

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, NOVEMBER 3, 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.

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

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

Discussion: Supervisor Zumbach stated that often times things that come up on the Consent Agenda that looks like the Board has not discussed, but they have been discussed in previous meetings. Sometimes it looks like they are on a spending spree, but things on today's Consent Agenda haven't been thoroughly discussed.

VOTE: All Aye.

Approve and authorize Chair to sign a Vacancy Form requesting a cook for the Child Development Center

Approve and authorize Chair to sign a Vacancy Form requesting two Deputies for the Sheriff's Office

Resolution 2021-11-173

AUTHORIZE CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under §331.361, Code of Iowa, to dispose of the interest of Linn County, in real property, and, WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated the portions of right-of-way described as:

LEGAL DESCRIPTION

The north 128 feet of the west 30 feet of vacated Vermont Way as recorded in Resolution 2006-4-42, Bk 6303, Pg 342, Linn County Records Office, lying south of Waubeek Road ROW. Located in Original Town of Waubeek, Section 19, T.85N, R.05W, Linn County, Iowa. Said area is subject to easements and restrictions of record or use.

and, WHEREAS, Jeremy J. and Erin L. Brown, owner of real property adjacent to the above described parcel of vacated right-of-way desire to obtain whatever interest Linn County, Iowa may have in the above described parcel of vacated right-of-way, and WHEREAS, the Board of Supervisors, Linn County, Iowa, has pursuant to §331.361, Code of Iowa, conducted a public hearing upon the proposal to convey by quit claim deed whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way shall be conveyed to Jeremy J. and Erin L. Brown, owner of real property adjacent to the above described vacated right-of-way, by quit claim deed. BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors, Linn County, Iowa, hereby authorize to execute said quit claim deed conveying whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way to Jeremy J. and Erin L. Brown.

Resolution 2021-11-174 APPROVE QUIT CLAIM DEED

WHEREAS, there is presented to the Board of Supervisors, Linn County, Iowa, for its approval, a quit claim deed executed and acknowledged by Stacey Walker, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel Miller by Rebecca Shoop, Deputy County Auditor of Linn County, Iowa,

conveying the interests of Linn County, Iowa, to Jeremy J. and Erin L. Brown, and WHEREAS, said deed conveys the following real estate described as follows:

LEGAL DESCRIPTION

The north 128 feet of the west 30 feet of vacated Vermont Way as recorded in Resolution 2006-4-42, Bk 6303, Pg 342, Linn County Records Office, lying south of Waubeek Road ROW. Located in Original Town of Waubeek, Section 19, T.85N, R.05W, Linn County, Iowa. Said area is subject to easements and restriction of record or use.

and

WHEREAS, said deed was executed by Stacey Walker, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel Miller by Rebecca Shoop, Deputy County Auditor of Linn County, Iowa, pursuant to resolution 2021-11-174 adopted by the Board of Supervisors, Linn County, Iowa, on the 3rd day of November, 2021.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session, that the above described quit claim deed, dated the 3rd day of November, 2021 conveying whatever interest Linn County, Iowa, may have, to Jeremy J. and Erin L. Brown, be and the same is hereby approved.

Resolution 2021-11-175

RESOLUTION APPROVING APPOINTMENT OF SPECIAL PROSECUTOR LINN COUNTY ATTORNEY

WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Jerry Vander Sanden, Linn County Attorney, has submitted to the Board of Supervisors, Linn County, Iowa, for

approval of Adam Vander Stoep, for appointment as Special Prosecutor Linn County Attorney, and WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Adam Vander Stoep to be qualified to serve as Special Prosecutor Linn County Attorney and that the appointment of Adam Vander Stoep will not exceed the number of assistants authorized for the Linn County Attorney'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 Adam Vander Stoep as Special Prosecutor Linn County Attorney by Jerry Vander Sanden, Linn County Attorney, is hereby approved.

Resolution 2021-11-176 2022 County Five Year Program Resolution 0.2 Linn County Secondary Roads Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan. The Board of Supervisors of Linn County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2022), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050. The following projects shall be ADDED to the Program's Accomplishment year:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Total
FM-C057(153)--55 - 57 FM-C057(153)--55 - 57 37755	On JORDANS GROVE RD, from COUNTY HOME RD to WAUBEEK RD S36 T85 R06 GRADING AND CULVERTS	45 5.015 miles	352 Excavation FM	\$1,800,000
L-C057(S 31ST)-- 73 -57 L-SIGNAL S 31ST ST(22) 48358	On S 31ST ST at HWY 100, S8 T83 R06 TRAFFIC SIGNAL AND TURN LANE AT S 31ST ST AND HWY 100. CITY OF MARION IS LEAD ON THE PROJECT. TSIP FUNDING, CITY OF MARION AND LINN COUNTY.	187 0.000 miles	367 PCC Paving Local	\$115,000

Fund	Accomplishment Year		
	Previous Amount	New Amount	Net Change
Local	\$1,902,000	\$2,017,000	\$115,000
Farm-to-Market	\$500,000	\$2,300,000	\$1,800,000
Special	\$5,015,000	\$5,015,000	\$0
SWAP	\$0	\$0	\$0
Federal Aid	\$8,000	\$8,000	\$0
Totals	\$7,425,000	\$9,340,000	\$1,915,000

Approve and authorize Chair to sign Pre-Employment Training Agreements, as new employees, for the Sheriff's department as follows: Nicholas McClain \$34,750.99; Valerie Mensen \$34,750.99; Korey Ryan \$34,750.99; Austin Whiting \$31,895.22; Philip Williams \$32,020.73

Approve and authorize Chair to sign a Quit Claim Deed to Jeremy J. and Erin L. Brown, whatever interest Linn County may have in vacated right-of-way as follows: The north 128 feet of the west 30 feet of vacated Vermont Way as recorded in Resolution 2006-4-42, Bk 6303, Pg 342, Linn County Recorder's Office, lying south of Waubeek Road ROW. Located in Original Town of Waubeek, Section 19, T.85N, R.05W, Linn County, Iowa. Said area is subject to easements and restrictions of record or use.

Approve and authorize Chair to sign an IDOT Final Contract Construction Voucher for project BRS-SWAP-C057(143)--FF-57, bridge replacement on Central City Road over West Otter Creek.

Approve and authorize Chair to sign a Strategic Project Agreement between Options of Linn County and the MH/DS of the East Central Region for the period of Oct. 28th

through June 30th, 2022 for a total contract total equaling \$100,000 for programming support purchases.

Approve and authorize Chair to sign a Strategic Project Agreement between Mental Health Access Center and the MH/DS of the East Central Region for the period of October 28, 2021 through June 30, 2022 to provide support for fund balance projects at the Mental Health Access Center.

Motion by Rogers, seconded by Walker to approve minutes of November 2, 2021 as printed.

Motion by Zumbach, seconded by Rogers to approve claims for AP checks #71004800-#71004886 in the amt. of \$239,607.20, AP ACH in the amt. of \$2,230,084.38, and voided checks in the amt. of \$200.00.

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Dave Thielen, LCCS Exec. Dir., presented a Vacancy Form requesting a new Ryan White Options Counselor position for the Linn County Ryan White Program. This will help with the case management load which is quite high.

Motion by Rogers, seconded Zumbach to approve a Vacancy Form requesting a new Ryan White Options Counselor position for the Linn County Ryan White Program.

Brent Oleson, Deputy Dir. of Public Policy & Community Relations, presented a real estate purchase agreement (offer) to acquire 9 acres for the future Linn County Secondary Road District 1 maintenance shop.

Motion by Rogers, seconded by Zumbach to approve a real estate purchase agreement (offer) to acquire 9 acres for the future Linn County Secondary Road District 1 maintenance shop.

Chairperson Walker stated that the Board had a robust discussion on Monday with regard to Juneteenth being an additional County Holiday.

Motion by Walker, seconded by Rogers to add Juneteenth as an additional County Holiday.

Discussion: Supervisor Zumbach stated that he would like to look at making some holidays flexible in the future.

VOTE: All Aye.

Sara Bearrows, Budget Dir., stated that she had no further questions regarding the Fiscal Year 2023 budget initiatives and guidelines that were presented on Monday.

Motion by Rogers, seconded by Zumbach to approve Fiscal Year 2023 budget initiatives and guidelines.

Public Comment: Wally Taylor, 2200 S. 31st ST., Marion, stated that with the proposed pipeline, the Board of Supervisors are required to appoint a county inspector to review the impact on agriculture. He noted that he has had experience with these types of projects and ISG is going to contact all of the supervisors. They work for the pipeline company. He gave an example with his experience with the Dakota Access pipeline that ISG did a poor job. There were numerous problems. He stated that his point is that the Board should be wary if ISG or another company claims they will be the county inspector. The County Engineer may have the qualifications to be the county inspector, but if not, at least find one that will be independent, but most importantly, protect the landowners.

The Board received and placed on file documents from the Iowa Utilities Board and a letter from the Robinson family re: solar project.

Adjournment at 11:13 a.m.

Respectfully submitted,

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

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors