

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, SEPTEMBER 1, 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.
Call to Order

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

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

Approve and authorize Chair to sign a Vacancy Form requesting a GIS Specialist for the Secondary Road Department.

Approve and authorize Chair to sign a Vacancy Form requesting a Traffic Technician Aide for the Secondary Road Department.

Approve and authorize the Chair to sign a Vacancy Form requesting a HIV HCV STI Outreach Coordinator for the Public Health Department.

Approve and authorize Chair to sign an Acceptance of Provisions of Resolution to purchase City-owned excess right-of-way in the amount of \$17,569.50, in connection with Linn County's project Bertram Road Bridge Replacement, parcel No. 1 & 2.

Resolution 2021-9-137

A Resolution approving a two lot land preservation parcel split to be named Konkowski First Addition.

The following description is a summary of Resolution No.2021-9-137 as passed and approved by Linn County Board of Supervisors, effective September 1, 2021.
Konkowski First Addition (Case # JLPS21-0001) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered outlot A, a subdivision of real estate located in Section 34, Township 27 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing at the Southwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 82 North, Range 6 West; thence N 89°13'30" E along the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 33, a distance of 513.13 feet to the Southeast corner of Parcel A of Plat of Survey No. 2047 as is recorded in Book 9496 on pages 661-662 in the office of the Linn County Recorder, being the Point of Beginning; thence N 01°39'44" W along the East line of said Parcel A, a distance of 1327.92 feet to the Northeast corner of said Parcel A, being a point on the North line of Lot 3 of Banner Valley Second Addition as is recorded in Book 9978 on pages 443-469 in the office of the Linn County Recorder; thence N 89°30'29" E along said North line, a distance of 758.06 feet to the Northeast corner of said Lot 3; thence S 41°17'56" E along the Easterly line of said Lot 3, a distance of 327.84 feet; thence S 43°25'58" E along said Easterly line, a distance of 867.73 feet; thence S 30°37'15" E along said Easterly line, a distance of 447.25 feet; thence S 05°18'01" E along said Easterly line, a distance of 13.94 feet; thence S 00°46'15" E along said Easterly line, a distance of 34.91 feet to a point on the South line of the Northwest 1/4 of the Northwest 1/4 of Section 34, Township 82 North, Range 6 West; thence S 89°13'45" W along said South line, a distance of 962.84 feet to the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 33; thence S 89°13'30" W along the South line of said Northeast 1/4 of the Northeast 1/4 of Section 33, a distance of 799.35 feet to the Point of Beginning containing 40.07 acres of which 1.58 acres is existing county road right of way and being subject to all 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.linncounty.org

Approve and authorize Chair to sign a contract amendment #1 5882HC08, between Linn County Community Services - Ryan White Program and Iowa Department of Public Health for the period of April 1st, 2021 to March 31st, 2022 for a total contract total equaling \$750,692. A funding increase for this fiscal year of \$3,114.

Approve and authorize Chair to sign a partial acquisition contract between Linn County, Iowa and Joseph Mischka, in the amount of \$900.00, for right of way acquired in connection with Linn County's project Bertram Road Bridge Replacement, parcel No. 3.

Approve and authorize Chair to sign Pre-Employment Training Agreements for new employees of the Linn County Sheriff's Office as follows:

- Fernando Catalan for \$32,562.70
- Laurisa Lynne Filmer for \$32, 562.70
- Warren Fuller for \$32,562.70
- Loren Lorang for \$32,562.70
- Milo Dylan Miles for \$35,575.10
- Derek Pritchard for \$35,575.10
- Brody Rawson for \$32,562.70
- Kimberly Schmitz for \$34,750.99
- Henry Shriver for \$32,562.70
- Tremaine L. Sideeg for \$32,562.70

- Justin Uhde for \$35,575.10
- Nicholas A. Williams for \$32,562.70
- Drew Henry Leigh Wirtner for \$32,562.70
- Charles Wesley Wayne Woodcock for \$32562.70

Authorize Chair to sign a Memorandum of Understanding (MOU) for provision of certain fiscal agent services for Wrap Around and Staff Development Funds, effective October 1, 2021 through September 30, 2022, between 6th District Juvenile Court Services and Linn County Community Services.

Award bid and approve purchase order PO160 for the purchase of mulch materials to Coleman Moore Company in the amount of \$9,017.42.

Motion by Rogers, seconded by Zumbach to approve minutes of August 30, 2021 as printed.

