

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, APRIL 4, 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 (via phone). 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:

Resolution 2018-4-39

WHEREAS, Staco Corporation, property owner, has filed for the approval of a preliminary plat of WOODLAND COVE THIRD ADDITION to Linn County, Iowa, (Case # JP18-0001) a subdivision of real estate described as a parcel located at in the NESE 19-83-06, Linn County, Iowa, approximately 20.31 acres.

WHEREAS, said plat is by, and with free consent of the proprietors.

WHEREAS, on JANUARY 16, 2018 the Linn County Planning and Zoning Commission recommended approval subject to staff report and conditions being met, conditions listed below:

LINN COUNTY ENGINEERING DEPARTMENT - No conditions to be met for the Preliminary Plat case. All conditions will be applied to future Final Plat case. IOWA DEPARTMENT OF TRANSPORTATION - Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT - No conditions to be met. NATURAL RESOURCES CONSERVATION SERVICE - No conditions to be met for the Preliminary Plat case. All conditions will be applied to future Final Plat case. LINN COUNTY CONSERVATION DEPARTMENT - No conditions to be met for the Preliminary Plat case. All conditions will be applied to future Final Plat case. 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 - Various revisions to the preliminary plat. Prior to approval of the preliminary 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 Cedar Rapids and as per the 28E Agreement between the City and the County, will require City approval or a waiver of the right to review. 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 preliminary plat.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said preliminary plat is hereby approved.

Resolution 2018-4-40

WHEREAS, a Land Preservation Parcel Split of HALAC TEN ADDITION (Case # JLPS18-0001) to Linn County, Iowa, containing three (3) lots, numbered lot 1, and letter lots Outlot A and lot A has been filed for approval, a subdivision of real estate located in the NW SW of Section 7, Township 85, Range 7 West of the 5<sup>th</sup> P.M. Linn County, Iowa, described as follows:

Beginning At The West One-Quarter Corner Of Section 7, Township 85 North, Range 7 West Of The 5th Principal Meridian, Linn County, Iowa; Thence N89° 11' 39"E, Along The North Line Of The Southwest One-Quarter Of Said Section 7, A Distance Of 1322.72 Feet To The Northeast Corner Of The Northwest One-Quarter Of The Southwest One-Quarter Of Said Section 7; Thence S00° 32' 52"E, Along The East Line Of Said Northwest One-Quarter Of The Southwest One-Quarter Of Section 7, A Distance Of 1326.52 Feet To The Southeast Corner Of Said Northwest One-Quarter Of The Southwest One-Quarter Of Section 7; Thence S89° 10' 35"W, Along The South Line Of Said Northwest One-Quarter Of The Southwest One-Quarter Of Section 7, A Distance Of 1326.87 Feet To The Southwest Corner Of Said Northwest One-

Quarter Of The Southwest One-Quarter Of Section 7; Thence N00° 22' 06"W, Along The West Line Of The Said Northwest One-Quarter Of The Southwest One-Quarter Of Section 7, A Distance Of 1326.95 Feet To The Point Of Beginning, Containing 40.35 Acres And Is Subject To Easements And Restrictions Of Record.

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 show 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 & Development Staff Report of January 17, 2018 as last amended on February 19, 2018 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 access per parcel is allowed. Dedication of road rights-of-way, County Standard Specifications, Sec. 5. 40' of right-of-way on Shaw Road adjacent to development shall be dedicated to the public for road purposes. Road agreement for conditions applicable to land preservation 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 tested for coliform bacteria and nitrates with results submitted to this department. Bacteria must be absent. 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 site plan for Outlot A. Contact the NRCS office for widths and building restriction requirements. 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 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. 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. Outlot A will require a Land Preservation Parcel Split deed restriction. As a part of the final plat, the lot will be non-buildable until brought into conformance with the Linn County Zoning Ordinance and will require the note: "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed" on the 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 MAY 15, 2018 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 April 4, 2019 to be valid.

#### Resolution 2018-4-41

WHEREAS, a Residential Parcel Split of HOOK ACRES ADDITION (Case # JPS18-0002) 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 SW NW of Section 26, Township 85 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows: Beginning at the Southwest Corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 85 North, Range 8 West of the Fifth Principal Meridian; thence NOM 246'W along the west line of said Northwest Quarter, 1228.82 feet to a corner of Parcel A, Plat of Survey No. 848; thence N88° 38'32"E, 74.93 feet to a corner of said Parcel A; thence S0° 12'59"E, 1228.81 feet to a corner; thence N88° 38'20"E, 660.69 feet to a corner of said Parcel A; thence S1° 12'58"E along the east line of said Parcel A and its southerly extension, 961.09 feet; thence northwesterly 1663.83 feet along the arc of a 3801.01 foot radius curve, concave northeasterly, chord bears N55°58'16"W, 1670.09 feet to a corner of said Parcel A; thence N89° 11'50"E, 628.27 feet to the point of beginning.

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 FEBRUARY 21, 2018 as last amended on MARCH 19, 2018 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. Access easement for Lot 1 from Nelson Creek Road shall be defined. 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. Existing

sewage disposal system must be properly abandoned when existing house is removed. Tank must be pumped, crushed or fractured and filled with soil or lime. NATURAL

restricting building within the natural drainage way should be shown on the final plat. Contact the NRCS office for widths and building restriction requirements. Clarify plans to address potential wetland area with 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 - There is a significant stream present. Prohibiting filling or building in the floodway should protect this stream. All building, clearing and construction activity should be restricted from the floodplain. 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. 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 Center Point. As per Chapter 354 of the Code of Iowa, a certified resolution by any municipality that has authority to review the plat to either approve the plat or waive its right to review must be provided. 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 parcel will result in a parcel of 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. If included as a part of the final plat, the lot will be non-buildable until brought into conformance with the Linn County Zoning Ordinance and will require the note: "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed" on the 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 MARCH 19, 2019 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 April 4, 2019 to be valid.

Approve and authorize Chair to sign the 28E Shared Area Radio Agreement between Johnson County and Linn County Sheriff's Office effective 3/23/18 through 3/23/20.

Award bid and authorize Chair to sign contract and associated documents for project L-LEWIS ACCESS RD(19), PCC paving on Lewis Access Road from the Cedar River bridge to the I-380 ramp, to Croell, Inc. in the amount of \$873,932.13.

Award bid and authorize Chair to sign contract and associated documents for project LOST-N CENTER POINT RD(19), PCC paving on N Center Point Road and Spencers Grove Road from Benton County to Center Point, to Croell, Inc. in the amount of \$3,559,007.46.

Award bid and authorize Chair to sign contract and associated documents for project L-EDGEWOOD RD(19), PCC paving on Edgewood Road from Tower Terrace Road to County Home Road, to Horsfield Construction, Inc. in the amount of \$936,121.80.

Award bid and authorize Chair to sign contract and associated documents for project L-MILBURN RD(19), HMA overlay on Milburn Road from Blairs Ferry Road to Tower Terrace Road, to LL Pelling Co., Inc. in the amount of \$574,364.08.

Authorize Chair to sign Release of Mortgage of March 29, 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 4586 Creek View

Trail, Palo, Iowa.

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Authorize Chair to sign purchase order #5447 for \$17,309.00 to Paulson Electric for electrical work for the lower level Elections and second floor Risk remodel.

Motion by Rogers, seconded by Houser to approve minutes of April 2, 2018 as printed.

A public hearing was called to order on the designation of the Prospect Meadows Urban Renewal Area and on a proposed urban renewal plan and project. Proof of publication was presented.

Les Beck, Planning & Development, presented the Urban Renewal Plan provided for in Code Chapter 403 for approximately 152 acres of county-owned land for the Prospect Meadows baseball/softball field complex. There were no oral or written objections.

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

Motion by Houser, seconded by Rogers to adopt Resolution 2018-4-42

A resolution 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 Prospect Meadows 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 recreation areas and 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 Prospect Meadows Urban Renewal Area. The development of this area for public recreation 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 recreation 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 Prospect Meadows 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.

EXHIBIT A

Legal Description of Property

PROSPECT MEADOWS URBAN RENEWAL AREA

Certain real property situated in Linn County, Iowa more particularly described as follows: The NE  $\frac{1}{4}$  Section 16, T84N, R6W, Linn County, State of Iowa

EXHIBIT B

LINN COUNTY, IOWA

URBAN RENEWAL PLAN

PROSPECT MEADOWS URBAN RENEWAL AREA

April, 2018

I. INTRODUCTION

Chapter 403 of the Code of Iowa ("Chapter 403") authorizes counties to establish areas within their boundaries known as "urban renewal areas," and to exercise special powers within these areas.

Chapter 403 declares there exists in Iowa the continuing need for programs to alleviate and prevent conditions of unemployment, and that it is necessary to assist

and retain local industries and commercial enterprises to strengthen and revitalize the economies of Iowa and its cities and counties.

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In order to facilitate the use of urban renewal for economic development, in 1985, the Iowa General Assembly amended Chapter 403 to authorize boards of supervisors to create "economic development" areas. An economic development urban renewal area may be any area of a County which has been designated by the board of supervisors as an area which is appropriate for industrial and commercial enterprises, and in which the county seeks to encourage further development.

As an additional expression of the role for local governments in private economic development, the General Assembly also enacted Chapter 15A of the Code of Iowa, which declares that economic development is a "public purpose" and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines "economic development" as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with a finding by the board of supervisors that such an area needs to be established within the county. An urban renewal plan is then prepared for the area, which must be consistent with the county's existing comprehensive or general plan. The board of supervisors must hold a public hearing on the urban renewal plan, following which, the board of supervisors may approve the plan.

This document is intended to serve as the Urban Renewal Plan for the Prospect Meadows Urban Renewal Area (the "Urban Renewal Area") and will guide the County in promoting economic growth through the encouragement of commercial development and the creation of jobs in the County. This document is an Urban Renewal Plan within the meaning of Chapter 403 and sets out a proposed project and activities to be undertaken within the Urban Renewal Area.

#### II. DESCRIPTION OF URBAN RENEWAL AREA

The legal description of the property (the "Property") that is proposed to be included within the Urban Renewal Area is:

The NE ¼ Section 16, T84N, R6W, Linn County, State of Iowa

A map showing all property that is proposed to be included within the Urban Renewal Area is attached hereto as Exhibit A.

#### III. URBAN RENEWAL OBJECTIVES

The primary objectives for the creation and development of the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy with opportunities for all persons to participate in recreation activities.
2. To provide land for public recreation uses.
3. To stimulate through public action and commitment, private investment in development related to expanding options for local youth baseball and softball participation, including opportunities for at-risk youth and disabled persons.
4. To enhance possibilities for economic development and make the Linn County community attractive to baseball and softball tournament promoters.

IV. URBAN RENEWAL PROJECTS AND ACTIVITIES The following types of activities are examples of the specific actions which may be undertaken by the County within the Urban Renewal Area:

1. Disposition of property for private development related to the provision of a baseball and softball complex.
2. Construction of public improvements and facilities, including streets and public utilities or other facilities in connection with an urban renewal project.
3. Pursuant to state law, provision of direct financial assistance, including grants and loan guarantees, to private persons engaged in economic development, in such form and subject to such conditions as may be determined by the Board of Supervisors.

#### V. URBAN RENEWAL PROJECT

A proposal has been presented to the County under which a baseball and softball complex would be developed on 128 acres of land owned by the County, bordered on the north by County Home Road and on the west by Highway 13. The County has been asked to lease the land to the developers and to make a grant and guarantee a portion of a loan to the developers. The County anticipates that the use of the County-owned property for these recreation purposes will contribute to the well-being of the County's residents and will make the County a more attractive location for new private enterprises.

In order to finance an economic development grant and loan guarantee, the County intends to use its general obligation borrowing power. State law authorizes counties to incur general obligation debt for urban renewal projects after publishing a notice of hearing and intent to incur the debt, which notice must include the right of voters to petition for an election on the debt.

The County does not anticipate the use of tax increment financing in connection with the Project.

#### VI. LAND USE PLAN AND PROPOSED DEVELOPMENT

The County's 2013 Comprehensive Plan Rural Land Use Map does not designate future commercial land use areas; rather, the Plan provides guidelines for locating commercial zoning districts. The County's current zoning map designates the Urban Renewal Area as GC General Commercial District; therefore the proposed Project conforms to the intent and allowable uses within the current zoning designation. All urban renewal activities within the Urban Renewal Area will be consistent with the County's comprehensive plan and current zoning designation.

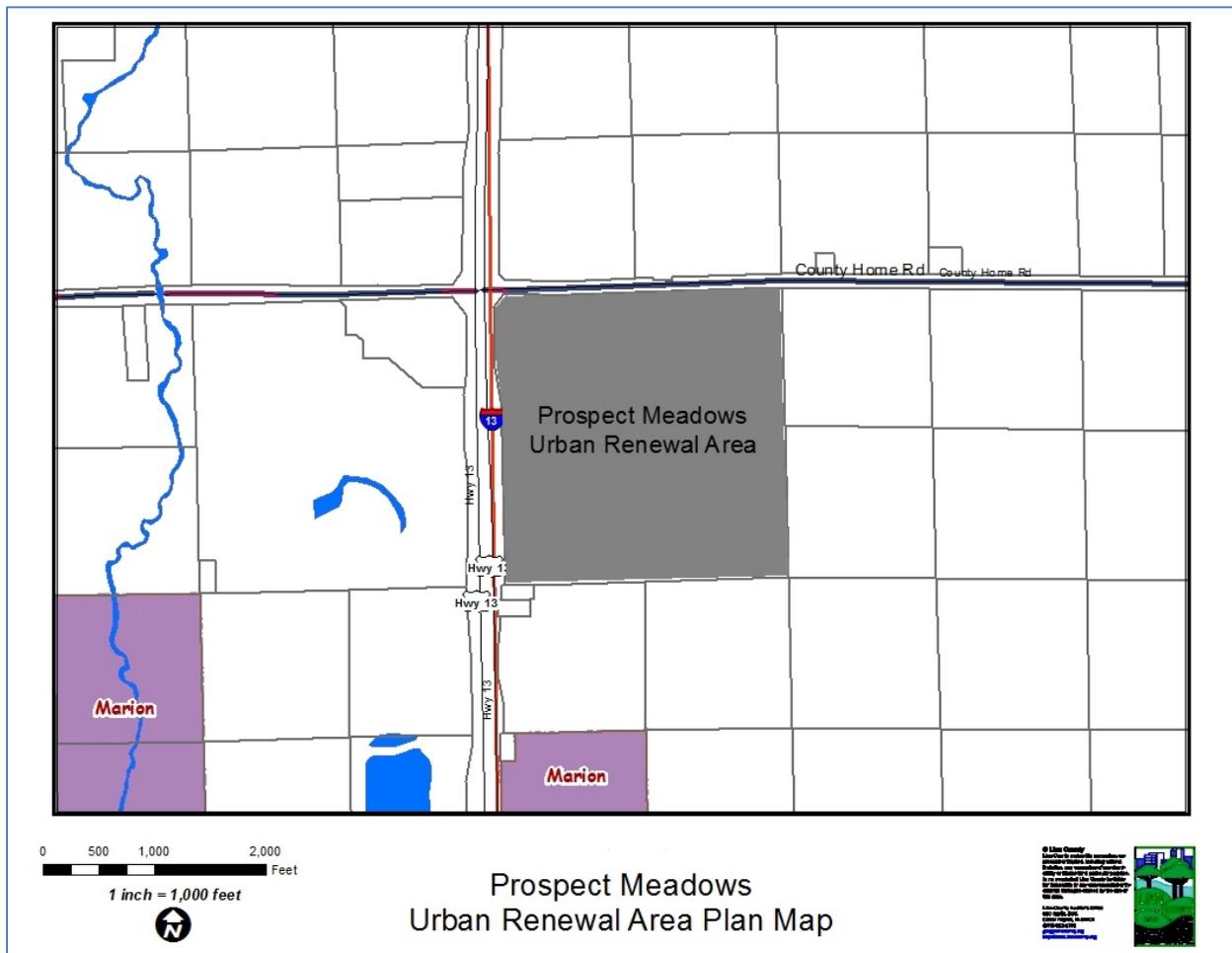
#### VII. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the Board of Supervisors and will remain in effect until it is repealed by the Board of Supervisors.

VIII. PLAN AMENDMENTS

This Urban Renewal Plan may be amended in accordance with the procedures set forth in

EXHIBIT C  
LINN COUNTY, IOWA  
URBAN RENEWAL PLAN  
PROSPECT MEADOWS URBAN RENEWAL AREA MAP



Motion by Rogers, seconded by Houser to adopt Resolution 2018-4-43 Resolution to fix a date for public hearings on General Obligation Urban Renewal Economic Development Grant Loan Agreement in an amount not to exceed \$1,575,000 and on General Obligation Urban Renewal Economic Development Guarantee Loan Agreement in an amount not to exceed \$1,200,000.

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 to petition for an election; and

WHEREAS, the Board of Supervisors (the "Board") of Linn County, Iowa (the "County") has established the Prospect Meadows Urban Renewal Area, pursuant to Chapter 403 of the Code of Iowa and has approved an urban renewal plan for that Area, including an urban renewal project consisting of an economic development grant (the "Grant") to Prospect Meadows, Inc. and a loan guarantee (the "Guarantee") on behalf of Prospect Meadows, Inc. in connection with the development of a baseball and softball complex; and

WHEREAS, the Board proposes to enter into a loan agreement (the "Urban Renewal Economic Development Grant Loan Agreement") in a principal amount not to exceed \$1,575,000, pursuant to the provisions of Sections 331.402, 331.441 and 331.442 of the Code of Iowa, for the purpose of financing the Grant; and

WHEREAS, the Board proposes to enter into a separate loan agreement (the "Urban Renewal Economic Development Guarantee Loan Agreement") in a principal amount not to exceed \$1,200,000, pursuant to the provisions of Sections 331.402, 331.441 and 331.442 of the Code of Iowa, for the purpose of financing the Guarantee; 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 Economic Development Grant Loan Agreement and the Urban Renewal Economic Development Guarantee Loan Agreement and to give notice of both hearings;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Linn County, Iowa, as follows:

Section 1. This Board shall meet on the 25th day of April, 2018, at the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa, at 10:00 o'clock a.m., at which time and place a hearing will be held on the proposal to enter into the Urban Renewal Economic Development Grant Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Urban Renewal Economic Development Grant 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 Economic Development Grant Loan Agreement notice shall be substantially as follows:

NOTICE OF PUBLIC HEARING ON LOAN AGREEMENT  
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,575,000  
(GENERAL OBLIGATION URBAN RENEWAL ECONOMIC DEVELOPMENT GRANT)

The Board of Supervisors of Linn County, Iowa, will meet on the 25th day of April, 2018, at the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa, at 10:00 o'clock a.m. for the purpose of holding a public hearing and taking action to enter into a loan agreement (the "Urban Renewal Economic Development Grant Loan Agreement") in a principal amount not to exceed \$1,575,000, for the purpose of financing a project in the Prospect Meadows Urban Renewal Area consisting of an economic development grant to Prospect Meadows, Inc. in connection with the development of a baseball and softball complex.

The Urban Renewal Economic Development Grant Loan Agreement is proposed to be entered into pursuant to authority contained in Sections 331.402, 331.441 and 331.442 of the Code of Iowa and will constitute a general obligation of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Urban Renewal Economic Development Grant Loan Agreement. After receiving objections, the Board of Supervisors may determine to enter into the Urban Renewal Economic Development Grant Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

At any time before the date fixed for taking action to enter into the Urban Renewal Economic Development Grant Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Urban Renewal Economic Development Grant Loan Agreement be submitted to the registered voters of the County, pursuant to the provisions of Section 331.442 of the Code of Iowa.

By order of the Board of Supervisors of Linn County, Iowa.

Section 4. This Board shall meet on the 25th day of April, 2018, at the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa, at 10:00 o'clock a.m., at which time and place a hearing will be held on the proposal to enter into the Urban Renewal Economic Development Guarantee Loan Agreement.

Section 5. The County Auditor is hereby directed to give notice of the proposed action on the Urban Renewal Economic Development Guarantee 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 6. The Urban Renewal Economic Development Guarantee Loan Agreement notice shall be substantially as follows:

NOTICE OF PUBLIC HEARING ON LOAN AGREEMENT  
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,200,000  
(GENERAL OBLIGATION URBAN RENEWAL ECONOMIC DEVELOPMENT GUARANTEE)

The Board of Supervisors of Linn County, Iowa, will meet on the 25th day of April, 2018, at the Linn County Jean Oxley Public Service Center, Cedar Rapids, Iowa, at 10:00 o'clock a.m. for the purpose of holding a public hearing and taking action to enter into a loan agreement (the "Urban Renewal Economic Development Guarantee Loan Agreement") in a principal amount not to exceed \$1,200,000, for the purpose of financing a project in the Prospect Meadows Urban Renewal Area consisting of providing a guarantee for a loan to Prospect Meadows, Inc. in connection with the development of a baseball and softball complex.

The Urban Renewal Economic Development Guarantee Loan Agreement is proposed to be entered into pursuant to authority contained in Sections 331.402, 331.441 and 331.442 of the Code of Iowa and will constitute a general obligation of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Urban Renewal Economic Development Guarantee Loan Agreement. After receiving objections, the Board of Supervisors may determine to enter into the Urban Renewal Economic Development Guarantee Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

At any time before the date fixed for taking action to enter into the Urban Renewal Economic Development Guarantee Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Urban Renewal Economic Development Guarantee Loan Agreement be submitted to the registered voters of the County, pursuant to the provisions of Section 331.442 of the Code of Iowa.

By order of the Board of Supervisors of Linn County, Iowa.

Section 7. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Motion by Rogers, seconded by Houser to approve upon second consideration rezoning case JR18-0001, request to rezone property located in the 600 block of Rosedale Road, NE SE 19-83-06, from AG (Agricultural) district to USR (Urban Services Residential) district, approximately 20.31 acres, Staco Corporation, owner.

Steve Gannon, County Engineer, presented a Commercial Access Agreement between Jeffrey Schoon and Linn County to allow an additional entrance on N 10<sup>th</sup> Street to access an outbuilding.

Motion by Rogers, seconded by Houser to authorize Chairperson to sign Commercial

Access Agreement between Jeffrey Schoon and Linn County to allow an additional entrance on N 10<sup>th</sup> Street to access an outbuilding.

Motion by Houser, seconded by Rogers to approve the update to BOS Policy RM-009, Drug & Alcohol Testing Policy for FTA Employees.

Motion by Houser, seconded by Rogers to approve update to BOS policy PM-005, DOT Alcohol and Drug Testing Policy and Procedures, and the reassignment of the policy to Directive Number RM-010.

The Board continued their discussion regarding the funding application requests to the Linn County Mental Health and Disability Services surplus fund balance.

Supervisor Rogers explained that Linn County has traditionally levied the maximum allowed for mental health services. Every year the Region invoices Linn County and it is less than what they have levied. Those unused dollars go into a fund balance and last year the legislature required Regions with large fund balances to be spent down to 20%. Linn County found that they had a surplus near \$11 million. Several strategies to address that were discussed and next year Linn County will not levy the full amount. This also opened up an application process for providers to submit one-time requests. Rogers stressed that these are Linn County tax dollars that will be spent on Linn County services that will affect Linn County residents.

Motion by Rogers, seconded by Houser to approve ARC of East Central Iowa- Handicap Accessible Bus - \$15,000. Discussion: Supervisor Rogers stated that he is a member of the ARC Board but will not be recusing himself. Vote: ALL AYE

Motion by Rogers, seconded by Houser to approve ASAC Gap funding to extend patient length of stay - \$352,320. Discussion: Supervisor Rogers stated that he is a member of the ASAC Board but he is not recusing himself. Chairperson Harris stated that he just came off the ASAC Board. Vote: ALL AYE

Motion by Oleson, seconded by Rogers to approve ASAC Startup funding for 1-year nursing service - \$78,345. Vote: ALL AYE

Motion by Oleson, seconded by Harris to approve ASAC Grant writer - \$30,000. Discussion: Supervisor Houser questioned if this request meets the criteria. Vote: Harris, Rogers, Houser, Walker - NAY Oleson - AYE

Motion by Oleson, seconded by Harris to approve ASAC Dir. of Recovery Services - \$87,665. Discussion: Supervisor Houser questioned if this meets the criteria. Supervisor Rogers stated that substance abuse does not fall within mental health services but it would not need ongoing support from the region. Supervisor Oleson stated that they have core services but also ancillary services and this falls within the model. Vote: ALL AYE

Motion by Oleson, seconded by Rogers to approve ASAC urgent safety and security needs - \$84,200. Vote: ALL NAY

Motion by Oleson, seconded by Rogers to approve ASAC Construction and financial feasibility studies - \$52,800. Vote: Harris, Rogers, Houser, Walker - NAY Oleson - AYE

Motion by Houser, seconded by Rogers to approve ASAC Beneficial facility updates - \$82,500. Vote: ALL NAY

Motion by Houser, seconded by Harris to approve ASAC Mental Health Promotion project - \$166,500. Vote: ALL NAY

Motion by Houser, seconded by Rogers to approve Catherine McCauly Center Offering Hope and Opportunity to Survivors of Trauma - \$15,000. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Discovery Living Affordable/Accessible Housing for 8-10 people with disabilities - \$31,000. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Eastern Iowa Health Center Mental and Behavioral Health Services - \$187,000. Discussion: Supervisor Rogers stated that he values that they are looking for additional funding. Vote: Harris & Houser - AYE Rogers, Oleson, Walker - NAY

Motion by Houser, seconded by Rogers to approve Foundation Upgrade/Update to Youth Shelter - \$44,835. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Foundation 2 suicide Prevention Training + Pilot program with CRPD - \$27,160. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Goodwill of the Heartland Light Manufacturing and Certification Program - \$30,000 VOTE: Harris, Rogers, Houser, Walker - AYE Oleson - NAY

Motion by Houser, seconded by Rogers to approve Horizons Marketing and Outreach campaign - \$124,400. Discussion: Supervisor Rogers stated that he will support this request as they met with Horizons and 85% of their consumers have a disability. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Horizons-NTS purchase of 2 minivans and 1 bus - \$120,000. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Jane Boyd Mental Health in Wellington Heights - \$75,000. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Linn County's Project Manager for Access Center - \$75,000. Discussion: Supervisor Rogers stated that the Access Center small group will create a job description. This is not a county employee but will report to David Thielen. Vote: ALL AYE

Motion by Rogers, seconded by Oleson to approve Linn County Child/Youth Summer Reading Program. Discussion: Supervisor Rogers stated that LCCS has funding for this program in their LCCS Surplus. Vote: All NAY

Motion by Houser, seconded by Rogers to approve Linn County Options day Habilitation Support - \$275,000. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve Linn County Public Health TAV Connect community-wide coordination - \$160,000. Vote: ALL AYE

Motion by Houser, seconded by Rogers to approve National Resilience Institute Linn County Resilience First Aid - \$72,500. Vote: Harris, Rogers, Houser, Walker -AYE  
Oleson - NAY

Motion by Houser, seconded by Rogers to approve Penn Center Create 15-bed Residential Care Facility at Kingston Hills - \$400,000. Vote: Harris, Rogers, Houser, Walker - AYE  
Oleson - NAY

Motion by Houser, seconded by Rogers to approve Riverview Therapy and Crisis Services for Sexual Assault Survivors - \$75,000. Vote: Harris, Rogers, Houser, Walker - AYE  
Oleson - NAY

Motion by Houser, seconded by Rogers to approve Tanager Place Trauma Informed Care Community Project - \$42,000. Vote: ALL AYE

The Board agreed to meet again to consider where they like to allocate the remaining funds of \$264,170.

BOARD MEMBER REPORTS - Supervisor Houser met a resident regarding a road issue; attended OPN's value engineering meeting for the Harris Bldg.; attended County Assessor retirement reception; went to Des Moines to attend retirement reception and then Linn County's reception for state legislators; attended Solid Waste Agency meeting with Prospect Meadows re: sewer and water; attended DAEC drill today.

Supervisor Rogers attended the viewing of the movie "Resilience" at the Cedar Rapids Public Library re: impact of trauma on people; convened the Access Center small group to discuss how to move forward due to recent legislation; attended legislator reception in Des Moines; attending the DAEC drill today and the MHDD Region Governance Board and Advisory Board meetings tomorrow.

Supervisor Walker stated that yesterday was the deadline for educators to submit names for Future Leaders of Linn County to be hosted on April 25.

Motion by Rogers, seconded by Walker to approve payment to Jim Houser in the amt. of \$42.47 and Arleen Zahn-Houser in the amt. of \$1,794.72.  
VOTE: Harris, Rogers, Oleson, Walker - Aye Houser - Abstain

Motion by Rogers, seconded by Houser to approve payment to Foundation 2 in the amt. of \$9,743.20.  
Vote: Rogers, Oleson, Houser, Walker - AYE Harris - ASTAIN

Motion by Rogers, seconded by Houser to approve Claims #70601517-#70601707 in the amt. of \$345,345.92; ACH in the amt. of \$1,200,358.51; Area Ambulance in the amt. of \$909.69; ARC of East Central Iowa in the amt. of \$693.25 and payment to Andrea Winders in the amount of \$60.00 that is over one year old.

PUBIC COMMENT: Barb Gay, ASAC, thanked the Board for their leadership. The work they did in researching the opportunity they had and the decisions they made to better serve community members is tremendous. They have taken a leadership role in the state especially with the idea of reuniting mental health with substance abuse and she congratulated them on that. The projects awarded for ASAC will help to immediately serve residents as well as in the long run.

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Emily Blomme, Foundation 2, stated that she echoes Barb's comments and thanked the Board for including youth. It is a very important piece to identify issues early on a prevention standpoint. She also appreciates their due diligence in their research to make these decisions.

Kay Fisk, Horizons, stated that she was grateful for their decision to fund Horizons' requests. The NTS portion will allow them to do even more than they do now for those with disabilities, mental health and the older adults. The administration portion for marketing is very important as well. People need to know what they have to offer. She will enjoy talking to people about their mission.

Diane Brecht, Penn Center, thanked the Board for their leadership and what they have done. Mental health has been a huge issue across the state for several years and the decisions made today will enhance services that they can provide going forward.

Adjournment 10:45 a.m.

Respectfully submitted,

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

Approved by:

JOHN HARRIS, Chairperson  
Board of Supervisors