

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MAY 19, 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.

Public Comment: Russell Hotchkiss, 770 Alexis Ln., Marion, asked the Board to lift the mask mandate. He does not understand why this was mandated and data shows that masks do not stop the spread of viruses. He spoke on Monday and explained his son's health issues now because of the Board requiring masks. Masks are not effective and he does not understand what the Board is doing. He listed a number of cities in Iowa that have dropped the mask mandate.

Motion by Rogers, seconded by Zumbach to approve consent agenda as follows:

Set public hearing date and time of Monday June 14, 2021 at 11:00am to vacate excess right-of-way along Boy Scouts Road located in the NE¼ SW¼ of Sec. 17-T85N-R5W

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor Receipts and Disbursements for the Month of April 2021.

Resolution 2021-5-69 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 19, 2021 to October 1, 2021 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*)
- a. Teasel (*Dipsacus spp.*) biennial
- b. Leafy Spurge (*Euphorbia esula*)
- c. Bull Thistle (*Cirsium vulgare*)
- d. Multiflora Rose (*Rosa multiflora*)
- e. European Morning Glory or Field Bindweed (*Convolvulus arvensis*)
- f. 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 destroyed on or before June 1st, 2021, 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.

The following description is a summary of Resolution 2021-5-70 as passed and approved by Linn County Board of Supervisors, effective May 19th, 2021. Resolution approving Temporary Use Permit, Case JTU21-0003. Bill & Donna Warhover, owners and petitioners, have requested the Linn County Board of Supervisors' permission to hold seasonal outdoor food truck events at the Morning Glory Farm & CSA operation located at 681 Hwy 1 South, Mount Vernon, Iowa. The outdoor events will be held on Fridays, Saturdays and/or Sundays from June 1 through November 1, 2021 on

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approximately 3 acres of the farm. There will be approximately 20 events held between June 1 and November 1 and the events will be open to the public between the hours of 7:00 a.m. and 10:00 p.m. The petitioners expect to host approximately 100-120 visitors over the course of each 6-8 hour event. 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 2021-5-71 WAIVER OF PERMIT FEES FOR REPAIR OR RECONSTRUCTION OF STORM DAMAGED STRUCTURES WHEREAS, on August 10, 2020 a significant storm event occurred throughout the State of Iowa, including Linn County; and WHEREAS, county government has a responsibility to respond in times of emergency with appropriate assistance; WHEREAS, on August 14, 2020 by Resolution 2020-8-97, the Board of Supervisors waived permit fees for storm damaged structures through December 31, 2020; WHEREAS, the Board finds it is in the public interest to extend the sunset date for the waiver; NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LINN COUNTY, IOWA as follows: While all required permits will still be necessary in the repair or reconstruction of structures damaged by the storm of August 10, 2020, Linn County will waive the applicable permit fees. The fees waived include flood plain development permits, building permits (including electrical, plumbing and mechanical permits) and zoning verifications for the repair and reconstruction of structures damaged during this specific storm event, through August 10, 2021. This waiver shall not apply to building permit fees (including electrical, plumbing or mechanical permits) for repair work already begun in violation of permit requirements. In such instances the normal building permit fees, plus an investigation fee, shall be charged. This assistance shall be retroactive to August 10, 2020 and refunds are hereby authorized.

Resolution 2021-5-72 FISCAL YEAR 2021 BUDGET APPROPRIATIONS

On May 19, 2021, the Linn County Board of Supervisors passed and approved Resolution 2021-5-72, effective upon its passage, entitled "Fiscal Year 2021 Budget Appropriations." The following description is a summary of the provisions of the resolution. In accordance with Iowa Code Section 331.435, the Board of Supervisors may amend the adopted county budget, subject to Iowa Code Sections 331.423 through 331.426 and other applicable law, to permit increases in any class of proposed expenditures contained in the budget summary published under Iowa Code Section 331.434(3). The Resolution amends the Linn County, Iowa Fiscal Year 2021 budget and provides that expenditures cannot exceed the appropriations by organization as listed in the Resolution. 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 website at <https://www.linncounty.org/955/County-Resolutions>.

Approve and authorize Chair to sign a Communications Systems Maintenance Agreement between Linn County and RACOM effective July 1, 2021 through June 30, 2022 for \$773,866 to maintain the radio system infrastructure and software to be interconnected with many counties in Eastern Iowa.

Approve and authorize Chair to electronically sign a Memorandum of Understanding between Linn County Mental Health Access Center and East Central Mental Health Region for \$5000 of Cares Act Funds to utilize for interpretation services at the Mental Health Access Center.

Approve and authorize Chair to sign a 28E Agreement between Linn County and the City of Fairfax for placing shoulder rock on shared portions of 80th St.

Approve and authorize Chair to sign a 28E Agreement between Linn County and Jones County for Jones County to inspect bridges on Linn-Jones Rd.

Approve and authorize Chair to sign a 28E Agreement between Linn County and Jones County for shared road maintenance and winter snow and ice control.

Approve and authorize Chair to sign a Special Assistant U.S. Attorney Cross-Designated Employment Agreement between Linn County, Linn County Attorney, United States Attorney's Office for the Northern District of Iowa and Devra T. Hake Pursuant to the Midwest High Intensity Drug Trafficking Program.

Approve and authorize Chair to sign a Special Assistant U.S. Attorney Cross-Designated Employment Agreement between Linn County, Linn County Attorney, United States Attorney's Office for the Northern District of Iowa and Jason D Norwood Pursuant to the Midwest High Intensity Drug Trafficking Program.

Approve and authorize Chair to sign the Second Amendment to contract number SOLO JUV-20-CB-6-002, entitled In Home Day Treatment, between Linn County, Juvenile Court Services for the 6th Judicial District of Iowa (JCS), and the Iowa Department of Human Services effective from July 1, 2021 to June 30th, 2022 for a maximum of \$110,511.00.

Approve and authorize Chair to sign the Solo contract number CJJP-22-6-001, entitled Solo In Home Day Treatment, between Linn County, Juvenile Court Services for the 6th

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Judicial District of Iowa (JCS), July 1, 2021 to June 30th, 2022 for a maximum of \$75,637.

Approve and authorize Chair to sign a Wellmark Blue Cross Blue Shield Insurance Fiscal Year 2022 Renewal effective July 1, 2021.

Approve and authorize Chair to sign a Delta Dental Insurance Fiscal Year 2022 Renewal effective July 1, 2021.

Approve and authorize Chair to sign a Madison National Life Short Term Disability Insurance Proposal.

Approve Board of Supervisors Promotions and Transfers Policy, PM-025 effective July 1, 2021.

Approve Board of Supervisors Layoffs and Furloughs Policy, PM-026 effective July 1, 2021.

Approve and authorize Chair to sign the following two Linn County Decat Contracts for FY22: DCAT4-18-016 Decat Management and Fiscal Services 4th Amendment. The 4th Amendment extends the contract for FY22, in the amount of \$97,919; DCAT4-22-027 Regional PSSF Wraparound for DHS Cedar Rapids Service Area New FY22 contract to coordinate Family Reunification Services for PSSF eligible children and their families in the Cedar Rapids Service Area, in the amount of \$28,854.

Approve and authorize Chair to sign a partial acquisition contract between Linn County, Iowa and Brenda Lane, in the amount of \$500.00, for right of way acquired in connection with Linn County's project No. LOST-BEAR CREEK RD(22) parcel No. 1.

Motion by Rogers, seconded by Zumbach to approve minutes of May 12, 17 & 18, 2021 as printed.

Motion by Rogers, seconded by Walker to approve Claims for AP checks #71002388 - #71002446 in the amt. of \$399,990.11, AP reissued check #71002447 in the amt. of \$332.50 and AP ACH in the amt. of \$810,935.55.

Pramod Dwivedi, Public Health Dir., presented the following update on Linn County's response to COVID-19: [CDC New Face-covering Guidance](#). Last week, on Thursday, the Centers for Disease Control and Prevention (CDC) released its new guidance associated with face covering for fully vaccinated people. Fully vaccinated people, according to the guidance, can shed their mask in most cases. Behind its decision to relax mask for fully vaccinated individuals, the CDC cited recent scientific findings: 1) few vaccinated people become infected with the virus, 2) transmission seems rare, and 3) the vaccines appear to be effective against all known variants of the coronavirus. Full guidance can be found by clicking the link below: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>. In light of CDC's new guidelines, here is what LCPH is doing. Updating the mask regulation to relax masking requirements for fully vaccinated individuals. Unvaccinated individuals and individuals that are not yet fully vaccinated of all ages should continue to wear a mask as outlined in the updated CDC guidance. Acknowledge that some individuals may choose to wear a mask in all settings due to personal health or other reasons. We ask all community members to respect the decisions of our fellow community members on their personal decision to wear a mask. Acknowledge and support mask use as required by federal, state, local, tribal or territorial laws, rules or regulations, including local business and workplace guidance. [Vaccine for Adolescents: After the Pfizer-BioNTech COVID-19 vaccine was authorized \(through Emergency Use Authorization\) by the Food and Drug Administration for use in adolescents ages 12 to 15, the CDC's Advisory Committee on Immunization Practices approved its use last week.](#) Vaccinating children is key to raising the level of immunity in the population. The vaccination in this age group has already begun in LC. LCPH has been working with our partners including schools, pharmacies and hospitals to vaccinate our adolescents.

[Linn County Vaccine Allocation and Administration](#): This week, our allocation was 4,800 prime doses. The 4,800 doses were all Moderna. We did not receive any allocations of Pfizer or Johnson. Since we only allocated Moderna, we only accepted 100 doses per the request of one vaccine provider. LCPH continues to vaccinate public by appointments only. Most local vaccine providers are offering walk-in appointments for COVID-19 vaccine. Find a vaccine provider at [Vaccines.gov](#). Call 211 or 800-244-7431. Vaccine navigation services are open to anyone 16 years old or older. Translation services are available. For additional COVID-19 questions please call 319-892-6097

In Linn County as of May 18, 2021...

As of May 18, 2021

	Partially or Fully Vaccinated (Initiated + Completed Series and Johnson & Johnson)		Fully Vaccinated (Completed Series and Johnson & Johnson)		Population Size
	%	#	%	#	#
Percent of Total Population:	49.7%	112,713	42.9%	97,274	226,706
Population 12+:	58.6%	112,713	50.6%	97,274	192,403
Population 16+:	61.8%	111,396	53.9%	97,274	180,375
Population 65+:	84.6%	30,907	79.4%	28,986	36,529
Population 75+:	82.7%	13,074	78.0%	12,327	15,813

LTCF & Group Homes: We continue to have no outbreaks at any of our group LTCF and group homes. LCPH continues to track and monitor our cases. Hospitalizations remain low in our county. Prevention: Vaccine is the best tool to protect ourselves. Therefore, LCPH continues to urge our neighbors to get vaccinated. The emergence of new variants underscores that it remains critical for LC residents to continue the mitigation efforts that we know work to slow the spread of COVID-19: Get a COVID-19 vaccine. Wear a mask or face covering. Practice social distancing

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with those outside your household. Clean your hands frequently with soap and water. Stay home if you feel sick. Get tested if you are exposed to, or have symptoms of COVID-19. If you have been fully vaccinated for COVID-19, review CDC guidance below:

<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>

COVID-19 and Vaccine Administration by Numbers (Updated at 5:00pm, May 18, 2021)

Location	Number of Positive Cases	Number of Deaths	Vaccine Administered (Completed)/Single Dose
World-wide*	163,312,429	3,386,825	1,407,945,776
United States**	32,795,780	583,596	275,535,207
Iowa***	399,829	6,013	2,525,286 (1,173,359)/102,395

Linn County ¹	Number of Positive Cases	Number of Active Cases	Ever Hospitalized	Current Hospitalization	Death	Vax Administered***	Vax Completed + Single dose***
	20,939	1,164	1,125	14	347	203,000	90,249+7025

* <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

** <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

*** <https://coronavirus.iowa.gov/>

¹ <https://c19-linncountygis-linncounty-gis.hub.arcgis.com>

An Emergency Use Authorization (EUA) is a mechanism to facilitate the availability and use of medical countermeasures, including vaccines, during public health emergencies, such as the current COVID-19 pandemic. Informational Items: For more COVID-19 information specific to Linn County, visit LinnCounty.org/COVID19. A report of COVID-19 Vaccine Administration Dashboard by counties is posted at <https://coronavirus.iowa.gov/>. Linn County Public Health continues to develop and share educational information about COVID-19 vaccines, such as COVID-19 Vaccine Basics and CDC's Facts about COVID-19 Vaccines. Tools for providing information on COVID-19 vaccine can be found at LinnCounty.org/Vaccine and through the Centers for Disease Control and Prevention Communication Resources for COVID-19 Vaccines website. For vaccine providers in Iowa, visit the Vaccinate Iowa webpage. A COVID-19 Public Service Announcement video is available on the Linn County YouTube page. Older adults may call 211 for help from a vaccine navigator with scheduling an appointment for vaccine and transportation needs. Visit the Centers for Disease Control and Prevention website for fully vaccinated individuals for guidance for fully vaccinated and unvaccinated people. Please sign up to receive email notifications for COVID-19 Status Updates to keep up-to-date on vaccine rollout updates and other important information regarding COVID-19 response. For questions on COVID-19 vaccine in Linn County, call 319-892-6097. Stay tuned to local news outlets for updated information.

The Board of Health is meeting tomorrow morning to set a date for a public hearing regarding updates to the mask mandate regulation. The Board of Supervisors could receive a recommendation by the end of next week and could call a special meeting to act on it.

Dawn Jindrich, Finance Dir. and Paul Donna, Baird & Co., presented a Finance Plan, Notice of Sale for General Obligation Land and Water Legacy Bonds, Series 2021A and timetable.

Motion by Rogers, seconded by Zumbach to approve Finance Plan and Notice of Sale for General Obligation Land and Water Legacy Bonds, Series 2021A.

Motion by Rogers, seconded by Zumbach to approve preliminary official statement for General Obligation Land and Water Legacy Bonds, Series 2021A.

Motion by Rogers, seconded by Zumbach to adopt Resolution 2021-5-73 Setting Date for Sale of General Obligation Land and Water Legacy Bonds, Series 2021A and approving preliminary official statement WHEREAS, pursuant to a special election held on November 8, 2016, voters in Linn County, Iowa (the "County") authorized the Board of Supervisors of the County to issue general obligation bonds in an amount not exceeding \$40,000,000, for water and land conservation and park and outdoor recreation purposes;

and WHEREAS, it is now necessary to set a date for the sale of General Obligation Land & Water Legacy Bonds, Series 2021A, in the amount of \$5,115,000 (the "Series 2021A Bonds"); and WHEREAS, a preliminary official statement (the "Preliminary Official Statement") has been prepared in connection with the sale of the Series 2021A Bonds, and it is now necessary to make provision for the approval of the Preliminary Official Statement and to authorize its use by Robert W. Baird & Co., Inc.; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Linn County, Iowa, as follows: Section 1.

Sealed bids for the purchase of the Series 2021A Bonds shall be received and canvassed on behalf of the County at 11:00 a.m., on June 1, 2021, at the offices of Robert W. Baird & Co., Inc., St. Paul, MN, and the Board of Supervisors shall meet at 11:00 a.m., on June 2, 2021, at the Linn County Jean Oxley Public Service Center, for the purpose of considering such bids received and considering and passing a resolution providing for the award and sale of the Series 2021A Bonds. The County Auditor is hereby authorized and directed to publish notice of said sale, as provided by Chapter 75 of the Code of Iowa, in substantially the form attached to this Resolution. Section 2. Pursuant to Section 75.14 of the Code of Iowa, the Board of Supervisors hereby authorizes the use of electronic bidding procedures for the sale of the Series 2021A Bonds through PARITY and hereby finds and determines that the PARITY competitive bidding system will provide reasonable security and maintain the integrity of the competitive bidding process and will facilitate the delivery of bids by interested parties under the circumstances of this bond sale. Section 3. The use by Robert W. Baird & Co., Inc. of the Preliminary Official Statement relating to the Series

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2021A Bonds in substantially the form that has been presented to and considered by the Board of Supervisors, is hereby approved, and Robert W. Baird & Co., Inc. is hereby authorized to prepare and use a final Official Statement for the Series 2021A Bonds, substantially in the form of the Preliminary Official Statement, but with such changes therein as are required to conform the same to the terms of the Series 2021A Bonds and the resolution, when adopted, providing for the issuance of the Series 2021A Bonds, and the County Finance Director is hereby authorized and directed to execute a final Official Statement for the Series 2021A Bonds, if requested. The Preliminary Official Statement as of its date is deemed final by the County within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission. Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

The Board discussed necessary measures and timeline for reopening Linn County buildings to the public.

Darrin Gage, Dir. of Policy & Admin., stated that the Board Support Team met and have answers to questions that were asked at Monday's board meeting.

- Recall of employees - Most employees are back to work with a few isolated instances of working from home.
- Is PPE available - Yes, widely available.
- Date of reopening - Recommendation is June 7th.

Discussion followed regarding the recommended opening date and whether or not masks will be required.

Motion by Walker, seconded by Zumbach to reopen county buildings to the public on June 7, 2021.

Discussion: Gage stated that Board Support Team recommends no security guard with the thought that they would align with the CDC's recommendation regarding masks (there isn't anything for the security guard to enforce). There is also no expectation that any county department (including Risk) will be in charge of calls, complaints or enforcing any social distancing or masks. A lengthy discussion continued regarding the need for the presence of a uniform officer (Deputy Sheriff or CRPD), noting that the lobby area of the Treasurer's Office had issues even prior to closing the building for COVID. Treasurer Gonzalez was concerned about the number of chairs that have been removed, however, Britt Hutchins, Purchasing Dir., stated that the connected chairs can be replaced with individual chairs that will be set further apart.

The Board asked Gage to contact the Sheriff and Cedar Rapids Police Chief regarding the availability of an officer commencing June.

VOTE: All Aye.

Board Member Reports: Supervisor Rogers reported that he and the other board members attended training with Rob Lawton; attended the weekly government reopening meeting; attended Solid Waste Agency Board meeting and received updates on waste to energy alternatives.

Supervisor Zumbach - attended Rob Lawton training and Solid Waste Agency Board meeting as well as meetings with Planning & Development regarding projects.

Chairperson Walker - attended Rob Lawton training and Linn County Community Resilience meeting; tomorrow he will meet with representatives of Bridge Under Bridge in his office (along with Supervisor Rogers) regarding their distribution of food and resources in order to get a better understanding of their organization and he fully expects an ask of the county to see how the county can participate in helping them

with their organization; Tomorrow the Board is to wear green for Make It OK and will participate in a program outside of the Public Service Center.

Legislative Update: Gage reported on Back the Blue bill and tax bill.

Supervisor Zumbach gave a shout out to Gary Grant, Rep. Bossman and Senators Zumbach, Johnson and Brown who were all instrumental in several legislative bills.

Adjournment at 12:27 p.m.

JOEL D. MILLER, Linn County Auditor

By: Rebecca Shoop, Deputy Auditor

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors