

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
MONDAY, MARCH 27, 2023 10:00 A.M.

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

Chairperson Zumbach called the meeting to order.

Public Comment: Kelly Merta, 4194 Quail Ridge Rd., Center Point, spoke regarding the renewable energy overlay ordinance. She has been participating in the Good Neighbor Committee and to date the work has been cohesive, collaborative and coordinated. This is refreshing after what they saw the last two years. Her group meets the end of this week to finalize their statements. She stated that she respectfully requests that the Board pass today's Resolution extending to June 30<sup>th</sup> so that Planning & Zoning has time to write the code, update it and present to the Commission and Board for their approval. She appreciates the Board's supportive work noting that it is very important.

Motion by Zumbach, seconded by Running-Marquardt to approve minutes of March 21 & 22, 2023 as printed.

Supervisor Running-Marquardt read the following Proclamation: Child Abuse Prevention Month -- April 2023.

Motion by Running-Marquardt, seconded by Zumbach to adopt Proclamation: Child Abuse Prevention Month -- April 2023.

Supervisor Running-Marquardt read the following Proclamation: Sexual Assault Awareness Month – April 2023.

Motion by Running-Marquardt, seconded by Zumbach to adopt Proclamation: Sexual Assault Awareness Month – April 2023.

Supervisor Running-Marquardt read the following Proclamation: Week of the Young Child – April 1-7, 2023.

Motion by Running-Marquardt, seconded by Zumbach to adopt Proclamation: Week of the Young Child – April 1-7, 2023.

Col. Riniker presented a Vacancy Form requesting 10 part-time Courthouse/Transport Security Officers for the Sheriff's office. He stated that this will fill the void regarding staffing issues and should be cost neutral if not a savings as it will reduce the amount of overtime paid.

Chairperson Zumbach stated that what he is about to say applies to all of the vacancy forms presented today. He wants to be very careful that they are not pre-spending 2025 dollars. As a Supervisor, they are all aware that there will more than likely be a property tax bill at the Statehouse (maybe not this session, for the next). They would be naïve to think that it won't happen. He is personally in support.

Supervisor Running-Marquardt stated that trying to find cost saving measures while making sure that the Sheriff's Dept. remains the upstanding, high-quality department that it is, not only in Linn County but across the State of Iowa. She supports them in moving forward with the vacancy form. The Board will approve Wednesday.

Staci Meade, LCCS, presented a Vacancy Form requesting 3 temporary part-time Direct Support Staff for Community Services-Options department. She stated that the positions will cover for staff outages and keeping ratios in line for the Medicaid program. The positions will be funded through the Medicaid revenues and year to date, Options has enough net income to cover the costs. The Board will approve on Wednesday.

Treasurer Brent Oleson presented a Vacancy Form requesting an Accounting Analyst for the Treasurer's office. He stated that based upon a recommendation of Budget & Finance, he took a look at the retirement of a Universal Account Clerk and an upgrade to that position. The difference in pay would be paid from the vacancy that occurred up until now. The Board will approve on Wednesday.

Deputy Auditor Matt Warfield presented a Vacancy Form requesting an Elections Systems Administrator for the Auditor's office. He stated that he has a vacancy and after reviewing the skillsets throughout the team and the needs for the changing election infrastructure, they are looking to shift from Election Tech. to an Elections Systems Admin. This is an increase in salary but will be offset with the contract labor budget.

Sara Bearrows, Budget Dir., clarified that this one is different because they are reducing their contract labor line item and increasing salary and benefits. It is budget neutral across more than one year. Ultimately all of the Vacancy requests today roll into the 2024 budget. The Board will approve on Wednesday.

Heather Meador, Public Health, presented a Vacancy Form requesting a Harm Reduction Coordinator for Public Health. She stated that this is a new grant funded position and explained that they have an existing CDC federal passthrough grant from state to county. They added money to the grant to hire this position. She noted that this is an ongoing position. They will embed a nurse in one of their local emergency rooms to work on identification of individuals that would benefit from HIV, Syphilis, Hepatitis and STD testing plus a follow-up component. This also includes individuals that misuse substances. This is a program that continues to grow and the dollars have continued to grow and there is no indication that it would be ending any time soon. The Board will approve Wednesday.

