

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MARCH 29, 2017 10:00 A.M.

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

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

PUBLIC COMMENT:

Craig Rathje, 385 27th Ave. SW, thanked the Board for all their hard work and he is impressed with their work as are other Linn County citizens. He is speaking today regarding the Urban Renewal Area that is on the agenda. He agrees with acquiring land for conservation and appreciates the idea of wanting to use it for economic development. His concern is about how they are treating the sewer water that is coming from Marion and developments. There is a 28E Agreement with Marion to put waste into wetlands and he is not sure what is going into those wetlands. The problem once again is hydrogen sulfide. Imagine all of the contaminants that come from sewage. There are odors that affect air quality and he wonders how much they will be able to enjoy themselves in this area. He stated that while watching a board meeting on YouTube, there was a woman in the area that asked about air quality and it was mentioned that there is pollution and stink there now. Cedar Rapids has stepped up after being approached by Public Health and are investing over \$7 million to clean up the air quality. Why then would Linn County agree to a 28E Agreement with Marion to go backwards and possibly pollute the air more than it already is?

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

Authorize Chair to sign 2016 Weed Commissioner's Report.

Receive and place on file 2016 Linn County Cemetery Report from Jonathan Gallagher, Weed Commissioner.

Receive and place on file Treasurer's Semi-Annual Settlement and Treasurer's Semi-Annual Report ending December 31, 2016.

Resolution 2017-3-53 to fix a date for a public hearing on General Obligation Urban Renewal County Purpose Loan Agreement in an amount not to exceed \$7,325,000
WHEREAS, Sections 331.402, 331.441 and 331.442 of the Code of Iowa authorize counties to enter into loan agreements and borrow money for the purpose of paying the cost of planning, undertaking and carrying out urban renewal projects under the authority of Chapter 403, provided notice is published, including notice of the right of petition for an election; and
WHEREAS, the Board of Supervisors (the "Board") of Linn County, Iowa (the "County") has established the Linn County Urban Renewal Area, pursuant to Chapter 403 of the Code of Iowa, has approved an urban renewal plan for that Area and has also approved an urban renewal project consisting of the acquisition by the County of approximately 485 acres of property (the "Urban Renewal Project"); and
WHEREAS, the Board proposes to enter into a loan agreement (the "Urban Renewal County Purpose Loan Agreement") in a principal amount not to exceed \$7,325,000, pursuant to the provisions of Sections 331.402 and 331.441 and 331.442 of the Code of Iowa, for the purpose of paying the costs, to that extent, of financing the Urban Renewal Project; and
WHEREAS, it is necessary to fix a date of meeting of the Board at which it is proposed to take action to enter into the Urban Renewal County Purpose Loan Agreement and to give notice thereof;
NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Linn County, Iowa, as follows:
Section 1. This Board shall meet on the 12th day of April, 2017, at the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa, at 10 o'clock a.m. at which time and place a hearing will be held on the proposal to enter into the Urban Renewal County Purpose Loan Agreement.
Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Urban Renewal County Purpose Loan Agreement, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once and not less than 10 nor more than 20 days before the meeting, in a legal newspaper of general circulation in the County.
Section 3. The Urban Renewal County Purpose Loan Agreement notice shall be substantially as follows:
Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Resolution 2017-3-54 to declare necessity and establish an urban renewal area, pursuant to Section 403.4 of the Code of Iowa and approve urban renewal plan and project for the Linn County Urban Renewal Area
WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa, the "Urban Renewal Law," a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, it has been recommended that an urban renewal area be established, to include the property identified in Exhibit A to this Resolution; and
WHEREAS, a proposal has been made regarding the area identified above for the purpose of establishing the need to designate the area as being appropriate for the expansion of County parks, recreation areas and trails and also for economic development; and
WHEREAS, it has been determined that sufficient need exists to warrant finding the area an economic development area; and
WHEREAS, notice of a public hearing by the Board of Supervisors on the question of establishing the area identified above as an urban renewal area and on a proposed urban renewal plan and project for the area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing; and
WHEREAS, the proposed plan has been reviewed by the Linn County Planning & Zoning Commission, which found the proposed plan to be consistent with the County's adopted Comprehensive Plan;
NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Linn County, Iowa, as follows: An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist, including the properties identified in Exhibit A.
The area identified in Section 1 hereof is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the Linn County Urban Renewal Area.
The development of this area for public use and economic development is necessary in the interest of the public health, safety or welfare of the residents of Linn County. It is hereby determined by this Board as follows:
The proposed urban renewal plan conforms to the comprehensive plan of the County; Proposed development in the urban renewal area, including public use and economic development, is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.
The urban renewal plan for the Linn County Urban Renewal Area, in the form shown as Exhibit B to this Resolution, is made a part hereof and is hereby in all respects approved in the form presented to this Board, and the proposed project for such area based upon such plan is hereby in all respects approved.
All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Resolution 2017-3-55

