reflects a new reality.

VOTE: All Aye

Powell also presented a five year Service Agreement with AIG/Corebridge to provide deferred compensation services to Linn County. She stated that the existing deferred compensation program is currently under-utilized. She and a committee have worked with the consultant and recommendations are to reduce providers from six to one. This has gone through a legal review and they are compliant with all aspects.

Motion by Rogers, seconded by Running-Marquardt to authorize Lisa Powell to sign a five year Service Agreement with AIG/Corebridge to provide deferred compensation services to Linn County.

Powell also presented an updated Authorized Signer Letter for Linn County Deferred Compensation Program administration.

Motion by Rogers, seconded by Running-Marquardt to authorize Chairperson to sign Authorized Signer Letter for Linn County Deferred Compensation Program administration.

Darrin Gage, Dir. of Policy & Admin., presented a Resolution awarding contract for the Linn County Secondary Roads District 1 Shop Building - Phase 2 Project (new building near Palo). Bids were received Friday, opened on Monday and Garling Const. is the lowest responsible bidder.

Supervisor Rogers stated that he has an interest in tabling this action. This is a contractor that was used for a recent project (Mental Health Access Center/Fillmore Bldg.) project and there were significant issues that gives him pause. He would like to have some conversations to make sure there are assurances in order.

Motion by Rogers, seconded by Running-Marquardt to table the Resolution awarding contract for the Linn County Secondary Roads District 1 Shop Building - Phase 2 Project for a future date.

Discussion: Supervisor Rogers stated that he knows Supervisor Zumbach will be off and he does not anticipate this being placed back on the agenda while he is gone.

VOTE: All Aye

Public Comment: Ben Rogers, Board of Supervisors, stated that they have had several staff members that need to be highlighted for their exceptional work. Deputy Auditor Rhonda Betsworth came back from a vacation (which speaks volumes to her) to recalculate the valuation report due to the State's SF 181. She also assisted Dawn Jindrich and Sara Bearrows who also provided exceptional stewardship and leadership. This could not have been done without except employees like Betsworth, Bearrows & Jindrich.

Motion by Zumbach, seconded by Rogers to appoint Richard Walther as Marion Township Trustee, term ending 12/31/26.

The Board recessed at 10:51 a.m. and reconvened at 1:30 p.m. to discuss cuts to the FY 24 budget as a result of SF 181.

Sara Bearrows, Budget Dir., reviewed with the Board decisions that need to be made today and presented a list of potential cuts that all three of the Board members agreed on and did not agree on (reflected in a column for each board member). She also stated that if the Treasurer's bill passes, the Board can meet and put cuts back

in the budget, but for now, the Board needs to make a decision on cuts to total at least \$1,743,750.00.

Discussion continued regarding salaries for management/confidential and Elected Officials/Deputies.

It was explained that a 4.5% increase for the above-mentioned salaries is in the budget. The Compensation Commission's recommendations will be made at the time of the budget public hearing, however, the Board can make a decision on those salaries at any time. If the decision is more than the 4.5%, it will need to be absorbed within each budget. If it is less than 4.5%, that also remains in each department's budget.

Running-Marquardt stated that she is not comfortable with 4.5% for Elected Officials but she is for management/confidential.

After review of the list of cuts that the Board agrees on 100% and cuts that the Board does not agree on, Supervisor Rogers made the following motion:

Motion by Rogers to approve a cut in the amount of \$1,743,805 which reflects everything in the column that he presented.

Motion died for lack of a second.

The Board continued through the list of potential cuts, one by one.

Dennis Goemaat, Conservation Dir., offered that the sewer connection to the campground in Central City in the amount of \$250,000 be funded through ARPA and cut from the general fund. The Board expressed their appreciation for that suggestion and will take it into consideration.

Supervisor Rogers expressed his extreme frustration that his motion did not receive a second. The previous Board came to an agreement that a motion would always be seconded in order for a discussion and for the person making the motion to have the opportunity to present their reasoning. His example to Chairperson Zumbach is that he seconded his motions regarding the solar ordinance when he didn't necessarily agree. His motion today did not even get a second to discuss.

Chairperson Zumbach apologized profusely.

The Board continued reviewing cuts and when discussing cuts to Secondary Roads and Conservation, Dennis Goemaat and Garret Reddish, Asst. Co. Eng., advised the Board that whatever they decide to do, they will make it work.

When discussing cuts to various department's travel expenses, Rhonda Betsworth advised the Board that the \$7,000 they were considering was for out of state travel and all could be cut.

Running-Marquardt stated that she had indicated that funding the Resiliency Coordinator position (\$88,000) was a priority of hers (to be paid from the general fund) and hoped they could still do that.

Supervisor Rogers indicated that the position was funded through ARPA until January 9th.

Motion by Rogers, seconded by Running-Marquardt to approve the agreed upon FY 2024 budget cuts totaling \$1,743,750.00.

Discussion: Chairperson Zumbach apologized again to Supervisor Rogers for not having a second to his motion.

VOTE: All Aye.

Adjournment at 2:36 p.m.

Respectfully submitted,

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

APPROVED BY:

LOUIS J. ZUMBACH
Chairperson