

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

The Board met in session at the Linn County Jean Oxley Public Service Center.
Present: Chairperson Oleson, Supervisors Rogers, Houser and Walker. Absent: Vice
Chairperson Harris (personal business). 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 the Consent Agenda as follows:

Authorize Chair to sign a *New Position/Vacancy Form* changing a full-time (40
hrs./week) to a part-time (30 hrs./week) position for the mail route driver in the
purchasing department.

Resolution 2017-3-42

WHEREAS, construction work will begin on various Linn County projects, and

WHEREAS, projects on the following list are expected to be constructed during 2017:

L-E34 CULVERTS(16)	Grading & culvert extensions on County Home Road from N Center Point Road to Hwy 13
L-EDGEWOOD RD(17)	Grading & culvert work on Edgewood Road from Tower Terrace Road to County Home Road
BROS-C057(130) -- 8J-57	Bridge replacement on Newbold Road
L-RCB 2768(18)	Culvert replacement on Spencers Grove Road
FM-C057(131) -- 5E-57	PCC Paving on Secrist Road from Marion city limits to Crystal Creek Road
L--CENTRAL CITY RD(17)	PCC Paving on Central City Road from Marion Road to fairgrounds
LOST-80 TH ST SW(17)	PCC Paving on 80 th Street from 600' north of Beverly Road to Hwy 30
LOST-N CENTER POINT RD(18)	PCC Paving on N Center Point Road from County Home Road to Center Point
L-CIMARRON DR(17)	HMA Paving on Cimarron Drive & Cimarron Court
FM-C057(135) -- 55-57	ACC Paving on Alice Road from N Center Point Road to Central City Road
FM-C057(126) -- 55-57	ACC Paving, grading & culvert extensions on Mount Vernon Road from East Post Road to Hwy 13
L-E MAIN ST - ROBINS(17)	ACC Paving on East Main Street from Robins city limits to C Avenue
L-MILBURN RD(17)	ACC Paving on Milburn Road from Blairs Ferry Road to Tower Terrace Road
L-MORRIS HILLS RD(17)	ACC Paving on Morris Hills Road from Feather Ridge Road to Wickiup Hill Road
L-COVINGTON RD(18)	ACC Paving on Covington Road from Rogers Road to Palo city limits
L-SQUAW CREEK RD(18)	ACC Paving on Squaw Creek Road from Mt Vernon Road to Squaw Creek Circle
M-HMA PATCHING(18)	ACC Paving on Worcester Road from Morgan Creek Park entrance to Stoney Point Road
M-WILDLIFE RD	Rock overlay on portions of Wildlife Road
M-HIGH WOODS/WILLIAMS LAKE/GREENS GROVE RDS	Rock overlay on portions of High Woods Road, Williams Lake Road & Greens Grove Road
M-QUAIL RIDGE/STANDLEA/VAN FOSSEN LN	Rock overlay on portions of Quail Ridge Road, Standlea Road & Van Fossen Lane
M-FEATHER RIDGE RD/PONDS LN/MINNIE LN	Rock overlay on portions of Feather Ridge Road, Ponds Lane & Minnie Lane
YATES/HOLLENBECK/YOUNG/FLETCHER RDS	Rock overlay on portions of Yates Road, Hollenbeck Road, Young Road & Fletcher Road
