

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, APRIL 13, 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 and led the Pledge of Allegiance.

Public Comment: Jessica Wiskus, 242 Green Ridge Rd., Lisbon, spoke regarding SJ646 which has been passed by the Senate and is sitting in subcommittee. This is a moratorium regarding eminent domain for carbon pipelines. Imminent domain is an extraordinary government power that takes the rights away from private property owners and is to be used if only for necessary public good. She thanked the Board for their support regarding the Navigator pipeline and stated that she knows that Wolf and ADM have contacted them. She stated that when they meet with Wolf and ADM to remember that safety is number one. A rupture would result in a quarter mile spread of a cryogenic plume (they saw this happen in Mississippi). Nowhere in Wolf's report is safety mentioned or EMS needs. Another fact to keep in mind is that this is not a necessary public good. Wolf's report cites economic benefits but not a necessary public good. She asked the Board to consider no eminent domain for a project that is not a necessary public good.

Laura Kraus, 825 Abby Hills Rd., Mt. Vernon, stated that she is a landowner on the Navigator pipeline. The more she learns about pipelines, the more concerned she gets about safety which is the number one issue. There is not enough information to assure that the technology is safe. The proposed pipeline is 800 ft. from her house and goes through a field. She wanted to remind the Board that they opposed the use of eminent domain by private companies and send a letter to the Iowa Utilities Board. She wanted them to remember that they said that. Wolf and ADM will make a pretty good argument. She is highly skeptical of it and as a farmer, she knows that every project takes longer and costs more. What risks associated with these pipeline projects will be the responsibility of the citizens of Linn County (damage to public roads and natural areas). As a Soil & Water Conservation Commissioner, the Commission is in opposition to pipeline projects. They think ethanol is an industry on its last legs and there is no reason the public should be supporting and paying to greenwash an industry that is not going to be around that much longer.

Mike Lynch, 433 Cedar River Rd., Mt. Vernon, stated that they are spending zillions to support an industry that does not have a strong future (ethanol). He has had a bad experience with an E85 vehicle and it does not work. The whole idea of ethanol affects the food supply, pollen distributed product that cannot be eaten. It is providing a tax for a corporation and he does not see how that is free market. It is unethical, a land grab and poison. How much more before they put the brakes on and ask the Governor where they are getting the money. It is time to hold them accountable for the poison and land grabbing.

Mike Russel, 361 Cedar River Rd., Mt. Vernon, stated that he has made his thoughts known about the Navigator pipeline and now there is the Wolf and ADM project. He is against giving up land rights.

Dave Wiskus, rural Lisbon, stated that he is a retired farmer and he wanted to speak about eminent domain, which is a big concern. He said most people do not show up to these meetings because they are not comfortable speaking but they sit around a coffee table and talk about it (and complain). Linn County is the second biggest county in the state and what the Board does is important. The Board should come out against eminent domain for private business. This pipeline is a private business and yes, they dress it up with "green". If the Board comes out and says that the project should be well worth it, put a percentage on it. He believes in progress, but the Board has more power than normal people do.

Anna Broulik, 257 Bud Rd. Lisbon, stated that she is against the pipeline and eminent domain. She supports all of the speakers today.

Motion by Zumbach, seconded by Rogers to amend the Consent Agenda and remove the proposed Traffic Sign Maintenance Policy, OP-027.

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

Approve and authorize Chair to sign a letter of intent of financial match for a Corridor Metropolitan Planning Organization Grant Application.

Approve and authorize Chair to sign a letter to the Honorable Ashley Hinson in support for a \$7 million Community Project Funding (CPF) grant in support of a taxiway expansion project.

Approve and authorize Chair to sign a Vacancy Form requesting a Design Engineer for the Secondary Road Department.

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

Approve and authorize Chair to sign an Iowa Department of Transportation (IDOT) Final Contract Construction Voucher for project BROS-SWAP-C057(139)--FE-57, bridge replacement on Jordan's Grove Road over the Wapsipinicon River.

Approve and authorize Chair to sign an agreement with Bear Creek Archeology, Inc. to conduct Phase I archeological surveys at two of the County's Temporary Debris Storage and Reduction sites for an amount not to exceed price of \$6,860.00.

Approve reallocation of Goodwill of The Heartland fund balance project to include the flexibility to use the funding to purchase a vehicle for the day habilitation program, purchase computers for their Cedar Rapids Career Center and funding for community integration in their SCL program.

