

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, FEBRUARY 15, 2017 10:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.
Present: Chairperson Oleson, Vice Chairperson Harris, Supervisors Rogers, Houser and Walker. Board members voting "AYE" unless otherwise noted.

The meeting was called to order and Pledge of Allegiance led by Chairperson Oleson.

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

Authorize Chair to sign, retroactive to February 13, 2017, letter to Greater Cedar Rapids Community Foundation supporting the State Innovation Model (SIM) Community Care Coordination (C3) Coalition request for funds.

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor Receipts and Disbursements for the Month of January 2017.

Resolution 2017-2-23

WHEREAS, a final plat of COVINGTON SUBSTATION FIRST ADDITION (Case #JF16-0010) to Linn County, Iowa, containing one (1) lot, numbered 1 has been filed for approval, a subdivision of real estate located in the NE SW of Section 20, Township 84 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of the Southwest Quarter of said Section 20; thence South 88° 51' 47" West 140.61 feet to the West line of the FPL Energy Duane Arnold tract as recorded in Book 6016, Page 38 in the Office of the Recorder of Linn County, Iowa and the point of beginning; thence continuing South 88° 51' 47" West 765.35 feet to a point of intersection with the South right of way line of Blairs Ferry Road and the beginning of a 895.12 foot radius curve concave Southeasterly; thence Northeasterly through a central angle of 54° 43' 37" an arc distance of 854.99 feet (chord bearing North 61° 31' 27" East 822.85 feet); thence on a non tangent line North 89° 56' 58" East 33.36 to a point of intersection with the West line of said FPL Energy Duane Arnold tract; thence South 1° 17' 45" East 377.27 feet along said West line to the point of beginning containing 4.74 acres.

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 its 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 OCTOBER 19, 2016 as last amended on NOVEMBER 3, 2016 have been addressed:

LINN COUNTY ENGINEERING DEPARTMENT Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article 4, Sec. 8B § 9(e). One entrance per parcel is allowed. An additional access may be allowed with justification and permit. Dedication of road rights-of-way, County Standard Specifications, Section 5. 60' of right-of-way on Blairs Ferry Road adjacent to development shall be dedicated to the public for road purposes.

Road agreement - see associated conditional use case JC16-0015. County Standard Specifications, Section 1. IOWA DEPARTMENT OF TRANSPORTATION No conditions to be met. LINN COUNTY PUBLIC HEALTH DEPARTMENT No conditions to be met. NATURAL RESOURCES CONSERVATION SERVICE See conditions for case JC16-0015. LINN COUNTY CONSERVATION DEPARTMENT No conditions to be met. LINN COUNTY EMERGENCY MANAGEMENT No conditions to be met. LINN COUNTY 911 COORDINATOR-911 address sign is required to be located at driveway entrance. Street designation signs and E-911 address signs to be applied for at Linn County Secondary Roads Department, 319-892-6400. Proposed driveway locations are required to be shown on the address plat for preliminary addressing. Actual address may change at time of driveway placement to reflect accurate address. Address assigned by Linn County Secondary Roads Department, 319-892-6400. LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION Various revisions to the site plan and final plat. 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. This plat lies within the 2-mile jurisdiction of the City of Palo and as per the 28E Agreement between the City and the County, will require City approval or a waiver of the right to review. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies. A note shall be included on the final plat regarding proposed Lot 1 stating, "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed." 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. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before NOVEMBER 21, 2017 as per Article 4, Section 8A (7), and shall be recorded within 1 year of that approval, as per Article 4, Section 8B(6) of the UDC. One original and 3 complete copies of the final plat bound documents that must include the following: 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 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 Surveyor's certificate Auditor's certificate Resolution of the Planning and Zoning Commission Resolution of the Board of Supervisors Resolution of approval or waiver of review by applicable municipalities Treasurer's certificate 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 5, Section 1, § 8 of the Unified Development Code. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument Three (3) copies of the surveyor's drawing 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 February 15, 2018 to be valid.

Resolution 2017-2-24

WHEREAS, the following intersection located in Linn County has been reviewed by the Linn County Secondary Road Department, and

WHEREAS, it is deemed appropriate to place traffic control signing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, meeting in regular session, and upon recommendation of the Linn County Engineer that the Secondary Road Department place a stop sign at the following location.

- Stop eastbound traffic on Merritt Road at the intersection with Matsell Park Road in section 2-84-5.

The Board of Supervisors declares these signs to be legal, valid and enforceable and directs the County Engineer to erect said signs in accordance with the provisions of the Code of Iowa.

Resolution 2017-2-25

WHEREAS, the following intersection located in Linn County has been reviewed by the Linn County Secondary Road Department, and

WHEREAS, it is deemed appropriate to place traffic control signing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, meeting in regular session, and upon recommendation of the Linn County Engineer that the Secondary Road Department place a stop sign at the following location.

- Stop southbound traffic on Linn-Jones Road at the intersection with Anderson Road in section 13-85-5.

The Board of Supervisors declares these signs to be legal, valid and enforceable and directs the County Engineer to erect said signs in accordance with the provisions of the Code of Iowa.

Resolution 2017-2-26

WHEREAS, the following intersection located in Linn County has been reviewed by the Linn County Secondary Road Department, and

WHEREAS, it is deemed appropriate to place traffic control signing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, meeting in regular session, and upon recommendation of the Linn County Engineer that the Secondary Road Department place a stop sign at the following location.

- Stop northbound traffic on Matsell Park Road at the intersection with Hart Road in section 26-85-5.

The Board of Supervisors declares these signs to be legal, valid and enforceable and directs the County Engineer to erect said signs in accordance with the provisions of the Code of Iowa.

Resolution 2017-2-27

WHEREAS, the following intersection located in Linn County has been reviewed by the Linn County Secondary Road Department, and

WHEREAS, it is deemed appropriate to place traffic control signing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, meeting in regular session, and upon recommendation of the Linn County Engineer that the Secondary Road Department place a stop sign at the following location.

- Stop northbound traffic on Weber Lane at the intersection with Matsell Park Road in section 1-84-5.

The Board of Supervisors declares these signs to be legal, valid and enforceable and directs the County Engineer to erect said signs in accordance with the provisions of the Code of Iowa.

Resolution 2017-2-28

WHEREAS, the following intersection located in Linn County has been reviewed by the Linn County Secondary Road Department, and

WHEREAS, it is deemed appropriate to place traffic control signing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, meeting in regular session, and upon recommendation of the Linn County Engineer that the Secondary Road Department place a stop sign at the following location.

- Stop northbound traffic on Museum Road at the intersection with Linn Ridge Road in section 20-83-5.

The Board of Supervisors declares these signs to be legal, valid and enforceable and directs the County Engineer to erect said signs in accordance with the provisions of the Code of Iowa.

Resolution 2017-2-29

WHEREAS, the following intersection located in Linn County has been reviewed by the Linn County Secondary Road Department, and

WHEREAS, it is deemed appropriate to place traffic control signing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors, meeting in regular session, and upon recommendation of the Linn County Engineer that the Secondary Road Department place a stop sign at the following location.

- Stop northbound traffic on Ballard Road at the intersection with Linn Ridge Road in section 19-83-5.

The Board of Supervisors declares these signs to be legal, valid and enforceable and directs the County Engineer to erect said signs in accordance with the provisions of the Code of Iowa.

Authorize Rusty Goins, director Linn County Community Services/Ryan White Program, to electronically sign IDPH Amendment 4 for Contract #5887HC08 for Ryan White increasing funding by \$8,745.00; for a total contract amount of \$394,831.00.

Authorize Chair to sign purchase order # 5344 to Lynch Ford Chevy for \$21,200 for a 2015 Dodge Grand Caravan for Options.

Authorize Chair to sign purchase order for a John Deere rotary cutter attachment to John Deere Construction in the amount of \$5,441.66 for Secondary Road Department. This is being purchased through the National Joint Powers Alliance.

Authorize Chair to sign Release of Mortgage of February 14, 2012, made and executed by the East Central Iowa Council of Governments, in association with Linn County's Single Family New Construction Grant, regarding property commonly known as 4563 Meadow Creek Drive, Palo, Iowa.

Authorize FY 17 Witwer Trust Grants as follows: African American Heritage Foundation d.b.a. African American Museum of Iowa-\$1,824; Alzheimer's Association-\$1,382; Best Buddies Iowa-\$2,876; Big Brothers Big Sisters of Cedar Rapids & East Central Iowa-\$4,076; Catherine McAuley Center-\$1,576; Cedar Rapids Community Schools Foundation-\$1,226; Cedar Rapids Freedom Festival-\$676; Cedar Valley Friends of the Family-\$2,176; Cedar Valley Habitat for Humanity-\$4,976; Coggon Area Betterment Association-\$831; Community Circle of Care, Inc.-\$ 2,476; Community Health Free Clinic-\$2,176; Cornell College-\$576; Discovery Living, Inc.-\$2,176; Eastern Iowa Health Center-\$1,156; Families Helping Families of Iowa-\$3,423; Foundation 2, Inc.-\$776; Gems of Hope-\$1,576; HACAP Food Reservoir-\$1,776; Hope Community Development Association-\$3,976; Iowa Dental Foundation-\$2,376; Junior Achievement of Eastern Iowa-\$1,677; Kids First Law Center-\$2,076; Marion Chamber of Commerce Foundation-\$1,176; Marion East Cedar Rapids Rotary Club-\$1,776; NTS, program of Horizons a Family Service Alliance-\$1,376; Orchestra Iowa-\$1,676; Peer Action Disability Support-\$3,476; Riverview Center-\$776; Tanager Place-\$4,376; The Academy for Scholastic and Personal Success (SPS)-\$ 1,676; The Arc of East Central Iowa-\$1,601; The Hook-\$3,754; The Nature Conservancy in Iowa-\$1,836; Theatre Cedar Rapids-\$1,376; Trees Forever-\$2,276; VALOR, Inc. dba Five Seasons Stand Down-\$2,176; YMCA of the Cedar Rapids Metropolitan Area-\$2,276; Young Parents Network-\$2,176.

Motion by Houser, seconded by Rogers to approve minutes of February 13, 2017 as printed.

Ben Merta, Operations Superintendent, presented the Secondary Road Department's 2017 maintenance projects.

Brad Ketels, Administration Engineer, presented the 5 Year Secondary Road Construction Program and identified funding sources. He explained the department's communication tools to inform the public of projects. Chairperson Oleson asked that Ketels follow up on DNR issues regarding storm water management during construction projects.

Liz Neff, Events & Marketing Dir., gave an update from the Freedom Festival and stated that they plan to use Linn County's contribution this year to co-sponsor fireworks with Rockwell.

Motion by Rogers, seconded by Houser to authorize Chair to sign first amendment to purchase and sale agreement of Dows property.

Discussion: Asst. County Attorney Gary Jarvis stated that this amendment corrects errors in the legal description and also includes the assignment for the farm lease.

VOTE: All Aye

The Board discussed request for \$25,000 as Linn County's participation in the 2016 Flood Recovery Fund for small businesses.

Supervisor Rogers stated that this is a public and private partnership. Each business could apply for up to \$5,000 for items that are not covered by their insurance. A lot of the businesses didn't have business interruption insurance. During budget discussions, he discovered that there are unallocated dollars available.

Dawn Jindrich, Budget Director, stated that the Board has a line item for planning and meeting consultants that could be used.

After further discussion, Chairperson Oleson stated that he would support \$10,000 and noted that the Board would be setting a precedent which would invite other agencies to come forward.

Motion by Rogers, seconded by Walker to approve \$25,000 000 as Linn County's participation in the 2016 Flood Recovery Fund for small businesses from the Board's line item identified.

VOTE: Rogers, Harris, Houser and Walker - Aye Oleson - Nay

BOARD MEMBER REPORTS: Supervisor Houser gave a greeting at Facilities Core Values session; Hwy. 30 Coalition conference call; Board Learning Institute; UCC conference call; Iowa State House for debate on Chapter 20; Juvenile Detention Center Adv. Board meeting (Board should tour facility as building is showing its age). Met with Risk Management about concrete sidewalk issue.

Supervisor Walker attended a Board of Health orientation meeting; attended Black History month at Rockwell; attended National Academy of Science re: flood resiliency; spoke with students at Wright Elementary; Academy for Scholastic and Personal Success Board meeting; gave a presentation at Cedar Rapids City Council from the Safe, Equitable & Thriving Task Force; met with Washington school teacher; talking to two Humanities classes; attending a Board of Health Finance meeting and will attend a community conversation at the Oakhill Jackson Church.

Supervisor Harris attended UCC conference call and Aumentum internal staff meeting; will participate in Aumentum conference call; Area Ambulance meeting; Hawkeye Downs board meeting; OPN Design meeting; and won't be able to attend Secondary Road staff meeting (conflicts with UCC conference call). Will attend Active Shooter Safety Training and the Housing Fund for Linn County annual meeting.

Supervisor Rogers is attending Board training with Terry Whitson and will attend the 6th Judicial District meeting.

LEGISLATIVE UPDATE: Darrin Gage, Dir. of Policy & Admin., presented proposed amendments to the Collective Bargaining Chapter 20 bill.

Motion by Rogers, seconded by Walker to approve payment to Foundation 2 in the amt. of \$793.05.

VOTE: Oleson, Rogers, Houser, Walker - Aye Harris - Abstain

Motion by Rogers, seconded by Houser to approve payment to Steve Tucker in the amt. of \$40.00 (claim over one year old); Trees Forever in the amt. of \$2,500; Jeff Norton in the amt. of \$9.62 (no detailed receipt); ACH in the amt. of \$689,783.46 and Claims #70593963-#70594120 in the amt. of \$2,544,285.30.

Public Comment: Supervisor Harris read a publication entitled "Firefighter Certification Scandal Covers Iowa". The Fire Service Training Bureau issued 2,278 improper certifications between 2012 and 2016. The Bureau's former accreditation manager was arrested and charged with misconduct in public office and tampering with records. He stated that Kirkwood is holding recertification classes (12 hours over 2 days) free of charge. As a citizen of Linn County he wanted to voice his extreme appreciation to firefighters that serve Linn County as well as the rest of the State of Iowa. He strongly encouraged them to stay with their fire departments and spend the time to recertify.

The Board received and placed on file the following correspondence: Thank you from the National Czech & Slovak Museum for \$2,500; Notice from Family Connections about "Paper Tigers"; letter from the US Dept. of Commerce Census Bureau; SET Task Force document; and Firefighter Certification Scandal document.

Adjournment at 11:31 a.m.

Respectfully submitted,

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

Approved by:

BRENT OLESON, Chairperson
Board of Supervisors