Charlie Nichols, Planning & Development, presented a PowerPoint on the Renewable Energy Review Committees including the purpose of committees; focus of discussions; expert opinion; original research; example draft statements and next steps. He noted that all of the committees should be done within the next 2-3 weeks and will be finalizing their draft statements. Once finalized, they will be posted on the county's website. They will then be placed on the Board's agenda for the Board to comment on. They are looking at between 20 and 30 statements so he wants the Board to have plenty of time to review and develop their comments and thoughts. Based on the Board's feedback, his department will start drafting updates to the Renewable Energy Overlay & Utility Scale Solar Ordinances. They will then be presented to the Planning & Zoning Comm. and then back to the Board.

Supervisor Zumbach thanked Nichols for the work and noted that he has purposely not had any contact with any committee members and he looks forward to seeing the final product.

Supervisor Running-Marquardt also thanked Nichols and his staff for all their hard work which the community deserves. She is interested in the point system using the LESA, noting it is a brilliant path to go down while evaluating projects. She looks forward to seeing the outcomes from the groups and giving it fresh air for them and the public to look at to determine what is fair and reasonable.

Nichols added that he is extremely pleased with the work and progress the groups have made. There was always the chance things could go badly. They purposefully placed people with different perspectives in each group including a wide range of opinions that worked together extremely well.

Motion by Zumbach, seconded by Running-Marquardt to remove from the agenda today a "decision" on the Resolution Extending the Renewable Energy Overlay Rezoning Moratorium from 3/31/22 until 6/30/23 and place on Wednesday's agenda.

At this time Nichols presented a Resolution Extending the Renewable Energy Overlay Rezoning Moratorium from 3/31/22 until 6/30/23. Based on what he previously outlined for the Board regarding the committee's statements, etc., it will likely take longer than three months but he doesn't anticipate them receiving an application for another utility sale solar project before then. He spoke to Kimberly Dickey, Project Manager of NextEra, and she said they are not prepared at this time to submit another application. He is requesting three months.

Chairperson Zumbach noted that Supervisor Rogers left a statement, but since they will not be deciding until Wednesday, he will not read it.

Supervisor Running-Marquardt stated that she does appreciate the companies that they have been working with but they also don't know if there would be somebody who would not be a good team player and who might want to drop an application during the time when they are still trying to figure out what works best for Linn County. For her to protect their citizens and the county, the fair and reasonable thing to do is to allow Nichols to have the time without them worrying that someone would drop an application that would fall under the old code. She also knows that if work gets done quicker than 3 months, they are able to release the moratorium early.

Darrin Gage, Dir. of Policy & Admin. and Sara Coleman, Martin Gardner Arch., reminded the Board that three weeks ago they received and opened bids for the Linn County Secondary Roads District 1 Shop Building – Phase 2 Project and at the time did not award the bid. Gage has heard from Supervisor Rogers that he is now comfortable with moving forward with awarding the bid to Garling Const.

Motion from Zumbach, seconded by Running-Marquardt to remove from the table Resolution Awarding Contract for the Linn County Secondary Roads District 1 Shop Building – Phase 2 Project and placed on today's agenda.

Motion by Zumbach, seconded by Running-Marquardt to adopt Resolution 2023-3-43  
A RESOLUTION AWARDED CONTRACT FOR THE Linn County Secondary Roads District 1 Shop Building – Phase 2 Project. WHEREAS, pursuant to notice duly posted as prescribed by resolution 2023-2-21 of the Linn County, Iowa Board of Supervisors (the "Board"), and as required by state law, the Board received bid proposals for the "Linn County Secondary Roads District 1 Shop Building –

Phase 2 Project” (the “Project”); and, WHEREAS, each bid submitted for the Project received careful consideration, and it is necessary and advisable to award the contract for the Project.

BE IT THEREFORE RESOLVED by the Board as follows:

1. The bid for the Project submitted by the contractor, and in the amount set out below, is lowest responsible bid received for the Project, and is fully responsive to the plans and specifications for the Project. Contractor Bid Amount GARLING CONSTRUCTION INC. \$3,287,000.00 1120 11TH STREET BELLE PLAINE, IA 52208
2. The Board hereby awards the contract for the Project to such contractor, and for the total estimated cost set out above, with final settlement to be made on the basis of the unit prices set out in said contract, and on the actual final quantity of each class of material(s) furnished, and said contract is subject to the Notice to Bidders, the plans and specifications for the Project, and the terms of the bidder’s written proposal.
3. The Board hereby fixes the amount of the contractor’s performance and/or payment bonds at 100 percent of the amount of the contract.

Discussion: Supervisor Running-Marquardt stated that she is very interested in keeping an eye on subcontractors and the work done by contractors. Over the years the legislators have definitely tied their hands on what they can and cannot ask for and the definition of reasonable has not ever been flushed out, leaving communities holding the bag. Moving forward, she wants to make it known that she and others will try to do the best they can in watching projects and keeping a stern eye not only on the contractor but the subs and making sure that they are taking into consideration the value of the county’s tax dollars.

Sara Coleman stated that based on discussions from the previous time this was on the agenda, she reached out to Garling Const., got the subcontractor list and saw no red flags.

VOTE: All Aye

Gage also discussed Linn County’s use of Post-Bid General Contractor Quality Assurance Questionnaire. He stated that in May of 2021, the Board approved moving forward with the use of a Post-Bid General Contractor Quality Assurance Questionnaire. The minutes of that meeting reflects that the County Attorney’s Office wanted to review what was passed and to have the opportunity to come back with some modifications. He does not believe that any modifications were presented back to the Board. Now they have a request by the Board to move forward with approving or reinstating it. The draft provided today is reformatted from 2021 (contains the same information). He would like to hear from the Civil Attorneys if they have any modifications and then he would like to bring a policy to the Board that would adopt the Questionnaire and require it under certain circumstances.

Chairperson Zumbach stated that he voted against this in 2021 and explained why. Since then he has been educated on the topic and will probably change his mind. He only asks that the County Attorney keep it within the boundaries of Iowa Code.

Supervisor Running-Marquardt stated that anything that can give them a tool to be better informed Supervisors on how they are spending taxpayer dollars is a win. She wants to make sure that the contractors and subcontractors are doing the best they can even though there are laws that tie their hands, but having more information on what the subcontractors are doing is critical moving forward. She stated that it is very important that the County Attorney has time to review and provide feedback as well.

Lisa Epp, Asst. County Atty., stated that she would have it reviewed by next week.

It was the consensus of the Board to bring this back in the future.

The Board discussed Linn County elected officials and elected officials’ deputies’ salary increases for Fiscal Year 2024.

Dawn Jindrich, Finance Dir., stated that this item was placed on today’s agenda for discussion and a decision on Wednesday. If any decision is made that would require her office to change what is already proposed in the budget, that needs to be done now in order to make corrections in time to meet publication deadlines (3:00 p.m. Wednesday). She has several requests from Board members to prepare different schedules and amounts. She was asked what cuts would need to be made from the Comp. Board’s recommendation to keep the budget where it is. Jindrich stated that if they would cut 59% of the Comp. Board’s recommendation, it would result in all elected officials and their deputies receiving 4.1% and the County Attorney and Sheriff receiving 4.92%.

Chairperson Zumbach stated that two things stand out to him. 1) Stay within the budget. He does not want to pre-spend any 2024 money and 2) Don’t fund something that cannot continue to be funded in the future.

Jindrich confirmed that after being in Des Moines last week, that something will happen to make it harder to budget what they need in future years. Tough decisions will need to be made in FY 25. She continued

to explain that for right now, the general basic fund is capped at \$3.50 and can't go higher. The only thing they can use is valuation growth. The County has less control now than they have had in the 25 years she has been with Linn County. If a cap happens, they will be looking at the program level as all of the "low hanging fruit" is gone.

Public Comment: Charlie Nichols, Planning & Development Dir., gave an update on broadband grant future funding and designated Broadband Intervention for communities. He'll bring a Resolution to the Board Wednesday.

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

BOARD OF SUPERVISORS

Clerk Typist Cara Hromidko End of probation 03/12/23 53A \$17.51 – 53B \$18.44

RECORDER'S OFFICE

Clerical Specialist Matthew Black New hire - FT 04/03/23 55A \$19.92 Replaces D. Froese

Clerical Specialist Leah Born New hire – FT 04/03/23 55A \$19.92 Replaces M. Cassis-Williams

TREASURER'S OFFICE

Treasurer Team Lead Jennifer Hebert Step increase/contract 03/19/23 57D \$27.08 – 57E \$28.56

CIVIL SERVICE

Secretary Brooke Henning Additional position – PT 03/1/23 \$32.93/hour Replaces R. Dillemoth

SHERIFF'S OFFICE

Deputy Sheriff Marty Tope Transfer from Correctional Center to Patrol 04/15/23 D5 \$36.65 – D5 \$36.25

Sergeant Wilhelm Lear Transfer from Correctional Ctr to Criminal 04/08/23 S2 \$47.40

Sergeant Shawn Ireland Transfer from Criminal to Communications 04/08/23 S2 \$47.40

Cook Desire'e Moore Termination 03/24/23

Duty Officer Tammy Brooks Termination/resignation 04/07/23

Sergeant Kevin Louis Promotion 03/25/23 D8 \$39.03 – SB \$44.10

Sergeant Adam Munier Promotion 04/29/23 D7 \$37.90 – SB \$44.10

Lieutenant Deric Oshel Promotion 03/18/23 S3 \$48.11 - \$123,243.42/annually

Sergeant Erceg Transfer from Investigations to Civil 04/01/23 S3 \$48.11

LIFTS

LIFTS Driver Nathan Dee Step increase/contract 04/04/23 55B \$20.90 – 55C \$21.99

JUVENILE DETENTION

Youth Counselor Ricardo Lara New hire – FT 04/03/23 36A \$24.48 + \$ .25

Youth Counselor Jordan Moore Correction to effective date of transfer 03/25/23

Intervention Counselor Traney Benson Termination/resignation 03/31/23

ENGINEERING

Traffic Tech Aide Mark Scherbaum Corrected effective date of step increase 03/19/23

Roadside Veg MgmtAide KristopherSlutts Step increase/contract 04/06/23 18D \$26.62 – 18E \$28.59

Temp Rdwy Mtc Wrkr Lester Vaultz II New hire – temporary 06/12/23 \$20.00/hour

Temp Rdwy Mtc Wrkr Jason Uhruh New hire – temporary 06/12/23 \$20.00/hour

Temp Rdwy Mtc Wrkr Joe Carper New hire – temporary 06/12/23 \$20.00/hour

Temp Rdwy Mtc Wrkr Daniel Cook New hire – temporary 06/12/23 \$20.00/hour

Temp Rdwy Mtc Wrkr Kelly Malone New hire – temporary 06/12/23 \$20.00/hour

Motion by Running-Marquardt, seconded by Zumbach to approve claims for AP checks #71010422 in the amt. of \$90.00.

Motion by Zumbach, seconded by Running-Marquardt to go into closed session to discuss pending litigation, pursuant to Code of Iowa 21.5(1)(c).

VOTE: Zumbach – Aye Running-Marquardt - Aye

Motion by Zumbach, seconded by Running-Marquardt to go out of closed session.

VOTE: Zumbach – Aye Running-Marquardt - Aye

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Adjournment 11:50 a.m.

Respectfully submitted,

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

Approved by:

LOUIS J. ZUMBACH, Chairperson  
Board of Supervisors