Motion by Rogers, seconded by Walker to approve claims for AP check #71004016-#71004110 in the amt. of \$240,906.94; AP ACH in the amt. of \$1,502,202.56; and Area Ambulance in the amt. of \$4,697.50.

Motion by Walker, seconded by Zumbach to approve payment to Marcia Rogers in the amt. of \$590.00.

Vote: Walker & Zumbach - Aye Rogers - Abstain

Chairperson Walker read the following Proclamation: 15th Annual Stand Down for Homeless-September 10, 2021.

Motion by Rogers, seconded by Zumbach to adopt the above mentioned Proclamation.

Discussion: Joe Stutler, Secretary of Valor, thanked the Board for adopting this Proclamation noting that he appreciates any help that is given.

Linda Van Niewaal, Treasurer of Valor, thanked the Board for their support and invited them to attend the event.

Vote: All aye.

The Board recessed at 11:07 a.m. and reconvened at 11:08 a.m.

Pramod Dwivedi, Public Health Dir., presented the following Covid 19 update by Public Health:

- The number of cases, hospitalizations and deaths have increased and asking folks to be more vigilant and follow CDC guidelines.
- Have seen some increase in the rate of vaccinations.
- Focusing on how the surge is affecting area hospitals every week.
- Hospitals are seeing more than anticipated breakthrough cases.
- Vaccinations are the way to beat the virus.

Chairperson Walker asked if it would be possible for Public Health to provide Linn County employees with free vaccinations and Dwivedi responded that there has not been much interest.

Charlie Nichols, Planning & Development Dir., discussed second Consideration on Case JA21-0007, an ordinance 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 Unified Development Code concerning: Temporary Uses, Event Centers in areas zoned Agricultural (AG), signs in areas zoned Critical Natural Resource (CNR), and lot size requirement exemptions for subdivisions in Planned Unit Development Overlay districts (PUD).

Brad Thatcher, VP of Finance at Tanager Place, stated that their camp is out by Mount Vernon Rd. and this would benefit them to allow for more activities there.

Motion by Zumbach, seconded by Rogers to approve upon second Consideration Case JA21-0007, an ordinance 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 Unified Development Code concerning: Temporary Uses, Event Centers in areas zoned Agricultural (AG), signs in areas zoned Critical Natural Resource (CNR), and lot size requirement exemptions for subdivisions in Planned Unit Development Overlay districts (PUD).

Mike Tertinger, Planning & Development, discussed Resolution for Temporary Use Permit, Case JTU21-0014, City of Cedar Rapids, owner; and Corridor Running c/o Michael Price, petitioner; requesting permission to operate the NewBo Run Half Marathon and 10K, located at 5801 Otis Rd, Cedar Rapids, Iowa. Planning is recommending approval.

Motion by Rogers, seconded by Zumbach to adopt Resolution 2021-9-138
A Resolution approving Temporary Use Permit JTU21-0014 requesting permission to operate the NewBo Run Half Marathon & 10K.

The following description is a summary of Resolution 2021-9-138 as passed and approved by Linn County Board of Supervisors, effective September 1st, 2021.

Resolution approving Temporary Use Permit, Case JTU21-0014, City of Cedar Rapids, owner; and Corridor Running, c/o Michael Price, petitioner; requesting permission to operate the NewBo Run Half Marathon and 10K race, located on, and in the vicinity of, 5801 Otis Rd, Cedar Rapids, Iowa. The outdoor race will be held on Sunday September 5th, between the hours of 7:30am and 9:15pm. The race start and finish line is located at NewBo City Market in Cedar Rapids. The 13.1-mile race route features areas such as Prairie Park Fishery, the Sac & Fox Trail and Indian Creek Nature Center.

Approximately three miles of the race will pass through Linn County jurisdiction with the rest of the course inside the City of Cedar Rapids. Food and beverage concessions will be provided at the start and finish location. Water stations and restrooms will be available at several locations throughout the entire course.

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

Discussion: Michael Price stated that the only change is that yesterday they requested to utilize four additional Sheriff's Office deputies.

Vote: All aye.

Steve Estenson, Risk Mgr., discussed utilizing Otis Road and Bertram Road on Sunday, September 5, 2021 for the NewBo Half Marathon.

Motion by Zumbach, seconded by Rogers to adopt Resolution 2021-9-139

A RESOLUTION APPROVING A PROPERTY USE REQUEST FOR PERMISSION TO UTILIZE LINN COUNTY ROADS FOR THE 2021 NEWBO HALF MARATHON

WHEREAS, Michael Price, Race Director for the NewBo Run Half Marathon, has requested permission to use Otis Road and Bertram Road, for the purpose of conducting the NewBo Half Marathon on Sunday, September 5, 2021; and

WHEREAS, the Linn County Engineer's Department, Linn County Sheriff's Office, and the Risk Management Department recommend the approval of this request.

BE IT THEREFORE RESOLVED the Linn County Board of Supervisors hereby approves this request subject to the following conditions:

The race sponsor(s) will provide law enforcement officers, with patrol vehicles, for traffic control as required by the Sheriff's Office. The applicant will contact the Linn County Sheriff's Office at 892-6176 to schedule extra-duty officers.

The race sponsor(s) will advise the participants to obey all traffic regulations as required by the Linn County Sheriff's Office and the Linn County Engineer.

The race sponsor(s) will oversee the proper conduct of the event.

The applicant will have each participant sign a participant's release that names Linn County on the release.

The applicant agrees to save Linn County and its employees harmless from all liability and has a liability insurance policy in limits satisfactory to the Board of Supervisors.

Sara Bearrows, Budget Dir, stated that this is a follow-up to an item discussed Monday regarding the use of chip disposal revenue from Ceres Environmental, Inc.

Motion by Rogers, seconded by Walker to approve the use of chip disposal revenue from Ceres Environmental, Inc. going to Conservation.

Darrin Gage, Dir. of Policy & Admin., and Steve Estenson, Risk Mgr., discussed Amendment Number 1 to the Professional Services Agreement between Linn County and Martin Gardner Architecture, P.C. for derecho evaluation and assessment.

Motion by Zumbach, seconded by Rogers to approve Amendment Number 1 to the Professional Services Agreement between Linn County and Martin Gardner Architecture, P.C. for derecho evaluation and assessment.

Molly Bagby, Human Resources, discussed COVID-19 leave for Linn County employees noting that the federal COVID pay expired on 12/31/2020 and the county continued to pay through 6/30/2021. A vaccine is now available that is free and available and they are not aware of any public sector jurisdictions that have resumed COVID pay. HR recommends that the county continue to align with the CDC and Public Health. They do not recommend resuming county COVID pay. For any COVID related absences, exposures, etc. employees should contact HR immediately and they will work in partnership with Public Health. HR highly recommends that the Board encourages all employees to be fully vaccinated.

Lisa Epp cautioned the Board on separating classes of employees.

A lengthy discussion continued including: short term disability; vaccination status; positive cases; and possible use of American Rescue Plan Act funds

Motion by Walker, seconded by Rogers to approve Human Resources recommendations.

Vote: Aye - Walker and Rogers Nay - Zumbach

Public Comment: Supervisor Zumbach stated that the Board discussed a GIS Specialist position on Monday that he was opposed to. Zumbach spoke to Brad Ketels yesterday and although he does not 100% agree he sees value in the position and moved it to the consent agenda.

Board Member Reports: Supervisor Zumbach has received several comments and concerns over solar farms; attended EMA meeting yesterday; has some different ideas to present to the Board about Dow's Farm.

Supervisor Rogers attended Public Health meeting regarding letters issued to school boards and code language regarding mask requirements; rescheduling strategic planning meeting scheduled for today; toured building for potential homeless overflow shelter; meetings regarding Dow's Farm and SILT; weekly Zoom meeting between municipalities regarding COVID; will meet with EMA Dir. and Sheriff regarding acquiring sires from Duane Arnold.

Supervisor Walker attended Board of Health meeting last week; dinner with a friend of his; met with Leslie Wright last Thursday regarding Derecho response; attended Food Systems Council meeting with Supervisor Zumbach; lunch with the outgoing Director of the Englert Theatre; met with constituent from the LBA Foundation; attended Public Engagement Forum yesterday; recorded an Ethical Perspectives episode; attended Board of Health press conference this morning.

The Board received and placed on file the following correspondence: a thank you note from Rebecca Stonawski regarding short term leave; invitation for a ribbon cutting to the RISE Program and Sixth Judicial District Dept. of Correctional Services; letter from the City of Center Point regarding an urban renewal area amendment; email from John Fletcher in opposition of wearing masks that Chairperson Walker read.

Adjournment at 12:42 p.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Amanda Hoy, Executive Assistant

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors