

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, NOVEMBER 10, 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 Zumbach to approve Consent Agenda as follows:

Authorize Chair to sign contract # DCAT4-22-033 between Linn County and the Iowa Department of Human Services for the period of November 17, 2021 through June 30, 2022, for supervised visitation services.

Authorize Chair to sign MOU between Options of Linn County and MH/DS of the East Central Region for the period of November 5 through May 31, 2022, for a total equaling \$45,000 for operational and technology expenses.

Motion by Rogers, seconded by Zumbach to approve minutes of Nov. 8 & 9, 2021 as printed.

Motion by Rogers, seconded by Zumbach to approve claims for AP checks #71004888 - #71004961 in the amt. of \$144,692.50 and AP ACH (including void/reissues) in the amt. of \$651,697.05.

Deputy Auditor Matt Warfield explained to the Board that there are multiple items on task from elections today, one of which is on the agenda: The Board determines the result of the tie-vote election for the Springville City Council At-Large seat by selecting a winner by lot in accordance with Iowa Code Section 50.44. The other two items will require that the Board add two Emergency Agenda items: 1) Request an amendment to the Marion City Council abstract vote which could result in a tie and 2) Amend abstracts for Prairieburg City Council to include a clarification in winners due to Luke Hennessey taking the oath last night to fill the vacancy.

Motion by Rogers, seconded by Zumbach to add the following Emergency Agenda item:
Address Abstract amendments and other business related to municipal elections.

The Board determined the result of the tie-vote election for the Springville City Council At-Large seat by selecting a winner by lot in accordance with Iowa Code Section 50.44.

Springville City Council at Large - Vote for two - Tony Benton and Cindy Kilburg tied for the second seat. There were 126 votes a piece.

Supervisor Zumbach drew the name - Cindy Kilburg. He also opened the other paper in the hat to prove that both of the names were in the hat.

Emergency Agenda Item: The Board signed an abstract during yesterday's canvass of the votes resulting in the Marion City Council race, Randy Strnad won by one vote. Deputy Warfield explained that an audit of scattering votes was conducted (after the abstract was signed) and it was determined that Dale Monroe received one write-in vote resulting in a tie between him and Randy Strnad. He stated that he is asking the Board to amend the abstract resulting in a tie.

Motion by Walker, seconded by Rogers to amend abstract for Marion City Council to reflect a tie between Randy Strnad and Dale Monroe.

Discussion: Supervisor Zumbach stated that if the Board took no action, yesterday's abstract would be valid and Monroe could ask for a recount.

Warfield stated that he recommends correcting the abstract based on the findings stated previously.

Supervisor Rogers stated that minutes before he came down to the board meeting, a civil attorney voiced concerns about drawing a name from the hat. If they amend the abstract from yesterday, that verifies that the persons vote does count. If the law requires them to determine a winner, then they need to draw a name.

Supervisor Walker withdrew his motion and Supervisor Rogers seconded the motion.

VOTE: All Aye.

The Board stated that they are expecting one of the candidates to ask for a recount and Warfield explained the recount process.

Motion by Walker, seconded by Rogers to amend abstract for Prairieburg City Council to make Luke Hennessey the winner to fill the vacancy and not the At Large position.

Motion by Rogers, seconded by Zumbach to adopt Resolution 2021-11-177
WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Joel Miller, Linn County Auditor, has submitted to the Board of Supervisors, Linn County, Iowa, for approval of Clifford E. Crimmins, for appointment as Deputy Linn County Auditor, and
WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Clifford E. Crimmins to be qualified to serve as Deputy Linn County Auditor and that the appointment of Clifford E. Crimmins will not exceed the number of deputies authorized for the Linn County 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 Clifford E. Crimmins as Deputy Linn County Auditor by Joel Miller, Linn County Auditor, is hereby approved.

Sara Bearrows, Budget Director, explained the 2022 budget amendment requests.

Motion by Rogers, seconded by Walker to set December 1, 2021 for proposed FY 22 budget amendment.

The Board received and placed on file the following correspondence: Letter from Heartland Greenway re: proposed pipeline and notice of voluntary annexation for the city of Hiawatha.

Adjournment at 11:38 a.m.

Respectfully submitted,

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

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors