

BOARD OF SUPERVISORS

District 1 | **James Houser**
District 2 | **Stacey Walker**
District 3 | **Ben Rogers**
District 4 | **Brent Oleson**
District 5 | **John Harris**

935 2ND ST. SW
CEDAR RAPIDS, IA 52404
PH: 319-892-5000
LinnCounty.org



LINN COUNTY BOARD OF SUPERVISORS MEETING AGENDA

Wednesday, October 3, 2018
10 a.m.

Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA

Call to Order

Pledge of Allegiance

Public Comment: Five Minute Limit per Speaker

This comment period is for the public to address topics on today's agenda.

Consent Agenda

Items listed on the consent agenda are routine and will be considered by one motion without individual discussion unless the Board removes an item for separate consideration.

Corrected Statement of Election Costs: Linn-Mar Community School District Special Election

Reports

Resolutions

Resolution to Petition for Suspension of 2019 Property Taxes for four (4) Linn County residents as they are unable to contribute to the public revenue by reason of age, infirmity or both.

Resolution to approve Final Plat for Morf Second Addition Case JF18-0013

Contract and Agreements

Approve and authorize Chair to sign a purchase order for Linseed Oil to Stetson Building Products in the amount of \$5,031.25.

Approve and authorize chairperson to sign purchase order for a Bradco Stump Grinder to Star Equipment in the amount of \$8,142.81.

Licenses & Permits

Approve Premises Update for the Indian Creek Nature Center permitting Chorale Midwest (renter) assuming liability for their rental on October 6, 2018.

Approve Premises Update for the Indian Creek Nature Center permitting Mark Wallace (renter) assuming liability for rental in auditorium on November 1,

Approve Application for a Consumer Fireworks Permit for Greg Cantrell to conduct a display at 3327 Walker Rd. on October 6, 2018.

Regular Agenda

Discuss and Decide on Consent Agenda

Minutes

Discuss and decide on meeting minutes.

Public hearing on the proposed fiscal year 2019 October budget amendment

Discuss and decide on the proposed fiscal year 2019 October budget amendment and adopt amended appropriations resolution.

Approve and authorize Board to sign letter of support for Prospect Meadows for its application for a Community Attraction and Tourism (CAT) grant related to the Sales Tax Rebate for Baseball & Softball Complexes.

Approve and adopt a Vehicle Idle Reduction policy

Discuss leaf-burning or alternatives to leaf-burning in rural incorporated areas of Linn County.

Public Comment: Five Minute Limit per Speaker

This is an opportunity for the public to address the board on any subject pertaining to board business.

Claims

Discuss and decide on claims.

Correspondence**Appointments****Adjournment**

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncounty.org.

LINN COUNTY AUDITOR'S OFFICE

Joel Miller | Auditor
 Rebecca Shoop | First Deputy

JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER

935 2ND ST. SW
 CEDAR RAPIDS, IA 52404
 PH: 319-892-5300
 LinnCounty.org



September 26, 2018

To: Linn County Board of Supervisors

From: Joel D. Miller
 Linn County Auditor &
 Commissioner of Elections

Re: Statement of Election Costs: Linn-Mar Community School District Special Election

Please receive and place on file the election cost figures below. The figures represent costs for the **Linn-Mar Community School District Special Election held on September 11, 2018**. Costs for this election will be assessed against the Linn-Mar Community School District as shown below.

Linn-Mar Community School District - Special Election September 11, 2018

WAGES / MILEAGE

Election Officials / Precinct Rovers / etc.	\$11,431.80	
Election Technicians	\$2,092.73	
Temporary Office Staff	\$9,096.39	Paid by County
Permanent Office Staff (Over regularly scheduled hours)	\$4,156.67	Paid by County
Satellite Workers	\$0.00	
Mileage Reimbursements	\$823.21	

PRINTING

Election Registers	\$1,194.93	
Ballots	\$4,773.00	\$2357.50 paid by county.
Photo Copies & Signs	\$0.00	
Polling Place Change Notices	\$0.00	

SUPPLIES

Tally Envelopes/ Memory Card Envelopes	\$8.68
Absentee Ballot Envelopes/Supplies	\$424.01
Voter Rosters	\$28.20
Labels at Precinct (E-Poll Book)	\$0.00
Miscellaneous Forms & Supplies	\$81.15

PUBLICATION

Public Notices & Sample Ballots	\$263.31	
Post Card Notices	\$0.00	
Additional Advertising	\$0.00	Paid by County

POSTAGE

Precinct Official Mailings	\$44.10
Absentee Ballots - Mailing Out	\$21.76

Absentee Ballots - Returned by Mail	\$924.67	
POLLING PLACE		
Building Rental	\$450.00	
Security Officers for Schools	\$147.00	
Van Rental & Gas (machine delivery)	\$251.16	
Car Rental & Gas (Election Day Vehicles)	\$202.99	
Technician Van Gas	\$0.00	
OTHER		
Lookup Tool Update	\$175.00	Paid by County
ELECTION TOTAL:	\$36,590.75	
LESS AMOUNT, IF ANY PAID BY COUNTY:	\$15,785.56	
ELECTION COST TO DISTRICT:	\$20,805.19	

Note that with 8,248 voters, the cost per vote was \$4.44.

This statement is given pursuant to Code of Iowa section 47.3 par. 2 which states:

... The county commissioner of elections shall certify to the county board of supervisors a statement of cost for an election. The cost shall be assessed by the county board of supervisors against the political subdivision for which the election was held.

RESOLUTION
PETITION for SUSPENSION of 2019 PROPERTY TAXES

WHEREAS, the Linn County Board of Supervisors is this day presented with the attached petitions for suspension of taxes and/or special assessments pursuant to Section 427.8 of the Code of Iowa and;

WHEREAS, the properties for which assessments against these Petitioners are made lie within Linn County and;

WHEREAS, these Petitioners are unable to contribute to the public revenue by reason of age, infirmity, or both.

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 attached petitions be approved for the following Petitioners, parcels, and tax years:

PETITIONER	PARCEL #	TAX YEARS	Special #
Anderson, Esther	14142-53009-00000	2019	
Corum, Kazuko	14243-55004-00000	2019	
McMenomy, Della	14203-80001-00000	2019	
Murphy, Bonnie	10313-02009-00000	2019	

The Linn County Treasurer is ordered to suspend the collection of taxes assessed against these Petitioners, their polls or estates, for the above parcels for the above tax years as indicated.

Dated at Cedar Rapids, Linn County, Iowa, this _____ day of _____, 2018.

LINN COUNTY BOARD OF SUPERVISORS

CHAIRPERSON

SUPERVISOR

SUPERVISOR

SUPERVISOR

SUPERVISOR

AYE:
NAY:
ABSTAIN:

ATTEST:

Joel Miller, Linn County Auditor

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board, the foregoing resolution was duly adopted by a vote of ____ aye, ____ nay and ____ abstained from voting.

Joel Miller

Subscribed and sworn to before me by the aforesaid on this _____ day of _____, 2018

NOTARY PUBLIC
STATE OF IOWA

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # _____

APPROVING A FINAL PLAT

WHEREAS, a final plat of Morf Second Addition (Case #JF18-0013) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, Oulot A, and Lot A have been filed for approval, a subdivision of real estate located in the NENW of Section 7, Township 82 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the North Quarter Corner of Section 7, Township 82 North, Range 5 West of the Fifth Principal Meridian; thence S1•24'59"E along the east line of Lot D, Irregular Survey (being the east line of the Northwest Quarter) of said Section 7, G distance of 2439.24 feet to the centerline Of E. Bertram Road and the northerly boundary line of Auditor's Plat No. 488; thence N63'17'43"W along said centerline and northerly boundary, 145.63 feet to the Northwest Corner of said Auditor's Plat No. 488; thence S6'31'08"W along the westerly boundary of said Auditor's Plat No. 488, a distance of 282.06 feet to the south line of said Lot D (said Northwest Quarter); thence S88'58'21 1} along said south tine, 501.11 feet to the Southeast Corner of the west 1795.2 feet of said Lot D (as established by Plat of Survey No. 1762); thence NT09'38"W along the east line of said west 1795.2 feet (as established by Plat of Survey No. 1762), a distance of 2649.23 feet to the north line of said Lot D (said Northwest Quarter); thence N88'47'01 "E along said north line, 702.89 feet to the point of beginning.

WHEREAS, said plat is accompanied by a certificate acknowledging that said subdivision is by, and with the free consent of the proprietors, and is accompanied by a certificate dedicating certain property to the public, as shown on the plat; and

WHEREAS, said plat and it's attachments thereto have been found to conform to the requirements of the comprehensive plan and the subdivision ordinance; and the requirements of other ordinances and state laws governing such plats; and

WHEREAS, the following conditions as listed on the Planning and Development Staff Report of July 18, 2018 as last amended on August 20, 2018 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT

1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). One entrance per parcel is allowed. An additional access may be allowed with justification and permit.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. 40' of right-of-way on East Otter Road adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement for conditions applicable to final plat cases. County Standard Specifications, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION

Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE

1. Show approximate location of natural drainage ways and a note restricting building within the natural drainage way should be shown on the final plat. Contact the NRCS office for widths and building restriction requirements.
2. Land disturbance greater than 1 acre in size, not associated with agricultural crop production, will require a NPDES permit granted by the Iowa Department of Natural Resources.
3. A site plan showing the footprint of proposed structures and septic systems and wells shall be submitted and accepted by the NRCS office prior to plat approval.

LINN COUNTY CONSERVATION DEPARTMENT

No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

No conditions to be met.

LINN COUNTY 911 COORDINATOR

1. E-911 address sign is required to be located at driveway entrance.
2. Street designation signs and E-911 address signs to be applied for at Linn County Secondary Roads Department, 319-892-6400.

LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION

1. Various revisions to the site plan and final plat.
2. Prior to approval of the final plat, the owner must sign an "Acceptance of Conditions" form. The "Acceptance of Conditions" form states that the owner understands and agrees to comply with the agreed upon conditions as stated in the staff report.
3. This plat lies within the 2 mile jurisdiction of the City of Mount Vernon. As per Chapter 354 of the Code of Iowa, a certified resolution by any municipality that has authority to review the plat to either approve the plat or waive its right to review must be provided.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. The proposed subdivision name and proposed names of all roads, streets and lanes shall be submitted for review and approval by the Linn County Auditor's office prior to approval of the final plat.
6. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **AUGUST 20, 2019** as per Article IV, Section 107-72, § (1)(g), and shall be recorded within 1 year of that approval, as per Article IV, Section 107-72, § (2)(f) of the UDC.
7. One original and 3 complete copies of the final plat bound documents that must include the following:
 - i. Owner's certificate and dedication certificate executed in the form provided by the laws of Iowa, dedicating to Linn County title to all property intended for public use, including public roads
 - ii. Title opinion and a consent to plat signed by the mortgage holder if there is a mortgage or encumbrance on the property as well as a release of all streets, easements, or other areas to be conveyed or dedicated to local government units within which the land is located
 - iii. Surveyor's certificate
 - iv. Auditor's certificate

- v. Resolution of the Planning and Zoning Commission
- vi. Resolution of the Board of Supervisors
- vii. Resolution of approval or waiver of review by applicable municipalities
- viii. Treasurer's certificate
 - i. Agricultural Land Use Notification. The landowner shall ensure that such notification shall be attached to the deed and shall become a separate entry on the abstract of title for all the property that is subject of the permit or development as per Article V, Section 107-91, § (h) of the UDC.
 - ii. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
 - iii. Three (3) copies of the surveyor's drawing
 - iv. A covenant for a secondary road assessment

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat is hereby approved. The Board of Supervisors and County Engineer are hereby authorized to enter approval upon the final plat resolution. The Board of Supervisors' Chairperson is also hereby authorized to sign said plat which executes an acceptance of dedication of property to the public, as shown on said plat.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded by October 3, 2019 to be valid.

Passed and approved this 3rd day of October, 2018.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Supervisor

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

Linn County Engineer

Brad Ketels, Interim Engineer

State of Iowa)
) SS
County of Linn)

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

___ Aye ___ Nay ___ Abstain ___ Absent

Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, _____

on this _____ day of _____, 2018.

Notary Public State of Iowa

BOARD OF SUPERVISORS OFFICE

District 1 | **James Houser**
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JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER

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LinnCounty.org



October 3, 2018

To Whom It May Concern:

The Linn County Board of Supervisors continues to strongly support Prospect Meadows, Inc., a complex of professional outdoor baseball and softball facilities and other recreational amenities, which will give local youth the opportunity to develop their athletic and social skills while also positively impacting the quality of life and economic vitality of Linn County.

Prospect Meadows comprises 17 ball diamonds, to be used for both youth baseball and softball, eight of them lighted. A "Miracle Field" is included to be used by persons with disabilities.

Phase I of the project, which will include 8 ball fields, the "Miracle Field", a pond and wetlands, walking trails, gardens, modern concessions and restrooms, is scheduled to open next spring. The community looks forward to hosting baseball and softball tournaments, among other events, with the resulting positive economic benefit to local hotels, restaurants and shops. Equally important is the significant contribution a facility like this is poised to make to the vitality and livability of our community. The Board of Supervisors believes that Prospect Meadows is an important and worthwhile venture, and we are pleased to offer our enthusiastic support.

Sincerely,

LINN COUNTY BOARD OF SUPERVISORS

John Harris, Chair

James Houser, Vice-Chair

Stacey Walker

Ben Rogers

Brent Oleson



BOARD OF SUPERVISORS

Linn County, Iowa

Subject: Vehicle Idle Reduction Policy		Policy Section & Number: OP-000
Approval Date: 00-00-2018	Effective Date: 00-00-2018	Revision No: -
Reference: Initially Adopted: 00/00/2018 BOS Minutes: 00/00/2018, 00/00/2018		Distribution: Elected Officials, Department Heads, County Employee Handbook, Intranet

I. Purpose

The purpose of this policy is to protect public health and improve the environment by reducing unnecessary vehicle idling by adopting provisions which:

- Reduce human exposure to diesel and gasoline exhaust
- Decrease greenhouse gases (GHS) and toxic air contaminants which contribute to climate change and diminish air quality
- Result in fuel and maintenance savings by reducing wear and tear on engines and internal parts
- Assist in identifying potential “right-sizing” opportunities for fleet purchasing
- Increase awareness of the health, environmental and economic benefits of reduced idling

II. Scope

This policy applies to all individuals driving or operating any vehicle owned, rented or leased by Linn County and is applicable whenever and wherever the vehicle is operated, including inside or outside of Linn County.

III. Exceptions

- A. This policy does not apply to law enforcement in the performance of official duties.
- B. This policy does not apply to vehicles assisting in an emergency activity or idling for a safety or health emergency.
- C. This policy does not apply to vehicles idling to operate auxiliary equipment as required for necessary business operations.
- D. This policy does not apply to vehicles idling for maintenance, servicing, repairing, or diagnostic purposes if idling is required for such activity.
- E. This policy does not apply to vehicles idling for the purpose of defogging, defrosting or deicing windows. Idling should end as fog, frost, or ice conditions have been eliminated.
- F. This policy does not apply to vehicles idling during the winter season with below zero temperatures and/or blizzard conditions and during summer periods of extreme heat when extended idling periods may be necessary for the wellbeing of the operator and passengers.

- G. This policy does not apply where engine power is necessary for an associated power need such as, but not limited to, electrical power, compressed air, and various power take off devices such as auxiliary hydraulics.
- H. This policy does not apply during the winter season with temperatures below fifteen (15) degrees Fahrenheit when extended idling periods may be necessary for the proper operation of vehicles, for example keeping fuel or hydraulics warm for proper operation.
- I. This policy does not apply to vehicles used solely to power emergency lighting and two-way radios; such vehicles may operate the lighting for 30 minutes while turned off and may be idled at intervals to charge batteries.
- J. The policy does not apply when an individual working in the field requires shelter from extreme heat or cold and this would necessitate significant amount of driving time. (For example, a conservation officer working on the Cedar Valley Nature Trail would have to drive at least 20 to 30 minutes to reach a building.)

IV. Definitions

“Awareness” means at least annually educating individuals on the benefits of reduced idling, this may include but not be limited to activities such as posting reminders in vehicles, brochures, etc., in addition to reinforcing the need for compliance with the policy herein.

“Idling” means the operation of a vehicle or equipment while they are not in motion and not being used to operate auxiliary equipment. (This does not include when a vehicle is being driven and it is stopped for a red light.)

“Individual” shall mean all full-time and part-time Linn County employees responsible to the Board of Supervisors; employees responsible to an elected official, including the elected official and their deputies; and the Conservation and Public Health Departments.

“Fuels” shall mean fossil fuels which include gasoline, diesel, propane, hydrogen and natural gas used to operate vehicles or equipment.

“Vehicle” shall mean vehicles or equipment cars, light trucks, vans, heavy truck, snow equipment, transit buses, loaders, backhoes, graders, street sweepers, and any other equipment utilizing fossil fuels

“Layover” shall refer to a stop or breaks in a trip that is typically due to scheduling.

“Right-sizing” shall mean consideration of factors for vehicle purchasing such as: alternative vehicles, engine size, passenger and carrying capacity, weight, maintenance and fuel to accomplish a required task which result in savings on capital and operating costs as well as reduced vehicle emissions.

V. Provisions

A. Vehicle Operators

1. Shall not idle a gas-powered vehicle more than 30 seconds within a 60 minute period except as provided for under policy exceptions described in Section 3 of this policy. .
2. Shall not idle a diesel-powered vehicle more than 3 minutes within a 60 minute period except as provided for under policy exceptions described in Section 3 of this policy.

3. If idling occurs within these allowed limits it must be outside of buildings and away from fresh air intakes, air conditioner, and windows.
4. Shall not idle while waiting for passengers, attending meetings, or during layovers.
5. Shall shut off vehicle engines immediately upon reaching their destination, except heavy duty diesel engines, which require a two minute "cool down" period.
6. Shall not idle when picking up materials or making a delivery of materials.
7. Shall not idle during lunch or break periods.
8. Shall use a remote starter only during inclement weather such as that described in Section III F. herein
9. Shall not allow a vehicle to idle longer than 3 minutes when using a remote starter
10. Shall use good judgement to implement reduced idling practices.

B. LIFTS Buses

1. A bus that is empty or is not carrying clients shall not idle for more than a five minute period.
2. A bus carrying clients shall not idle for more than a five minute period when temperatures are over forty (40) degrees but less than seventy five (75) degrees Fahrenheit.

C. Maintenance

1. Shall ensure vehicles are in proper operating condition and kept well maintained

D. Maintenance Managers

1. Shall monitor vehicle performance including fuel economy and efficiency
2. Shall stay current on pollutant reduction and fuel saving technologies and implement when practical
3. Shall provide technical assistance to departments seeking to reduce idling
4. Shall evaluate idle reduction policy exemption requests from departments

E. Purchasing Managers

1. Departments, in consultation with Linn County Purchasing, shall evaluate right sizing opportunities to optimize fleet efficiency and select the most appropriate vehicle for purchase.

VI. Enforcement

- A.** Elected officials, department heads and managers have the responsibility to enforce this policy and to enlist the cooperation of employees in following its provisions.

- B.** Disciplinary actions taken for violation of this policy shall be reviewed by the Human Resources Director and approved by the Board of Supervisors.
- C.** If, in the opinion of the Board of Supervisors, the strict application of this policy in a specific case would not serve the best interests of the County, the Board of Supervisors may waive or modify provisions of this policy.