Approve updated Capital Asset Policy FM-045

Approve and authorize Chair to sign a 28E Agreement between Linn County and Cedar Rapids for the Iowa Northern Railroad crossing safety project on 42nd Street NE.

Approve and authorize Chair to sign Fiscal Year 2023 (IDOT) Iowa Department of Transportation Secondary Road Budget and IDOT Secondary Road Five Year Construction Program.

Approve and authorize Chair to sign an Agreement from Lifeline Audio Visual Technologies to provide audio visual consulting services related audio visual equipment upgrades in the Harris Building and Public Service Center in the amount of \$14,000

Award bid and approve purchase order PO278 for signs to Vulcan Signs in the amount of \$9,198.00 for the Secondary Road Department

Approve Liquor License for Hy-Vee CR #1 from June 2 - 6, 2022 to serve liquor at a wedding reception at the Indian Creek Nature Center, 5300 Otis Rd., noting all conditions have been met.

Motion by Rogers, seconded by Walker to approve minutes of April 12, 2022 as printed.

Motion by Rogers, seconded by Walker to approve AP checks #71006644 - #71006703 in the amt. of \$226,486.25 and AP ACH in the amt. of \$694,702.19.

Jerry Witt and Todd Kruse, County Assessor's Office, presented the 2022 Slough Bill exemptions report. Total Rural acres exempted are 2095.72 representing \$2,197,700 in assessed value and total Urban acres exempted are 37.82 representing \$27,800 in assessed value.

Motion by Rogers, seconded by Zumbach to approve 2022 Slough Bill Exemptions.

Jody Bridgewater, MHDD East Central Region, presented a Linn County Fund balance request for change of scope for Tanager Place fund balance project to allow the purchase of a utility vehicle for the inpatient campus. Fund must be expended by June 30, 2022.

Motion by Rogers, seconded by Walker to approve a Linn County Fund balance request for change of scope for Tanager Place fund balance project to allow the purchase of a utility vehicle for the inpatient campus.

Discussion: Chairperson Rogers explained that the Mental Health in Iowa was regionalized a few years back. Instead of 99 counties with 99 different ways of taxing, they moved to a regional system (9) where they fund core services required by law. Linn County, with a large growing community, provides more than the core. Fund balances are carried over year to year. The Legislature moved the target of the fund balance and it is now 40%. There are some dollars that need to be spent or they are surrendered to the state.

VOTE: All Aye

Darrin Gage, Dir. of Policy & Admin., presented a Resolution to Provide for a Notice of Public Hearing on the Proposed Plans, Specifications, Form of Contract, and Estimated Total Cost for the Priority #3 Linn County Facilities Derecho Repairs Project, and for the Taking of Bids on Said Project.

Sarah Coleman, Martin Gardner Arch, explained the project noting that it includes the maintenance shop, roads shop and sign bldg. and campground shower house. Estimate is \$221,000.

Motion by Rogers, seconded by Walker to adopt Resolution 2022-4-53  
A RESOLUTION TO PROVIDE FOR A NOTICE OF PUBLIC HEARING ON THE

PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED TOTAL COST FOR THE PRIORITY #3 LINN COUNTY FACILITIES DERECHO REPAIRS PROJECT, AND FOR THE TAKING OF BIDS ON SAID PROJECT

WHEREAS, in response to the August 10, 2020 derecho, it is proposed that the Linn County, Iowa Board of Supervisors (the "Board") authorize the construction of the public improvement(s) as described in the proposed plans, specifications, and form of contract prepared by Martin Gardner Architecture (the "Project Architect"), which may be hereinafter referred to as the "Priority #3 Linn County Facilities Derecho Repairs Project", or the "Project"; and, WHEREAS, the proposed plans, specifications, form of contract, and estimated total cost for the project (the "Contract Documents") are on file with the Board; and, WHEREAS, it is necessary to set a time, and place for a public hearing on the Contract Documents, to publish a Notice of Public Hearing on the Contract Documents, and to advertise for sealed bids on the Project. BE IT THEREFORE RESOLVED by the Board as follows:

1. The Board hereby approves the proposed contract documents referred to in this Resolution, as prepared by the Project Architect, in their preliminary form.
2. The Board hereby determines that the Project is necessary and desirable for Linn County (the "County"), and finds that it is in the best interest of the County to proceed toward the construction of the Project.
3. The Board shall hold a public hearing on the proposed contract documents on the 9<sup>th</sup> day of May 2022 at 11 o'clock am in the Formal Board Room of the Linn County Public Service Center located at 935 - 2<sup>nd</sup> Street SW, Cedar Rapids, Iowa, at which time any interested person may appear and file objections to the proposed Contract Documents, and, after hearing objections, the Board may proceed with approval of said Contract Documents.
4. The Board hereby authorizes and directs the publication of a notice of public hearing on the Contract Documents for the Project at least once, not less than four (4) nor more than twenty (20) days before the date of the hearing in one or more newspapers that meet the requirements of Iowa Code Section 618.14.
5. The Board hereby delegates to the Linn County Purchasing Director and/or his designee(s) the duty of receiving bids for the construction of the Project until 2 o'clock pm on May 6, 2022, at the Jean Oxley Linn County Public Service Center in Cedar Rapids, Iowa.
6. The Board hereby sets May 9, 2022, at 11 o'clock am in the Formal Board Room of the Jean Oxley Linn County Public Service Center as the time and place that the Board or its designee will open and announce the bids received for construction of the Project, and that the Board will consider said bids.
7. The Board hereby fixes the amount of the bid security to accompany each bid at five (5) percent of the amount of the bid.
8. The Board hereby authorizes and directs advertisement for sealed bids for the Project in accordance with Iowa Code Section 26.3.

Darrin Gage presented proposed allocation of \$11 million of ARPA funding (first round).

Motion by Rogers, seconded by Zumbach to approve the following American Rescue Plan Act (ARPA) Grant Applications and Funding Awards  
Category A

- Aging Services, Inc. Kingston Hill Residential Care Facility (RCF) - Flooring Replacement: \$145,000
- Boys & Girls Clubs of Cedar Rapids Unlocking the Future: \$750,500
- Cedar Rapids NAACP and LULAC Immigrant and Refugee Community Gardens: \$17,460
- Discovery Living, Inc. Healthy, Safe Homes for Individuals with Intellectual Disabilities: \$50,000
- Eastern Iowa Health Center Increasing Access and Opportunity to COVID-19 Education, Vaccinations, and General Medicine for Underserved Populations: \$500,000
- Ecumenical Community Center Foundation Just Getting There ARPA Boost / Helping Hands Ministry: \$60,000
- Feed Iowa First Improving Food Access Infrastructure: \$100,000
- Foundation 2 Crisis Services Headquarter Facility: \$900,000
- Greater Cedar Rapids Community Foundation Comprehensive Gun Violence Reduction: \$605,315
- Gutschmidt Properties Inc. Missing Middle Affordable Housing Jumpstart: \$250,000
- Hawkeye Area Community Action Program, Inc. Linn County Affordable Housing Expansion: \$150,000.00
- Horizons, A Family Service Alliance Meals on Wheels: \$240,000
- Horizons, A Family Service Alliance Neighborhood Transportation Services: \$50,000
- Indian Creek Nature Center Enhanced Accessibility at Etzel Sugar Grove Farm: Water and Sewer Infrastructure and Farmer Education Workshop: \$250,000
- Kids First Law Center Advocacy for Children of High-Conflict Divorce: \$20,000
- Kids First Law Center Restorative Justice Prevents Youth Violence: \$100,000
- LBA Foundation CR-Dreams Expansion: \$35,450
- Linn County Community Services/Planning & Development Linn County Housing Equity Needs Study and Assessment: \$70,000
- Linn County Community Services (Options of Linn County) Options Programming Through Innovative Offers for New Safeguards (OPTIONS): \$53,645
- Linn County Food Systems Council Food Access, Resilience, & Equity (FARE) Grant Program: \$250,000

- Linn County Public Health My Care Community - Coordinated Community Response: \$200,000
- Matthew 25 Healthy Homes, Food, and Neighborhoods: \$250,000
- NewBo City Market Expanding the Hatchery for Entrepreneurship Equity: \$100,000
- The Arc of East Central Iowa Better Access, Inclusion, and Recreation for our Community: \$250,000
- Together We Achieve 12k in 2022 Food Box Giveaway: \$23,980
- Together We Achieve Hot Meals for All: \$3,650
- Willis Dady Homeless Services On-Site Mental Health Care for Individuals Experiencing Homelessness at Willis Dady Homeless Services: \$75,000

Category D

- City of Bertram Water Extension to City Park/Blains Crossing: \$220,000
- City of Center Point Lewis Access Main Water: \$200,000
- City of Central City Marion Road South Street Improvements: \$137,289
- City of Coggon Water Main Infrastructure Project: \$478,800
- City of Fairfax Water Supply System: \$425,000
- City of Hiawatha Robins Road Water and Storm Water Infrastructure Upgrades: \$266,500
- City of Lisbon Well 5 Improvements: \$1,000,000
- City of Mount Vernon 2022 Sanitary Sewer Rehabilitation: \$1,000,000
- City of Palo Study for Water Source: \$35,000
- City of Prairieburg Televiser Sewer Lines: \$28,000
- City of Walford Wastewater UV Project: \$300,000
- City of Walker Replacement of water main on Greene Street: \$1,000,000

Discussion: Supervisor Walker thanked everyone for all their hard work, noting that they received seven times more than what there is to disperse. That tells them that despite progress made, there are still challenges and people are requiring the services. Whenever the Board is put in the position of awarding funding, it is challenging and he applauds his colleagues for the work. He also appreciates the organizations that applied. He noted that if an organization is not on the list today, it does not mean that it was not worth it. It will automatically be added to Round 2.

Supervisor Zumbach stated that he receives a fair amount of criticism about not fighting for certain things and at some point, reality has to set in and he is in the minority. With that being said, he may not have funded requests exactly as they are and vice versa, however, his colleagues did a good job reviewing them and as a whole, it is a good system that they use. He thanked his colleagues because they are well aware of what happens in a very populous county where their minority member has no voice. His colleagues give him a voice and he appreciates that, as do his constituents. At the end of the day, they respect each other enough to come up with a pretty good compromise.

Supervisor Walker stated that it was very helpful to have Supervisor Zumbach's voice and his insight on Category D. It was easy for him to take his advice on all of them as they are all in his district and he appreciates that.

Chairperson Rogers reminded everyone that applications that were not funded this round will go to Round 2.

VOTE: All Aye.

Adam Thompson, City of Ely, stated that they submitted two applications and neither one was approved. One project is under construction right now. They documented in detail the affects from COVID and asked for consideration of the project. He stated that the Mayor of Ely was also present. A Board member will speak to them after the meeting.

Sonia Evans, Finance & Budget, stated that she will reach out to those awarded with additional information that will be needed.

The Board discussed Round 2 American Rescue Plan Act (ARPA) Grant Application and funding timeline.

Gage stated that it will be in May or June and Round 2 awards will go out in FY23. They used a joint portal with Cedar Rapids for Round 1 and they need to work that out with them. Those not approved in Round 1 will automatically be considered in Round 2.

Public Comment: Traci Nelson, 3311 Pleasant Creek Rd., Palo, stated that she is objecting to the industrial scale solar project near her home (Duane Arnold). She stated that there have been issues (land is flooded) with the utility power line drainage tile that has caused substantial damage (Power Plant Rd. & Lewis Bottoms Rd.). This neglect demonstrates the lack of concern for valuable farmland. When the county approves permits, there are requirements to be met. There needs to be language adopted before approval of the solar applications to make sure landowners are protected from damages related to the solar project. She stated that there is a farmer near Coggon that spent thousands in legal fees to get tile fixed that a utility company damaged. Another issue is an extreme wind event. Duane Arnold said they would take care of it.

Erin Langdon, Foundation 2, stated that the awards today for ARPA Category A is transformational. She thanked the Board and they are very grateful for the support of their headquarter facility.

Supervisor Walker stated that he is deeply appreciative of the work that Foundation 2 does. He is singling them out because of the focus on the tragedy that happened over the weekend.

Walker also stated that he would be remiss if he didn't note that this is the last Board meeting for Barb Schmitz who is gearing up for a well-deserved retirement from an incredible career in public service. He explained what Schmitz means to him. One of the most rewarding experiences of his life is working with and learning from Schmitz. He is deeply grateful to have the opportunity to know her and his offer stands for her to visit him wherever he lands.

Chairperson Rogers also stated that they are lucky to have a staff member of Schmitz' caliber, she will be profoundly missed and they thank her from the bottom of their hearts that she chose Linn County to end her career. It is a well-deserved retirement.

Board Member Reports: Supervisor Zumbach reported that he attended a meeting with Conservation for the Buffalo Creek Park renovations near Coggon. It was well received.

Adjournment at 12:02 p.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor

By: Rebecca Shoop, Deputy Auditor

Approved by:

BEN ROGERS, Chairperson

Board of Supervisors