M-SISLEY GROVE/LONE TREE/LINN-BENTON RDS	Rock overlay on portions of Sisley Grove Road, Lone Tree Road & Linn-Benton Road
M-VISTA/C ST RD SW/SPANISH/HOOSIER CREEK RDS	Rock overlay on portions of Vista Road, C Street Road SW, Spanish Road & Hoosier Creek Road
M-WESTERN COLLEGE RD/RDS WITHIN WESTERN	Rock overlay on portions of Western college Road & roads within Western
M-ELBOW CREEK/DEE LN/YEISLEY RDS	Rock overlay on portions of Elbow Creek Road, Dee Lane & Yeisley Road
M-LEHR/GROUDY/INK/LINN GROVE RDS	Rock overlay on portions of Lehr Road, Goudy Road, Ink Road & Linn Grove Road
M-BUTCHER RD/MOSHER LN	Rock overlay on portions of Butcher Road & Mosher Lane
M-LINN-DELAWARE/NICKEL PLAT/UPPER BOULDER/SMITH RDS	Rock overlay on portions of Linn-Delaware Road, Nickel Plate Road, Upper Boulder Road & Smith Road
M-BOULDER VIEW/SILVER CREEK/PRAIRIE	Rock overlay on portions of Boulder View Road, Silver Creek Road,
MAIN/SIMMONS/FROZEN HILL RDS	Prairie Main Road, Simons Road & Frozen Hill Road
M-OLD CHURCH/BAKER/LINN-JONES/ MCNAMARA/EDWARDS/BURLINGHAM RDS	Rock overlay on portions of Old Church road, Baker Road, Linn-Jones Road, McNamara Road, Edwards Road & Burlingham Road
M-SAWYER RD	Rock overlay on portions of Sawyer Road
M-SUTTON/INDIAN BRIDGE/TURNER/ LILLIE RDS	Rock overlay on portions of Sutton Road, Indian Bridge Road, Turner Road & Lillie Road
M-AUSTIN/SCOTT/PRAIRIE CHAPEL RDS	Rock overlay on portions of Austin Road, Scott Road & Prairie Chapel Road
M-COFFEY LN/CLEMENS LN	Rock overlay on portions of Coffey Lane & Clemens Lane
M-N MARION/WHITE/ARABIAN RDS	Rock overlay on portions of N Marion Road, White Road & Arabian Road
M-BICE/GILCHRIST LN/BLUE CREEK RDS	Rock overlay on portions of Bice Blvd, Gilchrist Lane & Blue Creek Road
M-ROLLING ACRES/WILEYS/MILLS/ W BLUE/RING/FEE RDS	Rock overlay on portions of Rolling Acres Road, Wileys Road, Mills Road, West Blue Road, Ring Road & Fee Road
M-E URBANA/DUROW RDS	Rock overlay on portions of E Urbana Road & Durow Road
M-NEWBOLD RD	Rock overlay on portions of Newbold Road
M-BEVERLY RD	Paving overlay prep on Beverly Road from Hwy 151 to Cedar Rapids
M-N CENTER POINT RD	Paving overlay prep on N Center Point Road
M-LINCOLN HEIGHTS DR	Paving overlay prep on Lincoln Height Drive
M-MT VERNON RD	Paving overlay prep on Mt Vernon Road
M-SECRIST RD	Paving overlay prep on Secrist Road
M-ALICE RD	Paving overlay prep on Alice Road
M-N CENTER POINT RD	Paving overlay prep on N Center Point Road
M-WALKER RD	Paving overlay prep on Walker Road
M-PRAIRIE CHAPEL RD	Restoration project on Prairie Chapel Road from Shaw Road east
M-MAXWELL RD	Restoration project on Maxwell Road from Boy Scout Road to the bridge
M-INDIAN BRIDGE RD	Restoration project on Indian Bridge Road from Barrett Road to Barrett Road

NOW, THEREFORE, BE IT RESOLVED that the Linn County Board of Supervisors hereby authorize the above roads and/or portions thereof, to be closed to public travel during the construction period, and further authorize and direct the County Engineer to post appropriate signs, when and as necessary to protect both the work and the traveling public, in accordance with Chapter 306 of the Code of Iowa and the Manual on Uniform Traffic Control Devices.

Resolution 2017-3-43

WHEREAS, the Linn County Board of Supervisors desire to vacate a portions of a road right-of-way, more particularly described as follows.

To vacate part of High Woods Road located in Section 21 and 22, Township 85 north, Range 8 west of the 5th principal meridian, Linn County, Iowa, as shown in exhibit "A" attached hereto which by this reference made a part hereof and described as follows: The north 1601 feet of High Woods Road from 362 feet north of the south line of the northeast quarter of 21-85-8 to the end of High Woods Road, all located in the Township 85 north, Range 8 west of the 5th principal meridian.

Said area contains 2.55 acres more or less, subject to easements and restrictions of record or use.

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 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:

To vacate part of High Woods Road located in Section 21 and 22, Township 85 north, Range 8 west of the 5th principal meridian, Linn County, Iowa, as shown in exhibit "A" attached hereto which by this reference made a part hereof and described as follows: The north 1601 feet of High Woods Road from 362 feet north of the south line of the northeast quarter of 21-85-8 to the end of High Woods Road, all located in the Township 85 north, Range 8 west of the 5th principal meridian.

Said area contains 2.55 acres more or less, subject to easements and restrictions of record or use.

in Linn County, Iowa, be and the same is hereby vacated, and shall no longer be deemed a public road.

Resolution 2017-3-44

WHEREAS, it is desired to transfer monies from the General Basic fund to the Conservation Reserve fund and,

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa,

NOW, therefore be it resolved by the Board of Supervisors of Linn County, Iowa, as follows:

Section 1. The sum of \$350,000 is ordered to be transferred from the General Basic fund to the Conservation Reserve fund for the purchase of land adjacent to Morgan Creek Park.

Section 2. The Auditor has been directed to correct his books accordingly and to notify the Treasurer of this operating transfer, accompanying the notification with a copy of this resolution and the record of its adoption.

The above and foregoing resolution was adopted by the Board of Supervisors of Linn County, Iowa, on March 15, 2017, the vote thereon being as follows: 4 Ayes.

Resolution 2017-3-45

WHEREAS, it is desired to transfer monies from the General Basic fund to the Capital Projects fund and,

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa,

NOW, therefore be it resolved by the Board of Supervisors of Linn County, Iowa, as follows:

The sum of \$290,389 is ordered to be transferred from the General Basic fund to the Capital Projects fund for the remainder of the annual capital improvement plan funding.

The above and foregoing resolution was adopted by the Board of Supervisors of Linn County, Iowa, on March 15, 2017, the vote thereon being as follows: 4 Ayes.

Resolution 2017-3-46

WHEREAS, it is desired to transfer monies from the General Supplemental fund to the General Basic fund and,

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa,

NOW, therefore be it resolved by the Board of Supervisors of Linn County, Iowa, as follows:

Section 1. The sum of \$11,500,685 is ordered to be transferred from the General Supplemental fund to the General Basic fund to replace FICA, IPERS, and insurance costs paid from the General Basic fund.

Section 2. The Auditor has been directed to correct his books accordingly and to notify the Treasurer of this operating transfer, accompanying the notification with a copy of this resolution and the record of its adoption.

The above and foregoing resolution was adopted by the Board of Supervisors of Linn County, Iowa, on March 15, 2017, the vote thereon being as follows: 4 Ayes.

Authorize Chair to sign a contract with RW Baird to provide underwriting services on proposed general obligation bond issuance.

Authorize Chair to sign Release of Mortgage of September 19, 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 400 Locust Drive, North Liberty, Iowa.

Authorize Chair to sign purchase order # 5348 for \$5,729.00 to Thermal Services for emergency replacement parts for the chiller for Facilities.

Approve Class B Beer Permit for the Airport National Golf Course, 3001 Wright Bros. Blvd., noting all conditions have been met.

Motion by Houser, seconded by Rogers to approve minutes of March 13 & 14, 2017 as printed.

A public hearing was called to order on proposed FY 18 budget. Proof of publication was presented by Dawn Jindrich, Budget Director. Jindrich presented the budget as follows:

- Countywide levy rate: \$6.14, no change. Second lowest when compared to the six largest urban counties in Iowa.
- Decrease in TIF resulting in \$656,000 of general fund revenue.
- Impact to homeowner: increase of 2.4% for city residents due to rollback change, increase of 2.1% for rural residents due to rollback and \$0.02 levy rate decrease in rural fund.
- Commercial and industrial property taxes: no change, 10% decrease from SF 295 is permanent.
- Property taxes levied: \$67 million, an increase of \$3.5 million or 5.5% from FY 17 due to valuation growth.
- General Fund balance: 25%
- Personnel: 769 FTE's (up from 741.34).

There were no oral or written objections. The Board thanked Budget & Finance for their hard work and noted the total transparency of the process from beginning to end.

Motion by Walker, seconded by Houser to close public hearing.

Ray Stefani II, Chairperson of the Compensation Board, presented the recommendation for Fiscal Year 2018 elected officials salaries as follows: Treasurer, Recorder, Sheriff and County Attorney - 3% increase across the board. Auditor and Board of Supervisors - 0% across the board. Stefani stated that he commends the Board of Supervisors for their hard work and while he voted for the recommendation, he does not believe they should hold their salaries at 0% increase.

Motion by Houser, seconded by Rogers to adopt Resolution 2017-3-47

WHEREAS, the Linn County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and
WHEREAS, The Linn County Compensation Board met on January 26, 2017, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2017:

<u>Elected Official</u>	<u>Current Salary</u>	<u>Proposed Increase</u>	<u>Recommended Salary</u>
Auditor	\$103,888.59	0.00%	\$103,888.59
County Attorney	\$166,026.11	3.00%	\$171,006.89
Recorder	\$103,888.59	3.00%	\$107,005.25
Sheriff	\$143,410.50	3.00%	\$147,712.82
Supervisors	\$103,888.59	0.00%	\$103,888.59
Treasurer	\$103,888.59	3.00%	\$107,005.25

NOW, THEREFORE, BE IT RESOLVED, that the Linn County Board of Supervisors adopts the salary recommendations for elected officials for the fiscal year beginning July 1, 2017, as recommended by the Linn County Compensation Board

Motion by Rogers, seconded by Houser to approve the certification of the FY 18 Linn County budget.

Motion by Rogers, seconded by Walker to approve upon third and final consideration Ordinance Amendment #1-3-2017, Case JR17-0001, a request to rezone the property located in the 9000 block of Feather Ridge Rd, Outlot A Novey First Addition from RR3 (Rural Residential 3 Acre) district to USR (Urban Services Residential) district. Barbara & Raymond Novey, property owners; DK Land Services, LLC, Petitioner.

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Gary Jarvis, Asst. Co. Atty., presented a resolution for a tax abatement for the Maranatha Bible Church. He stated that the church (in midyear of 2015) bought some property across the street from the church (500 block of 3rd Ave. SW) which is devoted to church programming. They filed for exemption from property tax but were still responsible for taxes payable last fall (which they paid). The abatement is for the March 2017 taxes which was brought to their attention by Deputy Treasurer Bearrows. The Cedar Rapids Assessor has granted the exemption.

Motion by Rogers, seconded by Houser to adopt Resolution 2017-3-48

WHEREAS, the Maranatha Bible Church in May, 2015, purchased four parcels of real estate, described as follows:

A.P. No. 37, Lots 7-10 (Parcel #14291-82001-00000)

A.P. No. 37, Lot 11 and the Southwest 22 feet of Lot 12 (Parcel #14291-82003-00000)

A.P. No. 37, the Northeast 38 feet of Lot 12 (Parcel #14291-82004-00000), and

A.P. No. 37, Lots 14 and 15 (Parcel #14282-57004-00000)

all located in Cedar Rapids, Linn County, Iowa, and

WHEREAS, the Maranatha Bible Church failed to file an application for exemption from real property taxes pursuant to Sections 427.1(8) and 427.1(14), Code of Iowa, until June, 2015, and

WHEREAS, all real property taxes on said parcels have been paid up to and including the first installment, payable September 30, 2016, for fiscal tax year July 1, 2015, through June 30, 2016, with the second installment of the fiscal tax year July 1, 2015, through June 30, 2016, taxes, payable March 31, 2017, remaining unpaid, and

WHEREAS, pursuant to Section 427.3, Code of Iowa, the Board of Supervisors may abate taxes if the property was transferred after the deadline for filing for property tax exemption in the year in which the property was transferred and the property would have been exempt under Section 427.1(8) if the transferee had been able to file for exemption in a timely manner, and

WHEREAS, the Maranatha Bible Church satisfies the requirements of Section 427.3 for abatement of the unpaid second installment of the fiscal tax year July 1, 2015, through June 30, 2016, real property taxes for the above-described four parcels.

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 unpaid second installment of the July 1, 2015, through June 30, 2016, real property taxes, payable March 31, 2017, on the above-described real property, Parcels #14282-57004-00000, 14291-82004-00000, 14291-82001-00000, and 14291-82003-00000, are hereby abated.

BE IT FURTHER RESOLVED that the Linn County Treasurer, Auditor, and Assessor are hereby directed to take all actions necessary to accomplish the aforementioned abatement of real property taxes and reflect such action in the records of their offices.

BOARD MEMBER REPORTS - Supervisor Houser attended the City and County Assessor Conference Board meetings; participated in job interviews for John Brandt's replacement; attended Red Cedar Lodge open house; attended ISAC last week including County Day at the state legislature.

Supervisor Walker met with a constituent (involving several phone conversations) trying to work with her and her son to receive General Assistance; lunch meeting with a constituent who runs CSPPS; met with the National Chair of the Disability Caucus; will meet with the Cedar Rapids Police Chief; attended the Economic Alliance Large Investor Council meeting and the Board of Health Policy and Government Relations meeting; he and Supervisor Rogers will be meeting with Jasmine Almoayed and Mary Meisterling on Friday and met with the new Marion Chief of Police.

LEGISLATIVE UPDATE: Darrin Gage, Dir. of Policy & Admin., stated that legislators are focused on the state's budget shortfall. Preemption bill, Voter I.D. bill and the Stand Your Ground bills are waiting for a Senate vote. They have not seen a Mental Health funding bill yet.

Supervisor Oleson stated that there is a bill (mentioned by County Engineer yesterday) trading federal money for state money. ISAC and the League of Cities are registered in favor of the bill. He wants to make sure that Linn County is at the very most indifferent or monitoring it. It is not a good bill.

Supervisor Houser presented a claim from Public Health for the payment of funeral flowers for a Board of Health member's mother's funeral in the amount of \$44.00.

Motion by Oleson, seconded by Rogers to not approve the claim.

Discussion - Chairperson Oleson stated that this is too far out of affinity and is not a good use of taxpayer's dollars.

Supervisor Houser stated that he understands the thoughts and feelings and asked Asst. County Attorney Gary Jarvis if it is up to the Board's discretion. Jarvis responded that this is stretching it.

Chairperson Oleson stated that they have had this issue with Public Health in the past and this one is too far out of affinity.

VOTE: ALL AYE.

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Motion by Rogers, seconded by Walker to approve payment to Supervisor Houser in the amt. of \$332.75. VOTE: Oleson, Rogers, Walker - Aye Houser - Abstain

Motion by Rogers, seconded by Walker approve payment to Chairperson Oleson in the amt. of \$360.08. VOTE: Rogers, Walker, Houser - Aye Oleson - Abstain

Motion by Houser, seconded by Walker to approve payment to Supervisor Rogers in the amt. of \$145.52. VOTE: Oleson, Walker, Houser - Aye Rogers - Abstain

Motion by Rogers, seconded by Houser to approve payment to Supervisor Walker in the amt. of \$400.50. VOTE: Oleson, Rogers, Houser - Aye Walker - Abstain

Motion by Houser, seconded by Rogers to approve payment to the following over one year old: Kelly Kaufman - \$60.00; David Mayer - \$19.08; Alida Kolthoff - \$60.00; Eric Speth- \$60.00; Tammy Brauer-Markham - \$60.00; Daniel Williams - \$40.00; Vicki- Mehring - \$48.00.

Motion by Houser, seconded by Rogers to approve ACH in the amt. of \$696,169.14 noting that the \$44.00 for funeral flowers will be reimbursed due to denial of that claim.

Motion by Houser, seconded by Rogers to approve Claims #70594537-#70594639 in the amt. of \$428,508.33.

Adjournment at 10:40 a.m.

Respectfully submitted,

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

Approved by:

BRENT OLESON, Chairperson
Board of Supervisors