

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, APRIL 25, 2018 10:00 A.M.

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

Also present were 26 area high school students for an event called Future Leaders of Linn County. This one-day event was designed to engage high school students in the government process by providing access to meetings with various elected officials and department heads.

The Board received updates from the following Elected Officials:

Maj. Doug Riniker, Sheriff's Office - Deputy Sheriff testing; Active Shooter Training; and the lack of beds for Mental Health prisoners contributes to the amount of overtime.

Supervisor Oleson asked for increased deputy patrol in Bertram now that it is getting to be summer months due to a residence with possible drug activity.

Supervisor Rogers asked about an incident in the Treasurer's Office related to a customer carrying a weapon and the law to conceal and carry.

Jerry Vander Sanden, County Attorney - April is Child Abuse Awareness month; National Crime Victims Week kicked off at Lowe Park; Go the Distance for Victims 5K; Iowa Traffic Fatality Counts and laws relating to texting (Prima Facia, texting or sending/viewing on an electronic device). The car accident that caused two fatalities due to texting by the driver was ironically an adult.

Supervisor Walker asked about in person implicit bias training of County Attorney staff and Vander Sanden responded that he questions the effectiveness of that training.

Joan McCalmant, Recorder - Quarterly Report (lower than usual); passport fees going up; took more flooded books to the Univ. of Iowa for refurbishing; vital records is doing fewer free exchanges and presentation of a death record from 1883.

Sharon Gonzalez, Treasurer - Quarterly report on investments; explanation of tax collections and attended Tax Sale Investor meeting.

Rebecca Shoop, Deputy Auditor - Contacting employees that still receive paper payroll checks and asking them to change to direct deposit; Account Tech. bid into the County Engineer's Office; increase in deeds to transfer; preparing for the June Primary and licenses & permits are gearing up.

The Board recessed and reconvened in the Formal Board Meeting room.

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

PUBLIC COMMENT: Chase Brisel, Linn Mar High School, stated that the County Attorney spoke about the tragedy of two Prairie students but it was Linn Mar. He stated that the County Attorney used the word "ironic" that it was an adult that was texting while driving but it should not be taken as irony because an adult did it. They will make more progress if they look at it as an issue among all people and not that it's different because an adult did it.

Araya Dunne, Washington High School, stated that during the Sheriff's presentation it was mentioned that there is a dilemma of Deputy Sheriff's choosing between the Jail or being an officer on the street. He sees that as a safety hazard due to the lack of training from being in the Jail. They will not have the same training that an officer on the street has. It could be a safety hazard and a risk to either party. In addition, it was mentioned the lack of radio dispatchers. He also finds that as a safety risk due to the response time. He does like the thought of combining Marion and Cedar Rapids dispatchers. Supervisor Oleson expressed how he would like more officers to be around a house in Bertram since it is summer. He agrees but he would like to see more officers where the crimes are more likely to happen. Regarding the law to conceal and carry, he thinks that it would be a safety risk for citizens that like to carry outside of their holsters because the question comes, do they look like someone that is a threat or someone who has the right to carry. Regarding Prima Facia, texting or sending/viewing on an electronic device to be convicted of homicide by vehicle: How would officers be reprimanded when using their equipment such as an electronic device. Lastly, regarding implicit bias training, it should be mandatory. That is another safety risk.

Matthew Haile, Washington High School, thanked Supervisor Walker for pushing the County Attorney on implicit bias training. They have to recognize that there are automatic thoughts and assumptions. He has great respect for the County Attorney but this is very important for everyone to do. As a white male, Haile stated that he should be aware of those assumptions and automatic thoughts (as everyone all should

be). It becomes an issue when someone acts on it. That is why training is important to be aware of the assumption and prevent oneself from acting on it.

Kevin Drahos, Linn Mar High School and State of Iowa Youth Advisory Council, asked the Board to start considering the creation of a Youth Advisory Council for the county to help them to stay up on the issues. There are counties that have youth committees that meet several times a year and is a very good resource. He encouraged the Board to consider trying to get the youth involved.

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

Statement of Election Costs - City of Alburnett, Alburnett Community School District, and Mount Vernon Community School District - Special Election April 3, 2018.

Resolution 2018-4-53

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under §331.361, Code of Iowa, to dispose of the interest of Linn County, in real property, and, WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated the portions of right-of-way described as:

LEGAL DESCRIPTION

Part of the Southwest quarter of the Southwest fractional quarter, Section 17, Township 85 North, Range 5 West of the Fifth Principal Meridian, Linn County, Iowa, and more particularly described as follows:

Quit claim all parts of Block 2, Lots 4,5 and 6 James Addition to Waubeek lying northwesterly of the centerline of Boy Scouts Road excepting 60' right-of-way, the east 33 feet (half) of platted Bridge Street from the centerline of platted 3rd Street to the north right-of-way line of platted 4th Street, and the 55 foot right-of-way of platted 4th Street from the centerline of platted Bridge Street east to the current 60 foot right-of-way northwesterly of Boy Scouts Road centerline, all located in the southwest quarter of the southwest quarter of Section 17, Township 85 north, Range 5 west of the 5th principal meridian.

Said area contains 0.87 acres more or less, subject to easement and restrictions of record. and,

WHEREAS, Richard W. and Rebecca L. Mollenhauer, owner of real property adjacent to the above described parcel of vacated right-of-way desire to obtain whatever interest Linn County, Iowa may have in the above described parcel of vacated right-of-way, and WHEREAS, the Board of Supervisors, Linn County, Iowa, has pursuant to §331.361, Code of Iowa, conducted a public hearing upon the proposal to convey by quit claim deed whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way shall be conveyed to Richard W. and Rebecca L. Mollenhauer, owner of real property adjacent to the above described vacated right-of-way, by quit claim deed.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors, Linn County, Iowa, hereby authorize to execute said quit claim deed conveying whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way to Richard W. and Rebecca L. Mollenhauer.

Resolution 2018-04-54

WHEREAS, there is presented to the Board of Supervisors, Linn County, Iowa, for its approval, a quit claim deed executed and acknowledged by John Harris, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel Miller, County Auditor of Linn County, Iowa, conveying the interests of Linn County, Iowa, to Richard W. and Rebecca L. Mollenhauer, and

WHEREAS, said deed conveys the following real estate described as follows:

LEGAL DESCRIPTION

Part of the Southwest quarter of the Southwest fractional quarter, Section 17, Township 85 North, Range 5 West of the Fifth Principal Meridian, Linn County, Iowa, and more particularly described as follows:

Quit claim all parts of Block 2, Lots 4,5 and 6 James Addition to Waubeek lying northwesterly of the centerline of Boy Scouts Road excepting 60' right-of-way, the east 33 feet (half) of platted Bridge Street from the centerline of platted 3rd Street to the north right-of-way line of platted 4th Street, and the 55 foot right-of-way of platted 4th Street from the centerline of platted Bridge Street east to the current 60 foot right-of-way northwesterly of Boy Scouts Road centerline, all located in the southwest quarter of the southwest quarter of Section 17, Township 85 north, Range 5 west of the 5th principal meridian.

Said area contains 0.87 acres more or less, subject to easement and restrictions of record. and

WHEREAS, said deed was executed by John Harris, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel Miller, County Auditor of Linn County, Iowa, pursuant to resolution 2018-4-54 adopted by the Board of Supervisors, Linn County, Iowa, on the 25th day of April, 2018.

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 above described quit claim deed, dated the 25th day of April, 2018, conveying whatever interest Linn County, Iowa, may have, to Richard W. and Rebecca L. Mollenhauer, be and the same is hereby approved.

Authorize Chair to sign renewal contract for internet services from Mediacom Business. The contract is for a term of 3 years (36 Months) and is \$285.90 per month for the 1st year. The price increases \$10 per year for years 2 and 3.

Authorize Chair to sign Contract No. 2017- S03 State Historical Society of Iowa Grant in-Aid-Agreement for Linn County, Iowa, Certified Local Government Grant Project for \$500.00 in scholarship grant funds.

Approve the proposed revisions to Board of Supervisors Policy FM-045, Capital Asset Policy.

Approve the proposed revisions to Board of Supervisors Policy FM-047, Non-Capital Asset Policy

Approve the proposed Board of Supervisors Policy FM-048, Surplus Property Disposal Policy.

Motion by Rogers, seconded by Houser to approve minutes of April 23, 2018 as printed.

Steve Tucker, Finance Dir., presented the financing plan for \$5,620,000 General Obligation Land and Water Legacy Bonds.

Motion by Houser, seconded by Rogers to open a public hearing on entering into a general obligation loan agreement in an amount not to exceed \$1,575,000, for the purpose of financing a project in the Prospect Meadows Urban Renewal Area. Proof of publication was presented. Tucker explained the project. There were no oral or written objections.

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

Motion by Houser, seconded by Rogers to open a public hearing on entering into a general obligation loan agreement in an 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. Proof of publication was presented. Tucker explained the project. There were no oral or written objections.

Jack Roeder, Prospect Meadows, gave a brief progress report. There will be games out there a year from now as everything is on schedule to get project up and running next spring.

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

Motion by Houser, seconded by Oleson to adopt Resolution 2017-4-55
Expressing intent to enter into loan agreement related to economic development grant to Prospect Meadows, Inc. and approving loan agreement related to Guaranty Agreement with Cedar Rapids Bank and Trust Company in connection with a loan to Prospect Meadows, Inc.

WHEREAS, the Board of Supervisors of Linn County, Iowa (the "County") has published notice and held a hearing on a proposal to enter into a loan agreement (the "Grant Loan Agreement") in a principal amount not to exceed \$1,575,000, pursuant to the provisions of Sections 331.402 and 403.9 of the Code of Iowa, for the general county purpose of carrying out 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 and no petition has been filed asking that the matter be submitted to the voters of the County; and

WHEREAS, the Board has also published notice and held a hearing on a proposal to enter into a loan agreement (the "Guarantee Loan Agreement") in a principal amount not to exceed \$1,200,000, pursuant to the provisions of Sections 331.402 and 403.9 of the Code of Iowa, for the general county purpose of carrying out a project in the Prospect Meadows Urban Renewal Area consisting of providing a guarantee for a loan from Cedar Rapids Bank and Trust Company to Prospect Meadows, Inc. (the "Bank Loan"), in connection with the development of a baseball and softball complex and no petition has been filed asking that the matter be submitted to the voters of the County; and

WHEREAS, a Guaranty Agreement (the "Guaranty Agreement") has been prepared between the County and Cedar Rapids Bank and Trust Company (the "Bank"), pursuant to which the County agrees to provide a guarantee in the amount of \$1,200,000 for the Bank Loan; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Linn County, Iowa, as follows:

Section 1. The Board hereby expresses its intent to enter into the Grant Loan Agreement and the Guarantee Loan Agreement and declares that this resolution constitutes the "additional action" required by state law.

Section 2. The Guaranty Agreement, in substantially the form in which it has been presented to this Board, is hereby approved, and the Chairperson of the Board and the County Auditor are hereby authorized to execute the Guaranty Agreement on behalf of the County, with such changes or revisions as may be recommended by the County Attorney or bond counsel for the County.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Motion by Rogers, seconded by Houser to adopt Resolution 2018-4-56

Expressing Setting Date for Sale of General Obligation Land and Water Legacy Bonds, Series 2018A and General Obligation Urban Renewal Economic Development Bonds, Series 2018B

WHEREAS, pursuant to a special election held on November 8, 2016, voters in the Linn County, Iowa (the "County") authorized the Board of Supervisors of the County to issue general obligation bonds in an amount not exceeding \$40,000,000, for water and land conservation and park and outdoor recreation purposes; and

WHEREAS, the Board of Supervisors has also published notice and held a hearing on a proposal to enter into a loan agreement (the "Grant Loan Agreement") in a principal amount not to exceed \$1,575,000, pursuant to the provisions of Sections 331.402 and 403.9 of the Code of Iowa, for the general county purpose of carrying out 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 and no petition has been filed asking that the matter be submitted to the voters of the County; and

WHEREAS, it is now necessary to set a date for the sale of General Obligation Land & Water Legacy Bonds in the amount of \$5,620,000, Series 2018A (the "Series 2018A Bonds") and for the sale of General Obligation Urban Renewal Economic Development Bonds, Series 2018B (the "Series 2018B Bonds") in the amount of \$1,575,000;

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

Section 1. Sealed bids for the purchase of the Series 2018A Bonds shall be received and canvassed on behalf of the County at 12:00 o'clock noon on June 5, 2018, at the offices of Robert W. Baird & Co., Milwaukee, WI, and the Board of Supervisors shall meet at 10:00 o'clock a.m., on June 6, 2018, at the Linn County Jean Oxley Public Service Center, for the purpose of considering such bids received and considering and passing a resolution providing for the award and sale of the Series 2018A Bonds. The County Auditor is hereby authorized and directed to publish notice of said sale, as provided by Chapter 75 of the Code of Iowa, in substantially the following form:

Dawn Jindrich, Budget Dir., presented and explained the fiscal year 2018 final budget amendment requests.

Motion by Houser, seconded by Oleson to direct publication of a notice of publication on the proposed amended budget set for May 16, 2018 at 10:00 a.m.

Garth Fagerbakke, Facilities Manager, gave a recap of what he presented at Monday's meeting regarding the carpet replacement at the Juvenile Detention Center.

Motion by Rogers, seconded by Houser to approve Contract with Appleby & Horn Tile Co. in the amount of \$82,716.00 for carpet replacement at the Linn County Juvenile Detention Center.

Motion by Walker, seconded by Houser to approve Proclamation: Future Leaders of Linn County Day.

LEGISLATIVE UPDATE: Darrin Gage, Dir. of Policy & Admin., stated that the Senate passed the bill to allow for an increase in food inspection fees.

Motion by Rogers, seconded by Walker to approve payment to Foundation 2 in the amt. of \$10,916.10. VOTE: Rogers, Houser, Walker, Oleson - Aye Harris - Abstain

Motion by Rogers, seconded by Walker to approve payment to Arleen Zahn-Houser in the amt. of \$1,960.00. VOTE: Rogers, Harris, Walker, Oleson - Aye Houser - Abstain

Motion by Rogers, seconded by Houser to approve ACH in the amt. of \$168,396.57 and Claims #70601898-#70601972 in the amt. of \$1,149,277.02.

PUBLIC COMMENT: Supervisor Rogers thanked everyone for their time and interest in today's Board meeting and hopes that it was valuable and enlightening. He stated that it was one of the most rewarding days he has had and thanked Supervisor Walker for spearheading the event. He stated that they will plan a youth advisory council as requested. Once it is created they will put out the word. He also explained that he traveled to Germany with his father to the hometown of his grandmother and family. She and her brother were smuggled out in 1939 (when she was 13) but her parents were arrested and sent to a concentration camp where they died. She would have been overwhelmed by their attempt to acknowledge the sins of history. He appreciates what they did to honor his grandmothers family and he would like to look at a sister city or sister county and create a partnership with that city. It was a deeply moving experience.

Supervisor Walker thanked the students for their time and he thanked staff for making the day possible. It means a lot to him for staff to take time out of their busy day to do it. He was also moved by the students who spoke during public comment who seemed to understand the importance of implicit bias training. They are aware of incidents happening across this country. He impressed upon them that elections have consequences. Public elected official are human beings, it could be one of them one day sitting as a Supervisor or a County Attorney making decisions about their department undergoing implicit bias training. He hopes they will go about their day and consider public office.

Page 5
April 25, 2018

Supervisor Houser also thanked the students and invited them to contact him with any questions about his tenure and experiences.

Adjournment at 12:12 p.m.

Respectfully submitted,

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

Approved by:

JOHN HARRIS, Chairperson
Board of Supervisors