

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MARCH 3, 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 Walker to move from the consent agenda to the regular agenda: Approve using \$1,020 of the Planning and Development Department budget as matching funds for a County Community Supported Agricultural (CSA) program to purchase additional CSA shares for donation to Hawkeye Area Community Action Program (HACAP) and other local food banks.

Motion by Rogers, seconded by Walker to approve the amended Consent Agenda as follows:

Approve and Authorize Chair to sign a Vacancy Form requesting a Veteran Services Coordinator for Veterans Affairs

Resolution 2021-3-26

A RESOLUTION ESTABLISHING STOP REGULATIONS

On March 3, 2020, the Linn County Board of Supervisors passed and approved Resolution 2020-3-26, effective upon its passage, entitled "A Resolution to Establish Stop Regulations." The following description is a summary of the provisions of the Resolution.

The Linn County Board of Supervisors, upon the recommendation of the Linn County Engineer, deems it appropriate to provide for traffic control, and to establish 364 stop sign locations in unincorporated Linn County. Further, the Board of Supervisors directs the County Engineer to place signs in accordance with the provisions of the Resolution, and the Code of Iowa, and declares such signs to be legal, valid, and enforceable.

The full text of the resolution is available for inspection during regular business hours, 8:00 am to 4:30 pm, Monday through Friday, in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, or on the Linn County web site at <https://www.linncounty.org/955/County-Resolutions>.

Resolution 2021-3-27

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the LOST-IVANHOE RD(21), 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 PCC overlay on Ivanhoe Road from Cedar Rapids city limits to Jappa Road; 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 Horsfield Construction, Inc. in the amount of \$790,523.58 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, Brad Ketels, P.E. Linn County Engineer, 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 on Tuesday, February 23, 2021.

Resolution 2021-3-28

Resolution Authorizing 28E Agreement Between the City of Cedar Rapids and Linn County for Annexation Near 80th Street and E Avenue NW

WHEREAS, after notification and public hearing required by Chapter 368 of the State Code, the City Council of the City of Cedar Rapids, on February 9, 2021, approved an application for annexation for property located in unincorporated Linn County, including portions of adjoining right of way, generally located west of 80th Street NW and South of E Avenue NW; and

WHEREAS, Section 368.1.15 of State Code states that, "except as provided for by an agreement pursuant to Chapter 28E", the property to be annexed shall include the adjoining half-width right of way; and

WHEREAS, the proposed annexation area includes irregularly shaped rights of way and, to prevent creation of an island of county, excludes a portion of adjoining right of way along E Avenue NW; and

WHEREAS, Cedar Rapids and Linn County desire to enter into an agreement which describes responsibilities for maintenance of portions of unannexed right of way and incorporate said agreement into existing road maintenance agreements between Cedar Rapids and Linn County;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 28E Agreement Between Linn County and the City of Cedar Rapids for Annexation Near 80th Street and E Avenue NW is hereby approved.

Resolution 2021-3-29

A Resolution approving a residential parcel split to be named D & S Nebraska Addition. The following description is a summary of Resolution No. 2021-3-29 as passed and approved by Linn County Board of Supervisors, effective March 3, 2021.
D & S Nebraska Addition (Case # JPS20-0004) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, lettered Lot A and Outlot A, has been filed for approval, a subdivision of real estate located in the SWNW of Section 21, Township 83 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: D&S Nebraska Addition to Linn County, Iowa, is a subdivision of Lot three (3) A.D. Swarzentruuber First Addition to 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.linncounty.org

Resolution 2021-3-30

A Resolution approving a residential parcel split to be named Kurth Second Addition. The following description is a summary of Resolution No. 2021-3-30 as passed and approved by Linn County Board of Supervisors, effective March 3, 2021.
Kurth Second Addition (Case # JPS20-0004) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, lettered Lot A and Outlot A, has been filed for approval, a subdivision of real estate located in the NESW of Section 25, Township 83 North, Range 05 West of the 5th P.M., Linn County, Iowa, described as follows: BEGINNING AT THE CENTER OF SAID SECTION 25; THENCE S01°05'35''E ALONG THE EAST LINE OF THE NE1/4 SW1/4 OF SAID SECTION 25, 1319.14 FEET TO THE SOUTHEAST CORNER OF THE NE1/4 SW1/4 OF SAID SECTION 25; THENCE S88°20'01''W ALONG THE SOUTH LINE OF THE NE1/4 SW1/4 OF SAID SECTION 25, 1177.68 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE N10°50'36''E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 1352.14 FEET TO THE NORTH LINE OF THE NE1/4 SW1/4 OF SAID SECTION 25; THENCE N88°23'45''E ALONG SAID NORTH LINE, 898.00 FEET TO THE POINT OF BEGINNING CONTAINING 31.44 ACRES MORE OR LESS. SUBJECT TO EXISTING 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

Resolution 2021-3-31

A Resolution approving a final plat to be named Wilkey Second Addition. The following description is a summary of Resolution No. 2021-3-31 as passed and approved by Linn County Board of Supervisors, effective March 3, 2021.
Wilkey Second Addition (Case # JF20-0012) 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 SWNE of Section 10, Township 82 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3 AND THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE N89°21'49"E 667.98 FEET ALONG THE NORTH LINE OF SAID LOT 3 AND THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER TO THE NORTHWEST CORNER OF LOT 1 OF SAID REVISED WILKEY FIRST ADDITION; THENCE S0°36'48"E 318.02 FEET ALONG THE WEST LINE OF SAID LOT 1 AND THE WEST LINE OF THE EAST 616.66 FEET OF SAID LOT 3 AND THE WEST LINE OF PARCEL A, PLAT OF SURVEY NO. 2163 AS RECORDED IN BOOK 9823, PAGE 649 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER TO THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE N89°22'09"E 617.59 FEET ALONG THE SOUTH LINE OF SAID PARCEL A TO THE SOUTHEAST CORNER OF SAID PARCEL A AND THE WEST RIGHT OF WAY OF KNAPP ROAD; THENCE SOUTHERLY 15.68 FEET ALONG THE EAST LINE OF SAID LOT 3 AND SAID WEST RIGHT OF WAY AND THE ARC OF A 58,947.60 FOOT RADIUS CURVE, CONCAVE WESTERLY (CHORD BEARS S0°55'40"E 15.68 FEET); THENCE S0°48'29"E 176.27 FEET ALONG EAST LINE AND SAID WEST RIGHT OF WAY; THENCE S5°21'27"W 105.58 FEET ALONG SAID EAST LINE AND SAID WEST RIGHT OF WAY TO THE NORTHEAST CORNER OF PARCEL A, PLAT OF SURVEY NO. 2473 AS RECORDED IN BOOK 10780, PAGE 73 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER; THENCE S89°22'03"W 176.90 FEET ALONG THE NORTHERLY LINE OF SAID PARCEL A; THENCE S60°22'59"W 50.94 FEET ALONG SAID NORTHERLY LINE; THENCE S65°18'50"W 98.88 FEET ALONG SAID NORTHERLY LINE; THENCE WESTERLY 75.71 FEET ALONG SAID NORTHERLY LINE AND THE ARC OF A 105.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY (CHORD BEARS S85°58'10"W 74.08 FEET); THENCE N73°22'30"W 42.93 FEET ALONG SAID NORTHERLY LINE; THENCE N80°10'23"W 30.47 FEET ALONG SAID NORTHERLY LINE; THENCE S72°52'01"W 18.47 FEET ALONG SAID NORTHERLY LINE TO THE NORTHWEST CORNER OF SAID PARCEL A; THENCE S10°14'14''E 265.73 FEET ALONG THE WEST LINE OF SAID PARCEL A AND THE WEST LINE OF PARCEL A, PLAT OF SURVEY NO. 2162 AS RECORDED IN BOOK 9823, PAGE 648 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND THE WEST LINE OF LOT 2 OF SAID WILKEY FIRST ADDITION TO THE SOUTHWEST CORNER OF SAID LOT 2 AND THE NORTHERLY RIGHT OF WAY OF HIGHWAY 30; THENCE N77°55'55"W 60.01 FEET ALONG SAID NORTHERLY RIGHT OF WAY AND THE SOUTHERLY LINE OF SAID LOT 3; THENCE S82°20'07"W 328.97 FEET ALONG SAID NORTHERLY RIGHT OF WAY AND SAID SOUTHERLY LINE; THENCE N88°45'21"W 275.03 FEET ALONG SAID NORTHERLY RIGHT OF WAY AND SAID SOUTHERLY LINE; THENCE N65°44'24"W 190.26 FEET ALONG SAID NORTHERLY RIGHT OF WAY AND SAID SOUTHERLY LINE TO THE SOUTHWEST CORNER OF SAID LOT 3 AND THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE WEST LINE OF SAID LOT 3; THENCE N1°27'24"W 871.38 FEET ALONG SAID WEST LINES TO THE POINT OF BEGINNING.

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Approve and authorize Chair to sign a 28E Agreement between the City of Cedar Rapids and Linn County for Annexation Near 80th Street and E Avenue NW.

Approve extension of the County's COVID Telework Agreements through June 30, 2021. Approve and authorize Chair to sign a service contract with Frontline Warning Systems in the amount of \$1,500 to perform maintenance duties twice yearly on Linn County-owned sirens.

Approve Airport National Public Golf Course Liquor License, 3001 Wright Brothers Blvd., retroactive to February 28, 2021, noting all conditions have been met.

Motion by Rogers, seconded by Walker to approve claim to ASAC in the amt. of \$1,070.37; claim to Area Ambulance in the amt. of \$6,392.50; Claims #71001474-#71001555 in the amt. of \$204,874.74 and ACH in the amt. of \$1,444,509.54.

Motion by Walker, seconded by Zumbach to approve claim to Marcia Rogers in the amt. of \$200.00.

Vote: Walker & Zumbach - Aye Rogers - Abstain

Charlie Nichols, Planning & Development Dir., discussed the approval of using \$1,020 of the Planning and Development Department budget as matching funds for a County Community Supported Agricultural (CSA) program to purchase additional CSA shares for donation to Hawkeye Area Community Action Program (HACAP) and other local food banks. Based on feedback from the Board of Supervisors, the money will be donated as a cash payment directly to HACAP. HACAP will then use the funds to purchase Linn County grown food for distribution to county food pantries and/or to the HACAP Head Start Program.

Motion by Rogers, seconded by Walker to approve \$1,020 being paid directly to HACAP.

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

- Johnson & Johnson vaccine was approved on February 27th.
- Asking residents to be patient. Current demand far exceeds the supply.
- Participating in the weekly vaccine meeting with partners.
- Even if vaccinated, urge residents to continue wearing masks, washing hands and social distancing.
- If received first dose outside of Linn County, the second dose if wanted in Linn County may not be readily available.
- None of Linn County's long-term facilities are reporting an outbreak at this time. This is a huge accomplishment.
- Linn County has had 1,240 active cases, 14 hospitalized and 347 deaths.
- Linn County has vaccinated 53,400 individuals and 15,184 have had both doses.

Motion by Rogers, seconded by Walker to approve upon third and final consideration of Ordinance Amendment #4-3-2021, rezoning case JR20-0008, request of Mary Jane Wilkey, owner, to rezone 19.92 acres located at 920 Knapp Rd from the RR1 (Rural Residential 1-acre) district to the RR2 (Rural Residential 2-acre) district.

Motion by Rogers, seconded by Walker to approve upon third and final consideration on an ordinance #5-3-2021 designating the Dows Farm Area of Linn County, Iowa, as the Linn County Urban Revitalization Area.

Discussion: Supervisor Zumbach stated that he is not in favor of this ordinance but does feel Dow's is slowly progressing.

Vote: Rogers & Walker - Aye Zumbach - Nay

Motion by Walker, seconded by Rogers to open public hearing on the Fiscal Year 2022 SF 634 Max Levy Notice.

Sara Bearrows, Budget Dir., presented proof of publication noting that no oral or written comments have been received. The max levy notice captures the change in the general and rural fund, if the change is more than two percent from the prior year, they have to approve and additional resolution, hold a public hearing and publish that.

Motion by Walker, seconded by Rogers to close public hearing.

Motion by Rogers, seconded by Walker to approve Resolution 2021-3-32
A RESOLUTION APPROVING FISCAL YEAR 2022 MAXIMUM PROPERTY TAX DOLLARS
WHEREAS, the Linn County Board of Supervisors have considered the proposed fiscal year 2022 county maximum property tax dollars for both General County Services and Rural County Services; and,

March 3, 2021

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on the county web site and/or social media accounts; and,

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on March 3, 2021,

NOW, BE IT THEREFORE RESOLVED by the Linn County Board of Supervisors that the maximum property tax dollars for General County Services and Rural County Services for fiscal year 2022 shall not exceed the following:

General County Services \$ 65,733,759

Rural County Services \$ 4,686,904

The maximum property tax dollars requested in either General County Services or Rural County Services for fiscal year 2022 represents an increase of more than 102% from the maximum property tax dollars requested for fiscal year 2021.

Motion by Rogers, seconded by Walker to authorize publication of proposed Fiscal Year 2022 budget and set public hearing for March 24, 2021 at 11 a.m.

Public Comment: Carolyn Peterson, Cedar Rapids, voiced concerns over the COVID-19 flow chart that is posted on Public Health's website. She does not feel that it is a reliable source since and asked the Board what they plan to do with the flow chart.

Chairperson Walker thanked Peterson for her diligence and passion about this topic and monitoring what information came from Public Health. He acknowledged that Peterson and Board members are miles apart in their understanding of the pandemic, however in this case, anything that is published on Linn County's website should be cited. Walker added that Linn County's Public Health staff is top notch. He will look deeper into this flow chart and determine the basis of the information and let her know.

Board Member Reports: Chairperson Walker had meeting with Iowa Legal Aid staff regarding potential eviction notice process; will attend group violence intervention webinar today; presenting on adverse childhood experiences tomorrow; Dr. White will be touring the Harris Bldg. tomorrow and small ribbon cutting ceremony for Mental Health Access Center on Friday.

Legislative Update: Supervisor Zumbach stated that the EMS bill has gone through the house; working with Tamra on tree planting; gambling money is down this year but seem positive about possibility of a revolving fund; and talked to Rep. Bobby Kaufmann about fines.

Adjournment at 11:52 a.m.

Respectfully submitted,

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

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors