

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MAY 11, 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.

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

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

Resolution 2022-5-68

NOTICE TO ALL PROPERTY OWNERS AND MANAGERS WEED NOTICE!

Pursuant to the provisions of Title VIII Chapter 317.4 Subsection 2, Iowa Code, which can be found online at: <https://www.legis.iowa.gov/law/iowaCode> and Iowa Administrative Code (otherwise referred to as Iowa Administrative Rules) Agriculture and Land Stewardship Chapter 58 Noxious Weeds, it is hereby resolved by the Linn County Board of Supervisors and ordered by the Linn County Weed Commissioner acting on behalf of the Linn County Board of Supervisors:

That between May 11, 2022 to October 1, 2022 each owner and each person in the possession or control of lands in Linn County including both incorporated and unincorporated shall: eradicate all Class A noxious weeds listed in Iowa Administrative Rules 21-58.4(317); and control all Class B noxious weeds thereon, at such time in each year and in such manner as shall prevent said weeds from blooming or coming to maturity.

Class A Noxious Weeds for Eradication: Palmer Amaranth (*Amaranthus palmeri*)

Class B Noxious Weeds for Control:

Canada Thistle (*Cirsium arvense*)

Teasel (*Dipsacus spp.*) biennial

Leafy Spurge (*Euphorbia esula*)

Bull Thistle (*Cirsium vulgare*)

Multiflora Rose (*Rosa multiflora*)

European Morning Glory or Field Bindweed (*Convolvulus arvensis*)

All other species of thistles belonging in the Genus of *Carduus*

That the Linn County Road Department shall control noxious weed infestations and other vegetation deemed appropriate for control growing in county road rights of way for the purposes of maintaining public health, preventing economic loss, or affecting safe travel. Methods for eradication/control and/or prevention of seed production will be performed in a manner consistent with the county's integrated roadside vegetation management plan.

That it is recommended noxious weeds be cut, burned or otherwise controlled or destroyed on or before June 1st, 2022, so as to prevent the production of seed by all varieties of listed Noxious weeds. This includes noxious weeds on all lands within the limits of the County regardless of jurisdiction. Control or elimination measures associated with Class A and B Noxious Weeds located on lands enrolled in the Conservation Reserve Program (CRP) will comply with the Conservation Reserve Program contract requirements for that land.

That persons not in compliance with Iowa's Weed Law, Code of Iowa Chapter 317 Noxious Weeds, and Iowa Administrative Rules Agriculture and Land Stewardship Chapter 58 Noxious Weeds will be notified to use appropriate methods to eradicate or control the weed problem. Failure to do so can incur penalties including, but not limited to, daily fines for non-compliance, and the Weed Commissioner or Deputies entering upon the land to control the weed problem, with all costs, including fines and administrative costs, levied against the landowner. Iowa law provides these assessments can be attached to the real estate tax of the land for collection. Weed eradication/control will still be required to be implemented in all cases where penalties are assessed.

More information regarding Linn County's weed control program can be found under the Soil Conservation section at www.linncounty.org or by contacting Linn County Weed Commissioner: Jonathan Gallagher at 319-377-5960 Ext. 3.

Dated this 11th day of May, 2022.

Approve and authorize Chair to sign a purchase, sale and development agreement with Ahmann Companies (Dows Agri Community Development LLC) for the Dows Farm development. Approve and authorize Chair to sign a proposal from Stanley Consultants offering review assistance for utility-scale solar project application submittals.

Approve and authorize Chair to sign Fiscal Year 2022 (IDOT) Iowa Department of Transportation Secondary Road Budget Version 1.

Approve and authorize Chair to sign a Baker Group Contract for the annual maintenance contract for card access and door controls in the amount of \$9,845 at the following locations: Community Services Building, Correction Center, Court House, Election Depot, Fillmore, Juvenile Justice Center, Public Health, Public Service Center, and the Sheriff's Office effective July 1, 2022 through June 30, 2023.

Approve and authorize Chair to sign a Baker Group Contract for the annual maintenance contract for the card access and door controls in the amount of \$7274 for the Dr. Percy and Lileah Harris building effective July 1, 2022 through June 30, 2023.

Approve and authorize Chair to sign a Baker Group Contract for the annual maintenance contract for the card access and door controls in the amount of \$15,558 for the Juvenile Detention Center effective July 1, 2022 through June 30, 2023.

Approve and authorize Chair to sign FY23 Decat Contract # DCAT4-18-016 Decat Management and Fiscal Services Contract, 5th Amendment and Renewal, in the amount of \$98,824 between the Linn County Board of Supervisors and the Department of Human Services.

Approve and authorize Chair to sign FY23 Decat Contract # DCAT4-22-017 Linn County Community for Change Equity Team, 1st Amendment and Renewal, in the amount of \$1,000 between the Linn County Board of Supervisors and the Department of Human Services. Award bid and approve purchase order P0291 for a culvert to Metal Culverts Inc. in the amount of \$14,577.00 for the Secondary Road Department.

Approve Application for Display Fireworks Permit for Jeff Squires for a display at 4250 N. Center Point Rd. on June 4, 2022 (Rain date June 5, 2022).

Motion by Rogers, seconded by Walker to approve claims (including void/reissues) for AP checks #71006926-#71007000 in the amount of \$121,278.73 and AP ACH and wire transfer in the amount of \$996,221.79 for a total of \$1,117,500.52.

Motion by Rogers, seconded by Walker to approve upon third and final consideration of Ordinance 8-5-2022 amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 10, Article III Relating to Air Quality.

Darrin Gage, Dir. of Policy & Admin., confirmed that Tricon's bid is in order and he recommends for approval.

Motion by Rogers, seconded by Walker to approve Resolution 2022-5-69

A RESOLUTION AWARDING CONTRACT FOR

THE PRIORITY #3 LINN COUNTY FACILITIES DERECHO REPAIRS PROJECT

WHEREAS, pursuant to notice duly posted as prescribed by resolution of the Linn County, Iowa Board of Supervisors (the "Board"), and as required by state law, the Board received bid proposals for the "Priority #3 Linn County Facilities Derecho Repairs 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:

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

Tricon General Construction, Inc.

\$164,000.00

746 58th Avenue Court SW

Cedar Rapids, IA 52404

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.

The Board hereby fixes the amount of the contractor's performance and/or payment bonds at 100 percent of the amount of the contract.

PASSED AND APPROVED this 11th day of May, 2022.

Discussion: Chairperson Rogers highlighted that this is an example of having to accept the lowest bid. There is pending state law legislation that in the future the county would not have to always accept the lowest bidder.

VOTE: All Aye

Board Member Reports: Supervisor Zumbach wants it made known that both companies are reputable regarding the contract that was awarded for the Derecho Repairs Project. Chairperson Rogers added that it is two bids that are almost identical within a fraction of a percentage from each other but Iowa law requires the county to take the lowest bid.

Supervisor Walker stated that yesterday he attended the third after action meeting with a group of scientists/activists that he went to Antarctica with (campaign should be released June 1st); coffee meeting this morning with the Executive Director of the African American Museum; later today will be at Westfield Elementary to watch a play; tomorrow will be attending the Academy for Scholastic and Personal Success Gala along with Chairperson Rogers; will be speaking to graduates of the University of Iowa political science department Friday; speaking at the It Takes a Village event Saturday.

Chairperson Rogers met with representatives on some issues related to the African American Museum's future last Thursday; attended Substance Abuse Council event highlighting the podcast Living Undeterred on Saturday; virtually attended Community Services Board and Early Childhood Iowa Board meetings yesterday.

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Supervisor Walker highlighted an email they received from the county lobbyist's noting that they are making progress towards adjournment this week but could continue past the primary on June 7th.

Motion by Rogers, seconded by Walker to appoint Emily Qual to the Food Systems Council for a term ending 12/31/2026.

Supervisor Walker read excerpts from an article the New York Times published this morning regarding a surge in gun related homicides. He has been involved with and trying to help the community as it relates to the original work of the SET (Safe, Equitable & Thriving) Task Force.

Adjournment at 11:12 a.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors