

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, AUGUST 24, 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:

Resolution 2022-8-130

A Resolution approving a three lot final plat to be named Dahl's First Addition, case JF22-0005. The following description is a summary of Resolution 2022-8-130 as passed and approved by Linn County Board of Supervisors, effective August 24, 2022.

Dahl's First Addition (Case # JF22-0005) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, Lot 2 and lettered Lot A, a subdivision of real estate located in the NWNW of Section 20, Township 83 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: PARCEL A, PLAT OF SURVEY #2479 AS RECORDED IN BOOK 10816, PAGE 421 OF THE RECORDS OF THE LINN COUNTY, IOWA RECORDER ON OCTOBER 27, 2020, BEING THE NORTH 777.48 FEET OF LOT 4, IRREGULAR SURVEY OF THE NW 1/4 OF SECTION 20-83-6, LINN COUNTY, IOWA; AND PARCEL B, PLAT OF SURVEY #2479 AS RECORDED IN BOOK 10816, PAGE 421 OF THE RECORDS OF THE LINN COUNTY, IOWA RECORDER ON OCTOBER 27, 2020, BEING THAT PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 19, EXCEPT THE NORTH 230 FEET THEREOF, LYING EASTERLY OF ROSEDALE ROAD; AND THAT PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 20 AND THE NORTH 1/2 OF THE NW 1/4 OF SECTION 20 LYING NORTH OF A LINE 1805.39 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION AND LYING EASTERLY OF THAT CITY PARCEL DESCRIBED IN VOLUME 1483, PAGE 448 IN THE OFFICE OF THE LINN COUNTY RECORDER AND LYING EASTERLY OF ROSEDALE ROAD; EXCEPT THE NORTH 230 FEET OF THE WEST 680 FEET OF SAID NW 1/4 OF THE NW 1/4 OF SECTION 20, ALL IN 83-6, 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.

Resolution 2022-8-131 A Resolution approving a three lot final plat to be named Horning Addition, case JPS22-0006. The following description is a summary of Resolution 2022-8-131 as passed and approved by Linn County Board of Supervisors, effective August 24, 2022.

Horning Addition (Case # JPS22-0006) 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 SESE of Section 13, Township 84 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: Beginning at the Southeast Corner of Section 13, Township 84 North, Range 6 West of the Fifth Principal Meridian; thence S89°25'21 "W along the south line of the Southeast Quarter of said Section 13, a distance of 1327 .10 feet; thence N 1 ° 19'41 "W along the west line of the Southeast Quarter of said Southeast Quarter, 1326.43 feet; thence N89°26'45"E along the north line of said Southeast Quarter of the Southeast Quarter, 1325.55 feet to the east line of said Southeast Quarter; thence S1°23'45"E along said east line, 1325.91 feet to the point of beginning. Said parcel contains 40.37 acres, subject to easements and restrictions of record.

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

Approve and authorize Chair to sign a Memorandum of Understanding between Linn County, City of Cedar Rapids, City of Marion, and Linn County 911 Service Board to share the cost of a 10-year contract with Racom for maintenance of the Linn County joint radio System

Approve and authorize Chair to sign a Memorandum of Understanding (MOU) 06-JD21-22F for the provision of certain Fiscal Agent Services for Wrap Around and Staff Development Funds between Juvenile Court Services, 6th District and Linn County Community Services effective on October 1st, 2022 through September 30th, 2023.

Approve and authorize Chair to sign an amended contract 5883HCO8 - Amendment 1 for HIV Client Services Program between Iowa Department of Public Health and Linn County Community Services for the contract period of April 1, 2022 - March 31, 2023. Amended contract adds \$1,861 for outreach support services for a total contract amount of \$868,035.

Approve purchase order #PO343 to Future Line Truck Bodies for a salt spreader for Facilities in the amount of \$6,314.98.

Page 2
August 24, 2022

Approve purchase order #PO344 to Lynch Ford for a 2022 Chevrolet Silverado for Conservation in the amount of \$52,965.00

Motion by Rogers, seconded by Walker to approve minutes of August 22, 2022 as printed.

Motion by Rogers, seconded by Walker to approve Claims for AP checks #71008153-#71008189 in the amt. of \$154,791.59, and AP ACH in the amt. of \$1,831,760.67 for a total of \$1,986,552.26.

Charlie Nichols, Planning & Development Dir., presented a Resolution that sets a public hearing for cases JR22-0004 & JR22-0005 (Duane Arnold Solar), to rezone property to the Renewable Energy Overlay Zoning District. The Public Hearing & First Consideration will be on Aug. 29, 2022 at 6:00 p.m. at the Palo Community Center. Second Consideration on Aug. 30, 2022 and Third & Final Consideration on Sept. 6, 2022 at 6:00 p.m.

Motion by Rogers, seconded by Walker to adopt Resolution 2022-8-132

A RESOLUTION SETTING A PUBLIC HEARING ON PROPOSALS TO REZONE TO THE RENEWABLE ENERGY OVERLAY ZONING DISTRICT

WHEREAS Linn County Planning and Development presented the Board of Supervisors with proposals, cases JR22-0004 & JR22-0005, to rezone property to the Renewable Energy Overlay Zoning District; and,

WHEREAS, the Board of Supervisors hereby finds that is desirable to hold a public hearing to consider the proposals to rezone property to the Renewable Energy Overlay Zoning District, and that Linn County should publish a notice thereof as required by law.

BE IT THEREFORE RESOLVED that the Linn County Board of Supervisors will set the date for a public hearing on proposals to rezone property to the Renewable Energy Overlay Zoning District on Monday, August 29, 2022 at 6:00 p.m. at the Palo Community Center, located at 2800 Hollenbeck Rd, Palo, Iowa, at which time any interested person may provide public comment on the rezoning proposals, and after hearing any and all public comments, the Board may proceed with consideration of the rezoning proposals.

BE IT FURTHER RESOLVED that the Board of Supervisors directs the publication of a notice of public hearing in accordance with Iowa Code Section 331.305.

Stephanie Lientz, Planning & Development, presented the following zoning ordinance amendment and stated that she has received no oral or written comments.

Motion by Rogers, seconded by Zumbach to approve upon third and final consideration Ordinance #12-8-2022 Amendment, rezoning case JR22-0002, request of Ben Dahl, owner, to rezone 50.28 acres located at 424 Rosedale Rd, from the AG (Agricultural) district to the RR2(Rural Residential 2-acre) district.

Charlie Nichols asked that the Board table or postpone third and final consideration of the ordinance on today's agenda that is primarily related to Agricultural Experiences in Linn County. He stated that he would like the Board to allow him time to meet with members of the Farm Bureau and other individuals that are interested in the language change.

It was the consensus of the Board to postpone third and final consideration on case JA22-0001, 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 until such time that the stakeholders come to an agreement.

Charlie Nichols also presented a service agreement with ECICOG for preparation of a housing study which will be funded with an ARPA grant.

Motion by Rogers, seconded by Zumbach to approve and authorize Chair to sign a service agreement from East Central Iowa Council of Governments (ECICOG) for the preparation of a Linn County Housing and Equity Needs Study funded through ARPA.

Tamara Marcus, Sustainability Program Dir., presented a Resolution officially establishing the first Linn County Resiliency Hub and a letter of support from Kathy Johnson, Exec. Dir., Abbe Center for Comm. Mental Health. Work on the site (gardens) began in the summer of 2021 with a zero dollar lease with Feed Iowa First.

Chairperson Rogers stated that they are advocating for this Hub to be located on a piece of county-owned land (next to Mental Health Access Center, Abbe Center & Fillmore Bldg.) and is in a sensitive neighborhood. He asked if this Board or a future Board would plan to sell the property, what happens to the Resiliency Hub and infrastructure.

Marcus responded that she hopes that the parcels would be divided, however, that would change the parking minimum requirements as the zoning would also change.

Darrin Gage, Dir. of Policy & Admin., pointed out the circumstances related to parking requirements if the county would subdivide the Mental Health Access Center from the Fillmore Bldg. (requiring additional parking) and what that would mean to potential buyers of the property. He noted that the land appraised at \$2.1 million and the other parcel appraised at \$110,000.

Supervisor Zumbach stated that he is not opposed to a Resiliency Hub but proposed portable resiliency hubs that would benefit the county as a whole. He stated that it makes more sense than having one stationary location. This is not the best site plus he does not want to spend much money if their intent is to sell the property. He also noted that there are other county-owned properties available for gardens.

Steve Estenson, Risk Manager, explained that currently there are No Trespassing signs around the Fillmore Building in response to a number of people congregating after the shelter closed.

Supervisor Walker thanked Marcus for her work on the issue and noted all of the other county departments she worked with as well as endorsements by community partners. It is incredible work and what they wanted from their Sustainability and Resiliency department. In response to Supervisor Zumbach's alternative approach by having mobile resiliency hubs, they serve a good purpose and they could also pursue that in addition to this first inaugural site. He hopes that the County leads these conversations and he will support the resolution. These are very small investments that yield great returns.

Chairperson Rogers is also in support of the Hub and perhaps they could seek possible additional parking from the school district and repurpose the area that the old county playground sits on.

Motion by Rogers, seconded by Walker to adopt Resolution 2022-8-133 A RESOLUTION ESTABLISHING THE FIRST LINN COUNTY RESILIENCY HUB
WHEREAS, Iowa Code Section 331.301 grants the Linn County Board of Supervisors (the "Board") the authority and responsibility to protect and preserve the rights, privileges, and property of the county and its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents; and
WHEREAS, Iowa Code Section 18B.1, Iowa Smart Planning Principles, states, "Planning, zoning, development, and resource management should be undertaken to promote clean and renewable energy use and increased energy efficiency.;" and
WHEREAS, the Board, on December 4, 2019, passed Resolution Number 2019-12-160, A Resolution Declaring a Climate Crisis and Committing to Accelerated Efforts to Limit the Global Average Temperature Increase; and
WHEREAS, the Board, on December 16, 2020, passed Resolution Number 2020-12-138, A Resolution Prioritizing Vulnerable Communities in Future Climate Mitigation and Adaptation Projects; and
WHEREAS, the Linn County Sustainability Department has worked with numerous Linn County departments including Public Health, Conservation, and Facilities to provide recommendations to the Board on projects and policies that promote emission reduction, regenerative agriculture, and improved access to critical resources; and
WHEREAS, the Sustainability Department has built community partnerships with local community organizations such as Feed Iowa First, The Academy for Scholastic and Personal Success, and Our Future to provide improved access to County-owned resources; and
WHEREAS, the Linn County Community Resilience Project final report states, "Pre-disaster recovery planning would help to leverage, maximize, and more speedily deploy post event resources...Pre-event resiliency and capabilities are a good predictor of recovery capabilities.;" and
WHEREAS, the Linn County Community Resilience Project final report states, "Linn County will commit to the study and development of best practices in the areas of resiliency and sustainability, placing an emphasis on marginalized communities." and, "Cultivate strong relationships to reach residents, especially in marginalized and vulnerable communities..." and, "Facilitate opportunities for public engagement on the topic of resiliency to empower communities and stakeholders to have more control and influence over the development and implementation of resiliency strategies that are more localized and tailored to the specific needs of the community.;" and
WHEREAS, the Linn County Strategic Plan for Fiscal Years 2022-2027 states a focus on supporting a high quality of life for Linn County residents through "Organizational and community resilience and emergency response preparedness.;" and
WHEREAS, in support and furtherance of the authority and expectations enumerated in Iowa Code, commitments enumerated in resolutions of the Linn County Board of Supervisors, previous and ongoing work performed by Linn County departments, and

the Board finds that it is desirable and in the best interest of the county and its residents to establish a resiliency hub using sustainable practices to provide critical resources.

BE IT THEREFORE RESOLVED that the Linn County Board of Supervisors establishes the first Linn County Resiliency Hub at 501 13th St NW, Cedar Rapids, IA 52405 to help provide access to critical resources including, but not limited to, food, electricity, and actionable information in times of disaster, as well as the period between disaster events.

VOTE: Rogers and Walker - Aye Zumbach - Nay

Brent Oleson, Deputy Dir. of Policy & Comm. Relations, presented Economic and Community Development Grant requests as discussed on Monday. He noted that the requests were \$9,000 over what is available and Supervisor Zumbach had a proposal to meet the amount (every group had something taken off of their requests).

Motion by Rogers, seconded by Zumbach to approve the Economic and Community Development Grant requests totaling \$200,000 as follows:

African Amer. Heritage Found.	\$30,000
Affordable Housing Network	13,000
Eastern Ia. Arts Academy	10,000
Jr. Achievement of Ia.	9,000
Linn Co. Freedom Rock Found.	19,000
NewBo Market	22,000
Riverview Center	16,000
City of Springville	22,500
Tanager Place	21,500
Trees Forever	7,000
Venture Academics Program	15,000
Hiawatha Public Library	5,000
Marion Public Library	10,000

Public Comment:

Mark Banowetz, 2188 Ivanhoe Rd., Ely, stated that the resiliency program has the wrong title. It is more of a neighborhood or community program rather than a Linn County program. He agreed with the mobile trailer concept. With regard to the budget, he asked where the funding would come from once the ARPA funds are spent and he also questioned staffing expenses.

Bret Mason, candidate for Supervisor and Cedar Rapids resident, stated that the ordinance that was postponed earlier on the agenda referred to parking requirements in the Ag. area and then he listened to parking requirements by the City of Cedar Rapids. It is interesting that when it comes to Linn County property, they can ask for a variance but when it comes to someone in the Ag. area, they must comply. He agreed that they need to provide resiliency services, particularly for those that cannot make it on their own right now. He also stated that Linn County owns land currently that could grow food. Bring it into the neighborhoods. He also asked that the county look at purchasing a couple buses to shuttle people to and from work after the bus routes are stopped in the evenings. They need to care for their neighbors.

Josh Henick, Wilcox Rd. Mt. Vernon, spoke on behalf of the Farm Bureau. He thanked the Board and Charlie Nichols for giving them the opportunity to have a dialogue regarding the ordinance for Ag. experiences. Everyone wants to promote agriculture and getting the stakeholders at the table is very much appreciated. The Farm Bureau also appreciates not putting in place barriers for beginning farmers and entrepreneurs. There could be unintentional barriers. This is a good opportunity to collaborate.

Stacey Walker, speaking as a member of the Board of Supervisors, stated that he is extraordinarily heartened by the amount of comments made today about folks who were genuinely interested in the indigent populations in marginalized communities. He is grateful to hear that and grateful that a lot of folks are coming around to the idea that this is the role of government to help those communities. Mr. Mason pointed out well documented issues with public transportation that has been around for years. There are groups of people forming coalitions talking about issues with housing and issues with transportation (they look different to different demographics and different segments of the population). The problems are identified and when nonprofits come to the Board seeking grants and funding, they hear criticisms that investing dollars is not the role of government. What he is asking for is a little consistency.

Louie Zumbach, speaking as a citizen and as a Supervisor, stated that it would be nice if some of these requests are brought to the Board ahead of time and he means more than two or three days. He would like to get some input. There is more middle ground and he is not totally against what Marcus wants to do, but it should be done differently. She proposes a site that they want to sell. There are ample areas that

Linn County owns that they can grow fruits and vegetables. They also fall way short of involving all parties. They will get invited to one meeting but then they do

Page 5
August 24, 2022

everything that the others want to do. He gave an example of a zoom meeting involving 15 or more people wanting to fix the housing issue. Unfortunately, nobody there was a landlord. He knows Marcus put a lot of work into this Hub but it could have been handled differently. The county's intent has always been to sell that property and move the homeless shelter.

Board Member Reports: Supervisor Walker noted that he will attend a Board of Health meeting today and will attend a presentation of an award received for partnering with Johnson County. He will attend the AFL-CIO annual conference and on a panel discussing solar projects. Tomorrow night he will be on a call with a professional that helps nonprofits raise money and he is scheduled to have lunch with the former Superintendent of the Cedar Rapids Comm. School Dist.

The Board received and placed on file an email from Marc Franke re: solar and letter from the Farm Bureau.

Adjournment at 11:57 a.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors