

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
MONDAY, AUGUST 28, 2023 10:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center. Present: Chairperson Zumbach, Vice Chairperson Rogers and Supervisor Running-Marquardt. Board members voting "AYE" unless otherwise noted.

Chairperson Zumbach called the meeting to order.

Motion by Zumbach, seconded by Rogers to approve minutes of August 23, 2023 as printed.

Motion by Zumbach, seconded by Running-Marquardt to open a public hearing to determine whether Linn County will vacate and convey to Stacey S & Nathaniel R Ross whatever interest Linn County may have in Parcel A, Plat of Survey #2731 as recorded in Book 11521 Page 73804 of the Linn County, Iowa Recorder on July 12, 2023, being part of the SW1/4 SE1/4 Section 13-82-5, Linn County, Iowa. Proof of publication was presented.

Garret Reddish, Asst. County Eng., presented the vacation noting that this is excess right of way and they will convey by Quit Claim Deed to the adjacent landowner. There were no oral or written objections.

Motion by Zumbach, seconded by Rogers to close public hearing.

The Board discussed first consideration of an Ordinance Amending the Code of Ordinances, Linn County, Iowa by Amending and Adding Provisions in Chapter 10, Article VII, Relating to the Control of Lead Based Paint.

Pramod Dwivedi, Public Health Dir., and Ruby Perin, Healthy Homes, presented the ordinance noting that this is an amendment to reflect the CDC and minor definition changes. He noted that the dangers and consequences of high levels of lead include cognitive functioning, IQ, and increased aggression. Dwivedi explained that the Board of Health has approved said changes.

Chairperson Zumbach questioned the section whereby Healthy Homes assessment is required, and the owner and occupants "shall" allow access to the residential dwellings that the health officer desires to assess. He stated that this is private property, and the word "shall" is an issue for him.

Eric Bradley, Deputy Dir., stated that if lead is identified, the state code allows them to go into any home. This, however, does not include a Healthy Home assessment. Healthy home assessments include mold, lead paint, radon, hygiene, etc.

Supervisor Running-Marquardt asked if the word "may" could be substituted and if there are problems, they could come back to the Board.

Bradley indicated that they could change the wording from "shall" to "may", however, Dwivedi stated that he is hesitant with "may" because it is the Board of Health's responsibility to remove the child. This would water down the severity of the situation.

After further discussion, the Board agreed to postpone first consideration to allow time to discuss with the County Attorney and Dwivedi.

Motion by Rogers, seconded by Zumbach to postpone indefinitely the first consideration of an Ordinance Amending the Code of Ordinances, Linn County, Iowa by Amending and Adding Provisions in Chapter 10, Article VII, Relating to the Control of Lead Based Paint.

Eric Bradley presented a Resolution establishing fees for failure to complete Lead Hazard Reduction.

Supervisor Running-Marquardt expressed her concerns regarding the fees and the lack of resources by the owner-occupied residences.

Bradley explained that the owner-occupied residences have 90 days before a fee is attached and a landlord/investor has 30 days.

Chairperson Zumbach noted that a landlord/investor may not be able to find someone to do the hazard reduction in 30 days.

The Board will discuss further on Wednesday, August 30.

Matt Warfield, Deputy Auditor, met with the Board to discuss reallocation of Election Services' American Rescue Plan Act (ARPA) award in the amount of \$925,000 with regards to scope of approved projects. Warfield explained why the scope of projects has changed which will result in returning \$44,000 - \$150,000 to the ARPA fund. The Board will approve on Wednesday.

Jessica Black, Admin. Asst., presented the Economic and Community Develop Fund grant requests. She stated that there were 22 applicants requesting a total of \$428,321 (the available amount is \$100,000). After taking into consideration the individual Board scores, they are still over by \$16,000. The Board will decide on Wednesday.

Public Comment:

Mark Banowetz, 2188 Ivanhoe Rd., Ely, commented on the proposed changes to the Lead Paint Ordinance stating that there are certain laws that protect private property owners and procedures for entities to enter into their home. He questioned comments made during the presentation regarding the word "shall", clearance testing, unconfirmed cases and taking children out of a home. He noted that with his experience with construction, once lead paint is painted over, it is safe and that very few homes in the NW and SW sides of Cedar Rapids that do not have lead paint. He also commented on someone going into the homes to make assessments and the fact that everyone's standards are different. He is not in favor of the ordinance as written.

Motion by Zumbach, seconded by Rogers to approve Employment Change Roster (payroll authorizations) as follows:

TREASURER'S OFFICE

Universal Clerk Kristin Jacobus New hire – FT 09/18/23 56A \$21.96 Replaces J. Hansen

COUNTY ATTORNEY'S OFFICE

Intern Adam Skendzel Termination/internship ended 08/11/23

PLANNING & DEVELOPMENT

Permit Specialist Amy Speed Step increase/contract_ 09/03/23 56D \$25.69 – 56E \$27.08

SHERIFF'S OFFICE

Deputy Sheriff Derek Palmquist Termination/resignation 09/01/23

Senior Account Clerk Eyasu Russell New hire – FT 09/05/23 55A \$20.4 Replaces B. Chalupa

COMMUNITY SERVICES

Public Health Nurse Heidi Flamming New hire – PT 09/05/23 39A \$31.02 12 hrs/wk New position

JUVENILE DETENTION

Secretary Samantha Parham Step increase/contract 09/06/23 55B \$21.42 – 55C \$22.54

Youth Counselor Mikayla Bjorklund Step increase/contract 09/19/23 36B \$26.34 + \$.25 – 36C \$27.73 + \$.25

Youth Leader Kaylia Wirfs New hire – PT, on-call 09/05/23 55A \$20.42

PUBLIC HEALTH

Sr. Air Quality Scientist David Burns Step increase/contract 09/18/23 40C \$44.31 – 40D \$46.59

Environ Hlth Spec James Mount Step increase/contract 09/19/23 39B \$32.63 – 39C \$34.37

Patient Advocate Tina Duggan New hire – FT 09/18/23 55A \$20.42 New position
LPN Angela Shaffer Step increase/contract 10/05/23 56D \$25.69 – 56E \$27.08

Medical Assist. Candace Nickerson New hire – Temporary 09/11/23 55A \$20.42

Medical Assist. Nancy Reasland New hire – Temporary 09/11/23 55A \$20.42

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Motion by Zumbach, seconded by Rogers to appoint Terry Chostner, Edward Zilka and Cheryl Jontz to the Sustainability & Resiliency Committee for a one year term; and Linda Fierstine as temporary Bertram Township Trustee, replacing Bonnie Pospisil.

Adjournment at 10:56 a.m.

Respectfully submitted,

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

APPROVED BY:

LOUIS J. ZUMBACH, Chairperson
Board of Supervisors