

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
MONDAY, MARCH 7, 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 and Supervisor Walker. Board members voting "AYE" unless otherwise noted.

Chairperson Rogers called the meeting to order.

Motion by Rogers, seconded by Walker to approve minutes of March 2, 2022 as printed.

Motion by Rogers, seconded by Walker to open a public hearing to determine whether Linn County will convey to Delores J. Neilsen and Melinda E. Dolan, whatever interest Linn County may have in vacated right-of-way along former Vermont Way west of Lot 1, Block 7 in Waubeek. Proof of publication was presented.

Brad Ketels, County Engineer, presented the history of when the right-of-way was vacated noting that the Quit Claim process will release any rights that Linn County may have. Ketels stated that an email as sent to them and no response has been received that they understand the easement process. There were no oral or written objections.

Supervisor Zumbach stated that he wants something in writing to assure him that no properties will be landlocked.

The Board asked Ketels to follow-up with that request and to check with the Civil Division verifying that an email response is sufficient.

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

Motion by Rogers, seconded by Walker to open public hearing for rezoning case JR22-0002, request to rezone property located at 424 Rosedale Rd, from the AG (Agricultural) district to RR2 (Rural Residential 2-Acre) district, approximately 50.28 acres, Benjamin & Keri Dahl, owners. Proof of publication was presented.

Desire Irakoze, Planning & Development, presented the case. There were no oral or written objections.

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

Motion by Rogers, seconded by Walker to approve upon first consideration rezoning case JR22-0002, request to rezone property located at 424 Rosedale Rd, from the AG (Agricultural) district to RR2 (Rural Residential 2-Acre) district, approximately 50.28 acres, Benjamin & Keri Dahl, owners.

Motion by Rogers, seconded by Walker to open public hearing for rezoning case JR22-0003, request to rezone property located at 3010 C Avenue Extension, from the AG (Agricultural) district to the USR (Urban Services Residential) district, approximately 5.72 acres, Robert Schmitt, owner. Proof of publication was presented.

Mike Tertinger, Planning & Development, presented the case. There were no oral or written objections.

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

Motion by Rogers, seconded by Zumbach to approve upon first consideration rezoning case JR22-0003, request to rezone property located at 3010 C Avenue Extension, from the AG (Agricultural) district to the USR (Urban Services Residential) district, approximately 5.72 acres, Robert Schmitt, owner.

David Thielen, LCCS Dir., presented a Memorandum of Understanding (MOU) regarding reimbursement from MH/DS of the East Central Region for Linn County Employees. There is a 28E agreement in place but due to a change in legislation, they wanted a Memorandum of Understanding to make this clarification for existing staff members. The Board will approve on Wednesday.

Sheriff Gardner presented a Vacancy Form requesting an Administrative Coordinator for the Sheriff's office. He stated that this is a new position within the Sheriff's Office and will replace an existing position of Administrative Assistant. The person in the existing position of Administrative Assistant is working above and beyond her duties and this is a reasonable solution to that. She will have to apply for the new position. This is an elevation in wages and can be absorbed within the budget. The Board will approve on Wednesday.

Brad Ketels presented a Vacancy Form requesting a Design Technician for the Secondary Road Department due to some internal shuffling to fill the Assistant Engineer I and II positions that left a vacancy of a Design Engineer. The vacancy will be filled with the lower job classification of Design Tech. The Board will approve on Wednesday.

Brent Oleson, Deputy Dir. of Policy & Comm. Relations, presented a purchase agreement between Kirk and Kimberly Osborn and Linn County for a Temporary Construction Easement regarding Megger's First Addition adjacent to Secrist Road and subsequent donation-exchange of vacated railroad right-away.

Dennis Goemaat, Conservation Dir., explained that Linn County will construct the trail and once it is complete, the Osborn's will acquire a parcel from the county. The Board will approve on Wednesday.

Goemaat also presented a professional services proposal from Design Dynamics, Inc. for a Wickiup Hill Outdoor Learning Center HVAC study. They met with the architect, West Plains and Facilities staff and all concur that this is the correct approach. The Board will approve on Wednesday.

Motion by Rogers, seconded by Zumbach to open a public hearing on the plans, specifications, form of contract, and estimated total cost for the Priority #1 Linn County Facilities Derecho Repair Project. Proof of publication was presented and there were no oral or written objections.

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

Motion by Rogers, seconded by Zumbach to adopt Resolution 2022-3-29  
A RESOLUTION GRANTING FINAL APPROVAL AND CONFIRMING THE PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED TOTAL COST FOR THE PRIORITY #1 LINN COUNTY FACILITIES DERECHO REPAIRS PROJECT WHEREAS, the Linn County, Iowa Board of Supervisors (the "Board") previously approved, in preliminary form, the proposed plans, specifications, form of contract, and estimated total project cost (the "Contract Documents") prepared by Martin Gardner Architecture (the "Project Architect") for the Priority #1 Linn County Facilities Derecho Repairs Project (the "Project"); and, WHEREAS, Linn County published a Notice of Public Hearing on the Contract Documents in accordance with Iowa Code Section 331.305 and Iowa Code Chapter 26; and, WHEREAS, the Board conducted a public hearing on the Contract Documents on March 7, 2022 in accordance with the published Notice of Public Hearing. BE IT THEREFORE RESOLVED that the Board hereby grants final approval to the Contract Documents referred to in this Resolution, and confirms the prior Board action granting preliminary approval to the Contract Documents, and finding the Project necessary and desirable.

Gage opened and announce bids for the Priority #1 Linn County Facilities Derecho Repair Project as follows: Unzeitig Construction Co. - \$396,500 and Kleiman Construction Inc. - \$487,728.

The Board referred bids to Linn County staff and the project architect for review and tabulation.

The Board canvassed the votes of the March 1, 2022 Special Elections - Palo City Council to Fill a Vacancy and Center Point-Urbana Community School District Public Measure. Results are on file at the Linn County Auditor's Office.

Motion by Rogers, seconded by Zumbach to approve Payroll Authorizations as follows:

<u>SHERIFF'S OFFICE</u>		
Deputy Sheriff	Jacob Humphrey	Transfer from Correctional Center to Patrol D5 \$35.59 - D5 \$35.19
<u>JUVENILE DETENTION</u>		
Youth Leader	Avery Mirocha	New hire - PT, on-call 03/07/22 55A \$19.48 Replaces M. Marshall
JDDS Supervisor	Janelle Scott	Termination/resignation 03/04/22
Tracker	Jada Grubbs	New hire - FT 03/07/22 56A \$20.95 Replaces K. Pratchett
<u>ENGINEERING</u>		
Traffic Tech. Aide	Jeff Williams	Termination/retirement 02/28/22
Assistant County Eng. I	Curt Logan	Promotion 03/05/22 40D \$44.45 - \$95,954/annually Replaces G. Reddish

Motion by Rogers, seconded by Zumbach to approve claims for payroll deduction checks #71006226 - #71006247 in the amt. of \$348,387.63, payroll deduction ACH in the amt. of \$60,596.58, and payroll wires in the amt. of \$1,918,419.88.

The Board received and placed on file a letter from Nelson Baethka asking for Linn County to be declared a sanctuary county as a carbon dioxide pipeline free zone.

Motion by Rogers, seconded by Zumbach to remove the following from the agenda: Closed session to discuss pending litigation, pursuant to Code of Iowa 21.5(1)(c).

Adjournment at 11:36 a.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson  
Board of Supervisor