

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, AUGUST 11, 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 (via phone). Board members voting "AYE" unless otherwise noted.

Chairperson Walker called the meeting to order and led the pledge of allegiance.

Public Comment: Matt Rollinger thanked the Board for having all of them at today's meeting to speak. The majority of those present are there regarding the mask mandate. He stated that the Board cannot trample on their rights. They have medical and religious freedoms and no form of government is taking that away from them. There is proof of hypocrisy in the building. He recorded someone with their mask off doing their duties. They are not going to back down.

Lyndsey Sullivan, Cedar Rapids, reminded the Board that they have rights in accordance with the Constitution and no other entity can make a decision about her own body. She makes her own medical decisions and noted that masks restricts the airway.

Kate Giebeck, Marion, stated that she finds it difficult to do her job with a mask mandate (she has a medical exemption). She is segregated when she enters a county building. She cannot be in the courtroom or in public areas. Medical and religious exemptions should be accepted as reasons to be unmasked. She should be able to go about her job and her health and wellness is her top priority.

Vivian Forseen, Central City, stated that she is a nurse and has been actively participating with COVID people. She stated that the problem is masks. There is depression and patients tell her about suicide among their children's friends. These people are also hard of hearing and they need to be able to read lips. She stated that there is nowhere in the Constitution that gives the Board the right for her not to breathe freely.

Anthony Newcomb, Palo, stated that his daughter turns 3 next month and through this whole thing they finally found a daycare that did not require masks. They have had no issues. He is surprised to see that the Board is requiring masks for their employees. He worked on ships where they locked the ships down. A coworker turned a gun on himself. Masking people is not healthy and it should be up to the individual.

Helen Hunter, Marion, stated that she is 81 and had COVID. She did not believe in wearing a mask from the beginning and she recovered. She has rights by the Constitution and she has freedoms.

Greg Forseen, Central City, asked the Board why they are trying to circumvent the Governor's directions. Even OSHA restricts the number of hours that employees wear a mask in the workplace. Hospitals are not overflowing. This is bunk and should not be done.

Randy Walker, Cedar Rapids, stated that he is vehemently opposed to their constitutional rights being throttled by unelected government officials. He summarized a five-page article stating that there is evidence that masks absolutely do not work. Masks are continually harmful, noting that they reduce the oxygen levels of children; they contain pathogenic bacteria (meningitis, E.coli, hepatitis, etc.) and a person would be better off breathing through dirty underwear.

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

Approve and authorize Chair to sign a Vacancy Form requesting a change in the clerk's hours from 28 hours to 30 hours for the Purchasing Department.

Resolution 2021-8-132

A Resolution approving a Temporary Use Permit.
The following description is a summary of Resolution No. 2021-8-132as passed and approved by Linn County Board of Supervisors, effective August 11, 2021.
John Bickel, owner; Horsfield Construction, petitioner; Case JTU21-0011, has requested the Linn County Board of Supervisors' permission to operate a portable concrete plant at 1636 Marietta Rd from August 11 until October 1, 2021.
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.

Approve and authorize Chair to sign a 28E agreement between Cedar Rapids Community School District and Linn County Child Development Center regarding a statewide voluntary preschool program for four-year old children

Approve and authorize Chair to sign a Shared Road Maintenance and Snow & Ice Control Agreement between Linn County and Cedar County.

Approve and authorize Chair to sign a Shared Road Maintenance and Snow & Ice Control Agreement between Linn County and Jones County

Approve Cigarette Permit for TS, LLC (Troy Store) in Troy Mills, noting all conditions have been met.

Motion by Rogers, seconded by Walker to approve minutes of August 10, 2021 as printed.

Motion by Rogers, seconded by Walker to approve Claims for AP checks #71003612-#71003671 in the amt. of \$229,022.98 and AP ACH in the amt. of \$490,559.56.

Pramod Dwivedi, Public Health Dir., presented a Covid 19 update by Public Health as follows:

- Number of cases are going up and there is an increased number of deaths.
- Systematically working with partners to increase vaccinations.
- Experiencing a huge significant surge and hospitalizations are going up.
- Keeping eyes and ears and all attention to the number of cases that are increasing and doing contact tracing as well.
- Their job in government is to protect the citizens.
- All strategies are evidence and science based. The virus can mutate.
- If vaccines are available, why are people squandering the opportunity.
- Face masks have shown effective in not transmitting the virus.

After a lengthy discussion and advice from Lisa Epp, Asst. County Attorney, the following motion was introduced:

Motion by Walker, seconded by Rogers to approve implementation of a mask mandate for Linn County buildings, employees, and occupants at those buildings with amended language that allows for religious and medical exemptions.

Discussion: Supervisor Zumbach stated that he is not in favor of a mask mandate but he is in favor of the exemptions.

Chairperson Walker reminded everyone that if they have written remarks that they are welcome to provide those to the Auditor's Office. He also asked that he be communicated with through his work email rather than Facebook messenger.

VOTE: All Aye

Motion by Rogers, seconded by Zumbach to approve upon third and final consideration Ordinance #13-8-2021, amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 107, Unified Development Code. Staff is proposing several text amendments to the UDC. The Iowa Department of Natural Resources has provided suggested updates to the Floodplain Overlay District regulations that will help ensure that the county continues to comply with the minimum requirements of the National Flood Insurance Program (NFIP).

Ashely Balius, General Assistance, presented a contract between Linn County and Waypoint Services to provide assistance with completing the application and screening clients for the Linn County Emergency Rent Assistance program effective August 16, 2021 to August 16, 2023. She stated that this will help administer rent assistance that Linn County received in order to help anyone who would have a technology issue (help complete applications and make sure it gets to the right place). They did go out for bids and Waypoint was the only response.

Motion by Rogers, seconded by Walker to authorize Chairperson to sign contract between Linn County and Waypoint Services to provide assistance with completing the application and screening clients for the Linn County Emergency Rent Assistance program effective August 16, 2021 to August 16, 2023.

Balius also presented a contract between Linn County and Hawkeye Area Community Action Program (HACAP) Services to process applications and make assistance awards to Linn County residents for the Linn County Emergency Rent Assistance program effective August 16, 2021 to August 16, 2023. This also went out for bid and HACAP was the only bidder.

Motion by Rogers, seconded by Walker to authorize Chairperson to sign a contract between Linn County and Hawkeye Area Community Action Program (HACAP) Services to process applications and make assistance awards to Linn County residents for the Linn County Emergency Rent Assistance program effective August 16, 2021 to August 16, 2023.

Motion by Rogers, seconded by Walker to approve Resolution 2021-8-133 Temporary Appointment of Deputy Auditor
WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Joel D. Miller, Linn County Auditor, has submitted to the Board of Supervisors, Linn County, Iowa, for approval of Matthew Warfield, for appointment as Temporary Deputy Auditor, and WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Matthew Warfield to be qualified to serve as Deputy Linn County Auditor and that the appointment of Matthew Warfield will not exceed the number of deputies authorized for the Linn County

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Auditor's Office by the Board of Supervisors, Linn County, Iowa.
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, that the appointment of Matthew Warfield as Temporary Deputy by Joel D. Miller, Linn County Auditor, is hereby approved retroactive to August 7, 2021.

Public Comment:

Lyndsey Sullivan, Cedar Rapids, continued to clarify her constitutional rights. She has the right to life, air to breathe, live and the Board is not upholding the Constitution when they are mandating someone to cover their airway.

Matt Rollinger stated that he was the only one to call out hypocrisy and then there was a rant about telling a woman what she can do with her body. He stated that he has never in his entire life told a woman what she can do with her body. He asked that they do not get lumped in as a group. He does not want to be called a Republican, a Democrat or a Libertarian. Don't pigeon hole him.

Kate Giebeck, Marion, stated that when she goes into a building, she is isolated and secluded (not allowed to be in public areas). That is not respecting her religious or medical exemption. She expects to go to work tomorrow without an issue.

Ben Rogers, Cedar Rapids, clarified his previous statement regarding telling a woman what she can do with her body. He is also not trying to lump everyone into a group that do not wear masks or lean a political way. He also wanted to make it clear that if they come into a county building without a mask does not mean they can sit in the lobby. The Courthouse is multijurisdictional.

Stacey Walker, Cedar Rapids, states that no matter what the issue is that the Board faces controversy, he appreciates that folks are civil. He also appreciates it when government is challenged that it is done respectfully. He noted that it takes a lot of courage to share thoughts in front of everyone. He also apologized to the gentleman who felt he was lumped into a category. He also stated that it is complicated when it comes to courts (judges have full control of their courtroom). He advised them to speak to the Court Administrator.

Matt Rollinger clarified his previous comment about at some point the populous of this country will get pushed to a point. He also stated that the person that works at the Courthouse has equal opportunity to be with everyone else and not be segregated.

Board Member Reports: Supervisor Rogers attended several strategic planning sessions at the Harris Building; participated Thursday in a legislative zoom round table discussion for ASAC; attended LCCS Board meeting and attending ASAC Finance Committee as well as a forum tonight re: American Rescue Plan.

Chairperson Walker attended a meeting with officials of Kirkwood re: post-secondary education initiative. Also had a chance to spend time with a young group of kids.

Adjournment at 12:26 a.m.

Respectfully submitted,

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

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors