

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, FEBRUARY 22, 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 Harris, seconded by Houser to approve Consent Agenda as follows:

Authorize Chair to sign the request for New Position/Vacancy Form for Medical Coding/Billing Specialist for Public Health.

Authorize Chair to sign a request for New Position/Vacancy Form for a Universal Clerk for the Treasurer's Department.

Authorize Chair to sign the request for New Position/Vacancy Form to increase the hours 30 hours per week for the Election Office Coordinator in the Auditor's Office (more hours required during the election season).

Authorize Chair to sign the request for New Position/Vacancy Form to reduce the hours to 10 hours per week for the Voter Outreach Coordinator in the Auditor's Office (more hours required during the election season).

Resolution 2017-2-31

WHEREAS, a Residential Parcel Split of ROBERTSON FIRST ADDITION (Case # JPS16-0006) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A has been filed for approval, a subdivision of real estate located in the of Section 25, Township 86North, Range 06 West of the 5th P.M., Linn County, Iowa, described as follows: Beginning at the SE corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence S 89°55'41" W along the south line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, 279.30 feet; thence N 02°05'22" E, 576.89 feet; thence S 89°20'26" E, 340.98 feet; thence S 01°25'54" E, 170.72 feet; thence S 25°51'36" W, 144.97 feet; thence S 01°34'24" E, 268.76 feet to the south line of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 30; thence S 88°55'41" W along said south line, 31.27 feet to the Point of Beginning containing 4.22 acres which includes 0.28 acres of road right of way. 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 June 15, 2016 as last amended on JULY 18, 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. 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, Sec. 5. 40' of right-of-way on Edgerly Road adjacent to development shall be dedicated to the public for road purposes. Road agreement for conditions applicable to residential parcel split cases. County Standard Specifications, Sec. 1. IOWA DEPARTMENT OF TRANSPORTATION Not within the jurisdiction of the Iowa Department of Transportation. LINN COUNTY PUBLIC HEALTH DEPARTMENT Existing water system must be reviewed by Linn County Public Health for compliance. Well rehabilitation may be required. Require a housing agreement since the house will become a storage structure and will not be occupied. The agreement must state that the structure is not habitable by having the plumbing disconnected. This department must verify the disconnection. A Time of Transfer (TOT) septic inspection is required when a property is transferred. The TOT report must be submitted to this department. NATURAL RESOURCES CONSERVATION SERVICE 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. Wet soils may adversely impact possible home and septic site(s). Clarify plans for subsurface drainage with USDA Natural Resources Conservation Service (NRCS). Applicant shall develop and implement a conservation plan to be filed with the Linn Soil and Water Conservation District on remaining agricultural land associated with this case. LINN COUNTY CONSERVATION DEPARTMENT No conditions to be met. LINN COUNTY EMERGENCY MANAGEMENT No conditions to be met. LINN COUNTY 911 COORDINATOR No conditions to be met. LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION All side and rear yard setbacks must be met for all structures involved in this proposal. Various revisions to the site plan and final plat. Complete requirements from Minimum Housing inspection provided by the Linn County Health Department, including obtaining appropriate permits, inspections and final approval from the Building Division. 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. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies. The remaining land of the parent parcels will each contain less than 35 acres. Either combine the remaining land to an adjacent parcel by deed restriction to total 35 acres or more, or include the remaining land as part of the final plat. 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. 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 Final plat bound copies must be approved by the Linn County Board of Supervisors on or before JULY 18, 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 Unified Development Code.

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 February 22, 2018 to be valid.

Authorize Chair to sign Release of Mortgage of February 17, 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 4569 Meadow Creek Drive, Palo, Iowa.

Authorize Chair to sign 36-month lease agreement at \$200.00 per month with Cedar Rapids Photo Copy for a printer/scanner for the Treasurer's Office.

Authorize Chair to sign purchase order #5345 for \$7,274 to Tapco for pedestrian crosswalk indicators (RRFB) along 2nd St SW.

Mary Wilcynski and Stacey Walker, Safe, Equitable and Thriving Communities (SET) Task Force, presented their final report. They highlighted topics including recommendations for education, law enforcement and public safety.

Motion by Rogers, seconded by Houser to adopt Resolution 2017-2-32

WHEREAS, House Study Bill 93 (the proposed legislation), as introduced in the Iowa General Assembly, relates in part to voter identity verification and electronic poll books; and,

WHEREAS, many eligible voters do not possess the document or documents required to obtain a voter verification card or to establish voter identity; and,

WHEREAS, such voters are disproportionately low-income, racial and ethnic minorities, elderly people or people with disabilities; and,

WHEREAS, no eligible voter should be denied participation in the election process; and,

WHEREAS, the integrity of public elections in Iowa is already extraordinarily high as evidenced by the fact that the Secretary of State's office was notified of only 10 potentially improper votes cast out of 1.6 million counted statewide in the most recent election; and,

WHEREAS, the Linn County Auditor's office estimates fully implementing E-Pollbooks in all Linn County voting precincts will cost Linn County taxpayers \$300,000 plus \$75,000 per year for maintenance; and,

WHEREAS, if E-Pollbooks are mandated by the State it will result in a State-mandated tax on Linn County taxpayers, and;

WHEREAS, the almost non-existence of voter fraud means the unfunded cost of E-Pollbooks, if mandated by the State, will not produce a measurable return on investment.

NOW, BE IT THEREFORE RESOLVED the Linn County Board of Supervisors hereby opposes the passage of House Study Bill 93 and encourages legislators to vote against the proposed legislation.

Discussion: Darrin Gage, Dir. of Policy & Admin., stated that he needs to modify the wording in the resolution. He spoke with Auditor Miller this morning and E-pollbooks are not a mandate at this time.

Chairperson Oleson suggested sending a cover letter to legislator's with the resolution addressing adequate funding.

VOTE: All Aye

Dawn Jindrich, Budget Dir., presented the finalized FY18 proposed budget. She stated that the proposed budget expenditures are \$111,366,720. There is no change in the levy (\$6.14/thousand) and the rural area will have a small decrease due to Local Options Sales Tax revenue projections. The fund balance remains at 25%.

Motion by Houser, seconded by Houser to approve the FY18 proposed budget as presented.

Motion by Houser, seconded by Rogers to approve FY18 proposed budget for publication and set public hearing for March 15th at 10 a.m.

BOARD MEMBER REPORTS

Supervisor Rogers stated that yesterday he met with Jen Neumann of De Novo regarding a project he is working on; State of the City is today; will be in Manchester tomorrow for the Mental Health Regional Governance Board's Residential Care Facilities Sub Committee meeting; next week they have the conference boards; will attend Linn County Local Homeless Board Team of Care; meetings with Ted Garnett; issues related to homelessness and the ARC.

Supervisor Harris participated in ALICE training yesterday; tomorrow is Housing Fund for Linn County annual meeting and OPN design meeting in the afternoon and Friday is the Urban County Coalition phone call.

Supervisor Walker spoke with students at Alexander Elementary School yesterday, today he spoke with county employees who attended Core Values seminar; attending state of the City today; tomorrow he has meetings scheduled to explore the future for the SET Task Force recommendations and this weekend is heading to NACo for meetings in Washington, DC.

Supervisor Houser attended Secondary Roads staff meeting Friday; United Labor Alliance meeting on Saturday; Solid Waste Board meeting and EMA Board meeting Tuesday; attending State of the City today; ALICE training, finance committee for Early Child Iowa and Northwest Neighborhood Association meeting tomorrow and attending NACo in Washington, DC next week.

Supervisor Harris stated that the Board will not have a meeting Monday or Tuesday of next week but will convene on Wednesday to pay bills and handle other items.

LEGISLATIVE UPDATE - Darrin Gage, Dir. of Policy & Admin., addressed the water quality bill. Chairperson Oleson stated that he would like the Board to oppose the water quality bill noting that it is not what he considers water quality. Gage stated that a mental health funding bill has been introduced as well.

Motion by Houser, seconded by Rogers to approve ACH in the amt. of \$176,559.36; Claims #70594121-#70594188 in the amt. of \$85,475.03 and payment to Brittany Baldrige in the amt. of \$40.00 (over a year old).

The Board received and placed on file the following correspondence: thank you note from Cedar Valley Habitat for Humanity, letter from the Linn County Assessor regarding their Conference Board meeting; email from Harvey Hall thanking the Board for their support of union employees; email from Dick Snow thanking the Board for standing by their employees; email from Denny Schreckengast thanking Secondary Roads for their outstanding service and response and email from Garth Fagerbakke addressing deficiencies and repairs at the Juvenile Detention Center.

Motion by Houser, seconded by Rogers to appoint Michael LeClere to the Historic Preservation Commission for a term ending 12/31/2019.

Adjournment at 10:59 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Amanda Hoy, Executive Assistant

Approved by:

BRENT OLESON, Chairperson
Board of Supervisors