

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, FEBRUARY 21, 2018 10:00 A.M.

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

Chairperson Harris called the meeting to order and led the Pledge of Allegiance.

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

Authorize Chair to sign a new position for a Juvenile Detention and Diversion Services Manager for Linn County Community Services.

Receive and place on file the VA Monthly Report ending 01/31/18.

Resolution 2018-2-27

WHEREAS, the Linn County Board of Supervisors desire to vacate a portion of excess road right-of-way, more particularly described as follows.
Part of the Southwest quarter of the Southwest fractional quarter, Section 5, Township 86 North, Range 6 West of the Fifth Principal Meridian, Linn County, Iowa, and more particularly described as follows:

Commencing at the Southwest corner of Section 5, Township 86, Range 6;
Thence N88°35'25"E 1308.4 feet along the South line of said Section 5;
Thence N01°24'35"W 461.52 feet;
Thence S88°35'25"W 40.00 feet to the point of beginning;
Thence S88°35'25"W 20.00 feet
Thence N01°24'35"W 150.21 feet;
Thence N88°35'25"E 20.00 feet;
Thence S01°24'35"E 150.21 feet to the point of beginning;
Containing 0.069 acres to be vacated from 0.207 acres of existing Linn County Right-Of-Way.

Basis of bearing is NAD83 Iowa State Plane North.

WHEREAS, pursuant to Chapter 306.12 and 306.13 of the Code of Iowa, notice was published in the Cedar Rapids Gazette, a copy of said notice being attached hereto, and

WHEREAS, all adjoining land owners, all utility companies and the Iowa Department of Transportation have been notified by certified mail pursuant to Chapter 306.12 of said vacation and the hearing thereon, and

WHEREAS, the Linn County Board of Supervisors pursuant to the aforesaid notice held a hearing on the proposed vacation of the aforementioned right-of-way, and

WHEREAS, it being deemed in the best interest of Linn County to vacate said excess right-of-way, and

WHEREAS, this vacation is subject to easements of record at time of the public hearing including a utility easement, and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Linn County Board of Supervisors this date met in lawful session to vacate as described below:

Part of the Southwest quarter of the Southwest fractional quarter, Section 5, Township 86 North, Range 6 West of the Fifth Principal Meridian, Linn County, Iowa, and more particularly described as follows:

Commencing at the Southwest corner of Section 5, Township 86, Range 6;
Thence N88°35'25"E 1308.4 feet along the South line of said Section 5;
Thence N01°24'35"W 461.52 feet;
Thence S88°35'25"W 40.00 feet to the point of beginning;
Thence S88°35'25"W 20.00 feet
Thence N01°24'35"W 150.21 feet;
Thence N88°35'25"E 20.00 feet;
Thence S01°24'35"E 150.21 feet to the point of beginning;
Containing 0.069 acres to be vacated from 0.207 acres of existing Linn County Right-Of-Way subject to easements and restrictions of record.

Basis of bearing is NAD83 Iowa State Plane North.

in Linn County, Iowa, be and the same is hereby vacated, and shall no longer be deemed road right-of-way.

Approve and authorize Chair to sign co-sponsor agreement in the amount of \$2,500 for the 10-year flood anniversary event Epic Rebirth.

Approve and authorize chairperson to sign request for the IDOT to transfer payment from the Farm to Market account for material inspection costs on project BROS-C057(123)-5F-57 in the amount of \$1,836.69.

Authorize FY18 Witwer Trust Grants as follows: African American Museum of Iowa-\$2393.55; Artisan's Sanctuary-\$1053.55; Best Buddies Iowa-\$2553.55; Big Brothers Big Sisters of Cedar Rapids and East Central Iowa Inc.-\$1559.55; Catherine McAuley Center-\$2500; Cedar Rapids Community Schools Foundation-\$1153.55; Cedar Rapids Freedom Festival-\$1000; Cedar Rapids Public Library Foundation-\$1853.55; Cedar Valley Habitat for Humanity-\$5553.55; Clothe-A-Child, Inc.-\$3853.55; Coggon Area Betterment Association-\$1453.55; Community Health Free Clinic-\$3363.55; Deafinitely Dogs!-1751.55; Eastern Iowa Health Center-\$1953.55; EcoFest-\$2753.55; Foundation 2-\$1253.55; Gems of Hope, Inc.-\$1053.55; HACAP Food Reservoir-\$1015.35; Henry Davison Youth Center-\$1500; Indian Creek Nature Center-\$1233.55; Iowa BIG-\$1253.55; Iowa Professional Society on the Abuse of Children-\$1453.55; Junior Achievement of Eastern Iowa-\$2267.55; Linn County Trails Association-\$898.55; Marion Chamber of Commerce

Foundation-\$1033.55; Marion East Cedar Rapids Rotary Club-\$2153.55; NTS, Program of Horizons a Family Service Alliance-\$1653.55; Orchestra Iowa-\$1453.55; Peer Action Disability Support (PADS)-\$3500; Red Cedar Chamber Music-\$1953.55; Riverview Center-\$2273.55; Tanager Place-\$2756.55; The Academy for Scholastic and Personal Success (SPS)-\$3153.55; The Center for Working Families-\$2273.55; Theatre Cedar Rapids-\$1453.55; Trees Forever-\$1353.55; VALOR, Inc., dba Five Seasons Stand Down-\$2000; West Wind Education Policy Foundation-\$670; YMCA of the Cedar Rapids Metropolitan Area-\$3000; Young Parents Network (YPN)-\$3653.55.

Authorize Chair to sign Release of Mortgage of February 15, 2013, 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 5761 Hertz Drive, Marion, Iowa.

Authorize Chair to sign Release of Mortgage of February 15, 2013, 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 4592 Creekview Trail, Palo, Iowa.

Authorize Chair to sign Release of Mortgage of February 15, 2013, 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 4584 Creekview Trail, Palo, Iowa.

Authorize Chair to sign a revised map for the Final Plat for Hoover First Addition, Case JF17-0009. Resolution was previously approved on 11/15/17.

Authorize Linn County Purchasing Director, Britt Hutchins, to sign agreement with Pitney Bowes Presort Services to provide presort services on behalf of Linn County to the United States Postal Service.

Authorize Chair to sign purchase order # 5437 for \$6,075.00 to Architectural Repair, Inc to cut/prep doors for pass thru at the Correctional Center.

Approve A Touch of Class Banquet and Convention Centre, 5977 Mt. Vernon Rd. SE, Class C Liquor License noting all conditions have been met.

Motion by Rogers, seconded by Houser to approve minutes of February 21, 2018 as printed.

Major Pete Wilson presented a contract between K. Boldt LLC and the Linn County Sheriff's Office to conduct the PREA audit of the Linn County jail facility.

Motion by Houser, seconded by Rogers to approve contract between K. Boldt LLC and the Linn County Sheriff's Office to conduct the PREA audit of the Linn County jail facility in the amount of \$75/hr.

Motion by Walker, seconded by Oleson to authorize the use of the Board of Supervisors General County Management Education and Training budget account for continuing leadership and development training for Supervisor Rogers.

The Board continued discussion from Monday regarding the Engagement Letter with Sports Facilities Advisory to provide Feasibility Assessment of Prospect Meadows in the amount of \$9,500.

Dawn Jindrich, Budget Director, stated that she had not received a response from the city of Marion regarding a possible cost share, however, she recommends approval.

Supervisor Oleson stated he will support this agreement noting that it would be a benefit for the public to see a more simplified analysis and a stamp of approval that what has been represented to them is valid.

Motion by Houser, seconded by Oleson to authorize Chairperson to sign an Engagement Letter with Sports Facilities Advisory to provide Feasibility Assessment of Prospect Meadows in the amount of \$9,500.

The Board discussed a funding commitment letter to Enhance Iowa Board on behalf of Hiawatha Public Library.

Supervisor Rogers stated that he has revised the letter since their discussion on Monday as follows: \$20,000 FY 19; \$15,000 FY 20 and \$15,000 FY 21.

Motion by Rogers, seconded by Houser to approve funding commitment letter to Enhance Iowa Board on behalf of Hiawatha Public Library in the amounts of \$20,000 for FY 19; \$15,000 for FY 20 and \$15,000 for FY 21.

Discussion: Supervisor Oleson stated that he cannot support the letter in its current form. He could support a letter that commits \$20,000-\$25,000 for FY 19 and to encourage Hiawatha to make application for future years. He noted that multiyear

commitments has caused issues in the past and he is uncomfortable with a multiyear commitment.

Chairperson Harris stated that he is in favor of \$25,000 for FY 19 and then the additional amounts be requested in future years.

Supervisor Houser cautioned that he has been told that if the entire amount is not committed that there is a chance the grant is not approved.

Supervisor Walker stated that it is not unreasonable to request that any nonprofit organization come in at least once a year and give an update on their progress and make an additional funding request.

Supervisor Rogers indicated that he is open to a change and appreciated unanimous support.

Supervisor Oleson made a motion to amend the motion on the floor to authorize signing a funding commitment letter in the amount of \$25,000 for FY 19 and amend that letter to say that it is conditional upon year 2 and 3 requests being resubmitted for the balance of the money not awarded in FY 19 up to \$50,000.

Supervisor Houser seconded the amendment.

VOTE: All Aye.

Motion by Oleson, seconded by Houser to approve motion on the floor as amended.

VOTE: All Aye.

Dawn Jindrich presented the final FY19 proposed budget based on Board discussions last week. The budget includes a levy reduction from \$6.14/thousand to \$5.839/thousand due to the reduction in the Mental Health levy. It also includes \$118 million in expenditures and a fund balance of \$19,114,172 (25%).

Motion by Houser, seconded by Rogers to approve FY19 proposed budget for publication.

Discussion: Chairperson Harris stated that this means that the levy rate is going down because of the Mental Health levy but most likely will go back up in FY20.

Supervisor Walker asked Jindrich for a preliminary budget narrative and Jindrich responded that she will have a PowerPoint prepared for the March 14 public hearing and will make that available to him.

Supervisor Oleson stated that he will support this motion, however, there is one provision that he wants to highlight. Certain moneys will need to be withheld from the Auditor's budget otherwise Auditor Miller will spend as he sees fit. Miller asked for a pay freeze a year ago (a political statement), which affected his deputies and then this year (now that he is not running again) asked for a pay increase because his deputies are not paid as much as deputies in the Recorder & Treasurers Office. That experiment affected people's lives for a political statement. Oleson continued to say that Miller is doing the same thing with his budget. He does a lot of voter advocacy programs that has never been talked about in their budget sessions. Oleson highlighted that he tried to strike some of those monies so when Miller makes choices it affects his department. He thinks Miller will go off and freelance this year and experiment with voter advocacy type programs and spend money on that rather than where it should be spent running the office (involving basic expenditures). Oleson stated that he does not trust the budget numbers in the Auditor's Office and how they will be spent.

VOTE: All Aye.

The Board received a presentation by the Secondary Road Department on the Five Year Construction Plan and maintenance projects. Present: County Engineer Steve Gannon and staff Brad Ketels and Ben Merta. The Board indicated their strong encouragement for notification signs when there is a construction project. They also encourage better communication between Roadside Management and the individual road foremen.

Supervisor Rogers stated that after attending a Core Values session with Secondary Road Dept. staff, he wanted to ask what the status of the Morgan Creek Shop was with regard to the condition of the water and if it was in the five year capital improvement plan.

Gannon stated that the Morgan Creek Shop was never in the five year capital improvement plan. The water issue is a result of an underground storage tank and bottled water has been provided to employees for years. They don't encourage water usage for anything other than flushing toilets and washing trucks.

LEGISLATIVE UPDATE - Darrin Gage, Dir. of Policy & Admin., stated that the appropriations bill does not include backfill at this point. The version of the Mental Health bill in the Senate includes a provision to spend down funds to 30% rather than 20% (currently in place) and there is no real deadline. The Redistricting bill is still alive and there is still the provision that any county over 60,000 with Plan 3 be drawn by the Legislative Services Office. The Lease Purchase bill is stalled and not on any calendars. The bill to summarize Resolutions passed the Senate 49-0. Today's Senate calendar includes SF 2148, prohibiting traffic cameras.

Motion by Rogers, seconded by Walker to approve payment to Supervisor Houser in the amt. of \$84.94. VOTE: Harris, Rogers, Oleson, Walker - Aye Houser - Abstain

Motion by Rogers, seconded by Houser to approve Claims #70600839-#70600909 in the amt. of \$204,949.90, ACH in the amt. of \$124,155.20 and ASAC in the amt. of \$2,324.77.

Adjournment at 11:30 a.m.

Respectfully submitted,

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

Approved by:

JOHN HARRIS, Chairperson
Board of Supervisors