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 Hoosier Road at the intersection with Linn Ridge Road in section 36-83-5.
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 2017-3-56

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 Linn Ridge Road at the intersection with Linn Grove Road in section 22-83-5.
Stop westbound traffic on Linn Ridge Road at the intersection with Linn Grove Road in section 27-83-5.
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 2017-3-57

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 #
Akers, Kathy	14342-79003-00000	2017	
Akers, Kathy	14342-79003-00000	2018	
Anderson, Esther	14142-53009-00000	2018	
Brammer, Helen	14091-78021-00000	2018	

Clark, Carol	14271-52016-00000	2018
Clark, Samuel	14224-55036-00000	2018
David, Rachel	14252-01015-01021	2018
Dochterman, Headdy	14321-07014-00000	2017
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Franks, Mable	14272-03020-00000	2018
Frazier, John	14204-04003-00000	2018
Grafton, Kathryn	14272-35015-00000	2018
Hadenfeldt, Larry	05092-88009-00000	2018
Howe, Virginia	10322-28007-00000	2018
Kepler, Charlotte	02101-26018-00000	2018
Lawrence, Irene	14082-26002-01001	2018
Lawrence, Richard	14114-54002-00000	2018
Mark, Elizabeth	11333-77018-00000	2018
McGraw, Lou Ann	13252-82013-00000	2018
Mosher, Breanna	14164-03027-00000	2018
Murphy, Bonnie	10313-02009-00000	2018
Nost, Carolyn	11331-78045-00000	2018
Nus, Carol	14013-53011-01003	2017
Nus, Carol	14013-53011-01003	2018
Papke, Erin	14162-02002-00000	2018
Prenosil, Debra	10334-01002-03157	2017
Prenosil, Debra	10334-01002-03157	2018
Prenosil, Debra	91030-13102-91001	2017
Prenosil, Debra	91030-13102-91001	2018
Schirmer, Cathleen	14153-33001-00000	2018
Scriven, Roger	14094-52006-00000	2018
Seaborn, James	14193-30042-00000	2018
Sebetka, Cleo	14292-06007-00000	2018
Simmons, Thelma	14283-58001-00000	2018
Strong, Alice	14193-79003-00000	2018
Webb, Anita	14312-53010-01084	2018
Wieck, Jody	14262-30006-00000	2018

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.

Adopt a requirement that contracts entered into by Linn County Community Services be approved by the Board of Supervisors and signed by a member of the Board

Approve and authorize Chair's signature to accept a proposal from Pipe Pro Inc. in the amount of \$17,890 for the replacement of two oil unit heaters with two gas heaters at the Secondary Road Main Shop and authorize Chair to sign Purchase Order Number 5351 to -Pipe Pro Inc. LLC in the amount of \$17,890 for the replacement of two oil unit heaters with two gas heaters at the Secondary Road Main Shop.

Authorize Chair to sign a purchase order for a dump body from Henderson Products, Inc. in the amount of \$12,955.00 for the Secondary Road Department.

Authorize Chair to sign purchase order #5352 for \$11,123.00 to Technical Specialty Systems for the repair of the wall and sign at the Sheriff's Office.

Approve Linn County Conservation Board's use of Linn-Mar High School for a meeting on May 22, 2017.

Approve Linn County Historic Preservation Commission's use of the Linn County Fairgrounds during the Linn County Fair, June 28-July 1, 2017.

Approve Gardner Golf Course Class B Beer Permit noting all conditions have been met.

Motion by Harris, seconded by Rogers to approve minutes March 27 and 28, 2017 as printed.

Les Beck, Planning & Development, presented Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019 - 2024 grant application. He is working with ECICOG on the grant application to update the five year plan which is required in order to receive federal assistance.

Motion by Harris, seconded by Houser to authorize Chairperson to sign Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019 - 2024 grant application.

BOARD MEMBER REPORTS: Chairperson Oleson addressed concerns expressed by Mr. Rathje regarding the agreement with the city of Marion and the property adjacent to Squaw Creek Park. Under Squaw Creek there is a sewer main that comes from Marion to Bertram and then to the Cedar Rapids Treatment Plant. Despite their best efforts there is an odor from time to time. Marion does not have their own water/sewer plant so they contract with the city of Cedar Rapids. One of the cutting edge environmentally friendly ways of doing treatment is through reed bed filters, a natural way to treat this kind of affluent (it is underground). This is not a done deal and Marion is looking at a number of things to improve their community. This is not to dump some

waste in the middle of nowhere. Linn County Conservation and this Board would certainly not have anything negative adjacent to their property that would diminish the use of Squaw Creek Park. He asked that Mr. Rathje keep an open mind and schedule appointments with Elected Officials and he was also encouraged to visit with Les Beck, Lon Pluckhahn and professional staff in Marion. Marion is trying to be a zero waste community and are on the cutting edge. It costs more up front but saves in the end (social savings too). Chairperson Oleson stated that he shares Mr. Rathje's concerns, noting that he needs to be better at communicating.

Chairperson Oleson continued to report that he was involved in interviews yesterday regarding Minimum Wage and continues to work with the MPO.

Supervisor Houser attended a NW Neighborhood Assoc. meeting; Continuum of Care; met an ASAC Preventative Specialist regarding the County's Social Host Ordinance and Nicotine Delivery Systems Ordinance (suggested changes); and attended Early Child Iowa board meeting.

Supervisor Harris attended a meeting with Cedar Rapids representatives regarding land purchase in the area of the new Public Health/Child Development building; attended Conservation Board meeting; will attend ECICOG meeting; UCC telecom; Tuesday is road tour and legislative reception in Des Moines.

Supervisor Rogers presented to members of the Leadership for 5 Seasons (Government Judicial Day); attended Continuum of Care, ARC Board meeting and was a part of a public awareness group on homelessness. Met with representatives of service providers of Mental Health and met with the city manager regarding parking issue.

LEGISLATIVE UPDATE - Darrin Gage, Dir. of Policy & Admin., stated that the Mental Health funding bill is coming through the Senate Ways and Means committee.

Chairperson Oleson stated that the common theme is removing local control and lack of respect. He listed a number of bills doing just that.

Motion by Rogers, seconded by Harris to approve Claims #70594755-#70594846 in the amt. of \$2,112,256.53; ACH in the amt. of \$348,233.52; ARC of East Central Iowa in the amt. of \$313.04; Foundation 2 in the amt. of \$5,831.25.

Motion by Rogers, seconded by Harris to approve payment to Supervisor Houser in the amt. of \$175.00 and Arleen Zahn-Houser in the amt. of \$175.00.

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

Motion by Harris, seconded by Houser to approve payment to Supervisor Rogers in the amt. of \$110.00.

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

PUBLIC COMMENT:

Craig Rathje stated that while he appreciates Supervisor Oleson's comments, he wants to leave the meeting with a good positive attitude. He has watched quite a few board meetings. When comparing a Marion and a Cedar Rapids water bill that are a few dollars difference. Sometimes when it comes to infrastructure, it costs in order to take care of the needs and they have to invest good money to take care of things. He has seen written in articles on what Marion wants to do in order to save money but do they want to do it in a way of a third world country. He suggested that there are many neighbors in the area that would like to know what is going on and these discussions need to be out in the open and transparent. One of the meetings he watched a woman came forward asking questions and he did not get the idea that the knowledge was there. Linn County will not have jurisdiction, the DNR will. They all know of the problems that there are out there with a situation like this and he would like to see a presentation by someone completely qualified to say what it is that is being put out there (the sooner the better). Let the public come forward and state their opinions.

Adjournment at 10:37 a.m.

Respectfully submitted,

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

Approved by:

BRENT OLESON, Chairperson
Board of Supervisors