

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, AUGUST 3, 2022 11:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.  
Present: Chairperson Roger, 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 Semi-Annual Report and Semi-Annual Settlement from Jan. 1, 2022 - June 30, 2022.

Resolution 2022-11-118

VACATE EXCESS ROAD RIGHT-OF-WAY

WHEREAS, the Linn County Board of Supervisors desire to vacate a portion of excess road right-of-way, more particularly described as follows.  
A portion of Town of Western, located in the NE 1/4 SW 1/4, Section 34, T. 82N., R.07W. of the 5th P.M., Linn County, Iowa described as follows: The east half of the alley lying adjacent to the west line of Lots 85 and 86 of said Town of Western and the south half of the alley lying adjacent to the north line of said Lot 86. Said vacated area = 3498 sf or 0.08 acres.

WHEREAS, pursuant to Chapter 306.12 and 306.13 of the Code of Iowa, notice was published in the Cedar Rapids Gazette, a copy of said notice being attached hereto, and WHEREAS, all adjoining land owners, all utility companies and the Iowa Department of Transportation have been notified by certified mail pursuant to Chapter 306.12 of said vacation and the hearing thereon, and WHEREAS, the Linn County Board of Supervisors pursuant to the aforesaid notice held a hearing on the proposed vacation of the aforementioned right-of-way, and

WHEREAS, it being deemed in the best interest of Linn County to vacate said right-of-way, and WHEREAS, this vacation is subject to easements of record at time of the public hearing including a utility easement, and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Linn County Board of Supervisors this date met in lawful session to vacate as described below:

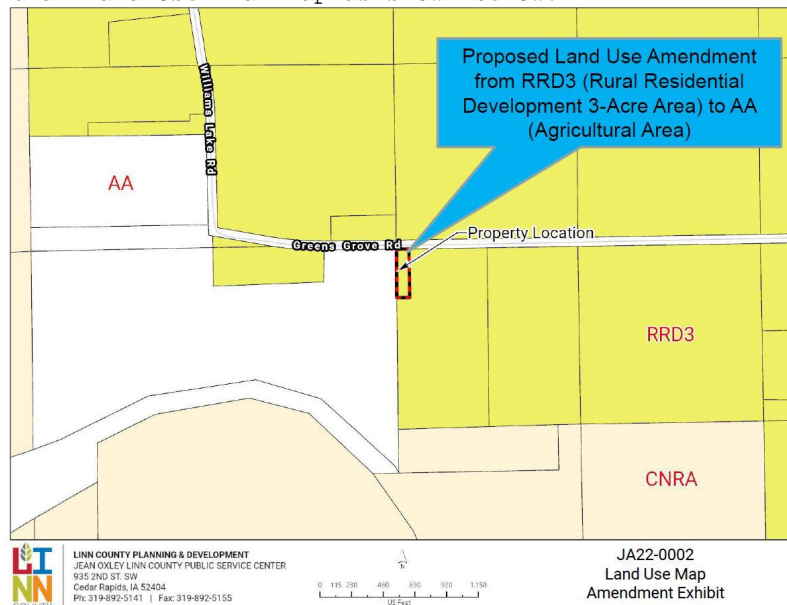
A portion of Town of Western, located in the NE 1/4 SW 1/4, Section 34, T. 82N., R.07W. of the 5th P.M., Linn County, Iowa described as follows:

The east half of the alley lying adjacent to the west line of Lots 85 and 86 of said Town of Western and the south half of the alley lying adjacent to the north line of said Lot 86. Said vacated area = 3498 sf or 0.08 acres.

in Linn County, Iowa, be and the same is hereby vacated, and shall no longer be deemed public road right-of-way.

Resolution 2022-8-119

BE IT RESOLVED by the Board of Supervisors, Linn County, Iowa, that the following amendment, Case JA22-0002, be made to the Rural Land Use Map of the Linn County Comprehensive Plan, dated July 19, 2013: Amend the Rural Land Use Map designation from RRD3 (Rural Residential 3-Acre District) to AA (Agricultural Area) on the Linn County Rural Land Use Plan Map as shown below.



Resolution 2022-8-120

WHEREAS, the Linn County "Standard Specifications, Design Criteria and Construction Specifications for Rural Subdivision Improvements" adopted in 1988 and last amended April 25, 2007 has been analyzed and amended by the Linn County Engineer, and WHEREAS, the Linn County Board of Supervisors have reviewed and approved the amended "County Standard Specifications" and

WHEREAS, the new specifications and fees shall apply to all developments that are approved after August 3, 2022 unless an approved final plat has been filed.

NOW THEREFORE BE IT RESOLVED that the Linn County "County Standard Specifications" as amended are hereby adopted and that the Linn County Engineer is authorized to collect the fees set forth in Section 14.

Resolution 2022-8-121

A Resolution approving a final plat for Houlahan First Addition, case JF22-0017. The following description is a summary of Resolution No.2022-8-121 as passed and

approved by Linn County Board of Supervisors, effective August 3, 2022  
Houlahan First Addition (Case # JF22-0017) to Linn County, Iowa, containing one (1) lot, numbered Lot 1, a subdivision of real estate located in the SWSW of Section 11, Township 86 North, Range 7 West of the 5th P.M., Linn County, Iowa, described as follows: Lots 33, 34 and 35, Auditor's Plat No. 340 to Linn County, Iowa, containing 2.75 acres.

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.linncountyiowa.gov](http://www.linncountyiowa.gov).

Resolution 2022-8-122

A Resolution approving a final plat for Munson First Addition, case JF22-0015.

The following description is a summary of Resolution No.2022-8-122 as passed and approved by Linn County Board of Supervisors, effective August 3, 2022

Munson First Addition (Case # JF22-0015) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, lettered Lot A and Outlot A, a subdivision of real estate located in the NWSE of Section 5, Township 85 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows: East 14 Rods West  $\frac{1}{2}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  and East 12 Rods West 26 Rods NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  all in section 5-85-5, Linn County, Iowa.

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.linncountyiowa.gov](http://www.linncountyiowa.gov).

Approve a Cooperative Agreement between Hawkeye Area Community Action Program, Inc., (HACAP) and Linn County Child Development Center to provide financial assistance and housing for a HACAP Family Support Worker effective September 1, 2022 through August 31, 2023 at a rate of \$29.56 per hour for 20 hours per week

Approve and authorize Chair to sign an American Rescue Plan Act (ARPA) Subaward Agreement between Linn County and the City of Lisbon for the Lisbon Well 5 Improvements in the amount of \$1,000,000.00.

Approve and authorize Chair to sign an Iowa Medicaid Home and Community Based Services (HCBS) Quality Management Focused Review Report for Options of Linn County conducted July 22, 2022 in accordance with the requirements of the Iowa Administrative Code in order to validate responses on the annual Provider Quality Management Self-Assessment and to assist providers to be compliant with laws, rules, requirements, and best practices.

Approve 5 Day Liquor License for Snowdrifters, Inc. Big Town Show Down Truck & Tractor Pull on August 20, 2022 on a property owned by Karl Haible near Palo, Ia.

Motion by Rogers, seconded by Walker to approve minutes of August 1 & 2, 2022 as printed

Motion by Rogers, seconded by Walker to approve Claims for AP checks #71007878 - #71007988 in the amt. of \$1,012,181.47 and AP ACH in the amt. of \$2,137,607.21 and Wire payment in the amt. of \$1,593.00 for a total amt. of \$3,141,381.68.

Sheriff Gardner reported to the Board that Lt. Kasper went back through radio data for a year and found that Marion's usage is actually 11.46%. He reported to Marion their findings and the Sheriff was told that Marion would pay 12% of the contract costs based on the new information. Cedar Rapids is budgeted for 50% and is awaiting approval. It is a 50%/38%/12% split now. Linn County's portion is \$377,689.60 for the first 3 years (includes \$900,000 annual 911 funds).

Motion by Rogers, seconded by Walker to approve RACOM radio system maintenance contract as presented by the Sheriff.

Discussion: Supervisor Zumbach asked why the other cities with police forces are not segregated out and the Sheriff clarified that the Board had agreed in the past that they pay for dispatch services and utilization of PSAP. Supervisor Zumbach reiterated that he does not like doing things like this outside of the budget process.

Supervisor Walker indicated that he is supportive and hopes that they can find creative ways to pay for it down the road without having to cut funding of other programs,

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departments or raising the levy rates. He was hoping that some of the interest accrued from ARPA funds could be used to bolster a budget for Sustainability and Resiliency.

VOTE: All Aye

Sheriff Gardner will draft an agreement for Cedar Rapids and Marion to sign committing to the percentages of the split.

Charlie Nichols, Planning & Development Dir., presented added language as a result of Monday's discussions regarding an amendment to the Code of Ordinances amending provisions in Chapter 107, Unified Development Code, primarily related to Agricultural Experiences in Linn County. He stated that some types of experiences will not require a minor site plan. Examples are temporary, non-reoccurring uses such as vegetable stands. Tier 1 is looking at Ag. Experiences that are more of a business that occurs annually.

Supervisor Zumbach asked for clarification that it excludes field days, farm sales and businesses in a farming practice and Nichols responded that the things that Supervisor Zumbach described will not require a site plan or a permit.

Supervisor Zumbach also asked that third and final consideration be delayed until after the State Fair (week of August 22) in order for him to review language further. The Board concurred.

Motion by Rogers, seconded by Walker to approve upon second consideration an ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 107, Unified Development Code, primarily related to Agricultural Experiences in Linn County.

Supervisor Walker stated that he provided a draft of the Linn County Community Resilience Report to his colleagues and asked Leslie Wright of Collective Clarity to walk them through the process of how she went about this work.

Leslie Wright gave an overview of the report and how she engaged multiple stakeholders, including Marion, Hiawatha, Ely, critical organizations, ECICOG and county and city departments. Strong commitments were made by key members around the table for collaborations necessary for resilience across the county and multiple jurisdictions. This is for not only natural climate related disasters but health related or economic disasters impacting multiple agencies.

Chairperson Rogers asked for clarification of a Cedar Rapids commitment regarding emergency response and coordination with Linn County's Emergency Management.

Supervisor Zumbach noted that most reports are received and placed on file, however today's agenda is asking for a decision. He asked what they are deciding on.

Supervisor Walker stated that he thought it would be important for the major stakeholders to formally accept the report. The best way to do that is to bring it up for a vote. They plan to publish the report on the website and engage in community conversations.

Supervisor Zumbach stated that he called three small towns and they said they were not involved in the process. The Sheriff also stated that they were involved in one meeting. Zumbach stated that he does not see where this does a lot for outside of the Cedar Rapids/Marion area. He continued to read from the report recommended actions that include the need for additional resources and he is not willing to commit to be a part of anything that means an open checkbook, especially outside of their budget process. He also questioned if the right stakeholders were involved. He clarified that he is not saying that the report is not valuable.

Wright stated that she can pull a list of everyone that participated in zoom calls.

Chairperson Rogers explained how he interpreted the final statement and Supervisor Zumbach stated that was a concern about how the report is interpreted.

Supervisor Walker thanked Ms. Wright for the enormous amount of work that went into the project, gathering together as many stakeholders as she did and asking jurisdictions to examine how they respond to certain disasters and recovery. He stated that it should not be underestimated how big of a deal it is to get massive entities like Cedar Rapids, Linn County and others to put down their commitments to this work as a result of this process. These commitments are meaningful and it is common practice, to assume when trying to do something in government that it will require resources. They know things will be hard and he will assume that they will have to find resources to do that.

Motion by Rogers, seconded by Walker to approve the Linn County Community Resilience Report.

VOTE:                 Rogers & Walker - Aye                                 Zumbach - Nay

Board Member Reports - Supervisor Zumbach stated that he attended many meetings but did not prepare a report.

Supervisor Walker attended Partners for Justice Advocate Retreat; met with Trees Forever representatives; he is in the process of having conversations with Cedar Rapids representatives and other entities about a community forum to talk about the Resilience Report; having lunch with a Public Health intern today; He will be a male model for "Power of the Purse" event (United Way fundraiser); communicating with Hawkeye Labor Council representative re: workers on strike at Ingredion (formal striking event Friday). He will try to attend.

Chairperson Rogers was asked to lead off the Make It OK Ambassador training; participated in an interview on behalf of OPTIONS for CARFA accreditation; and attended back-to-back meetings for the MH/DD Region.

Correspondence - Chairperson Rogers presented four unsigned handwritten notes re: upcoming NEXTERA meetings.

Adjournment at 11:52 a.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson  
Board of Supervisors