

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, JUNE 6, 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, Walker and Oleson. 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 the Consent Agenda as follows:

Resolution 2018-6-77

WHEREAS, Linn County, Iowa ("Lessor") and Prospect Meadows, Inc, ("Lessee") are parties to that certain Ground Lease - Unimproved Land ("Lease") dated February 8, 2012, recorded in the Office of the Linn County Recorder in Book 8206, Pages 517-526, for an outdoor baseball and softball facility located on a parcel of land situated in Linn County making up the Property subject to the Lease; and,
WHEREAS, Lessee requests Article 1.1 of the Lease be amended to list the legal description as follows:

PART OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 84 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE S1°21'00"E 60.00 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH RIGHT OF WAY OF COUNTY HOME ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING S1°21'00"E 2590.38 FEET ALONG SAID EAST LINE TO THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE S88°21'40"W 2547.23 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO THE EASTERLY RIGHT OF WAY OF HIGHWAY NO. 13; THENCE N1°04'35"W 1580.57 FEET ALONG SAID EASTERLY RIGHT OF WAY; THENCE N50°05'33"E 57.24 FEET; THENCE N3°28'50"E 115.50 FEET; THENCE N87°46'13"E 420.10 FEET; THENCE N17°21'46"E 163.95 FEET; THENCE N4°04'01"E 109.90 FEET; THENCE S82°38'54"E 42.94 FEET; THENCE S33°43'22"E 152.78 FEET; THENCE S65°13'41"E 304.82 FEET; THENCE N57°50'09"E 396.43 FEET; THENCE N52°23'45"E 194.51 FEET; THENCE N0°18'02"W 543.43 FEET TO SAID SOUTH RIGHT OF WAY; THENCE N88°10'36"E 1096.97 FEET ALONG SAID SOUTH RIGHT OF WAY TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 125.53 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

which is more thorough than the legal description of the Property subject to the Lease included in the Lease; and,

WHEREAS, Lessee requests that Lease Attachment "A" be amended to depict and describe the legal description as set forth above; and,

WHEREAS, the parties wish to amend the Lease to renumber the incorrectly numbered Article XII and Article XIII; and,

WHEREAS, the parties wish to amend Article X of the Lease setting forth the address of each party for the purpose of providing notice to the other; and, WHEREAS, the Board of Supervisors finds that a public hearing should be set to consider the requested amendments and that notice thereof should be provided by law.

NOW, BE IT THEREFORE RESOLVED by the Linn County Board of Supervisors, Linn County, Iowa, that the public hearing on the proposal to amend the Ground Lease - Unimproved Land between Linn County, Iowa, and Prospect Meadows, Inc. dated February 8, 2012, as set forth above shall be held on the 20th day of June 2018 at 10 o'clock a.m., in the Formal Board Room, Linn County Public Service Center, 935 - 2nd Street SW, Cedar Rapids, Iowa 52404 at which time public comment will be received and the matter of whether said proposal should be approved will be determined.

BE IT FURTHER RESOLVED that notice of said public hearing shall be published in accordance with Section 331.305, Code of Iowa.

Resolution 2018-6-78

WHEREAS, it is desired to transfer appropriations within the Administration service area by increasing Risk Management, organization 09, and decreasing Board Other, organization 01, by \$1,000.

WHEREAS, said transfer is within the Administration service area, in accordance with Section 331.434(6), Code of Iowa,

NOW, therefore be it resolved by the Board of Supervisors of Linn County, Iowa, as follows: Appropriations shall be increased in organization 09, Risk Management, by \$1,000, and decreased in organization 01, Board Other, by \$1,000. The above and foregoing resolution was adopted by the Board of Supervisors of Linn County, Iowa, on June 6, 2018, the vote thereon being as follows: Ayes - 5

Resolution 2018-6-79

WHEREAS, Mr. Douglas A. Decker, 515 Hunters Ridge Court, Marion, Iowa, has requested permission to improve property owned by Linn County (legal description: N50' NE NW-E of RY SEC 2 TWP 85 R 6) with the intention of purchasing said property,

WHEREAS, the Linn County Board of Supervisors and the Linn County Risk Manager have recommended approval of this request,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Linn County, Iowa, that the above request is herewith approved subject to the following conditions; 1. Mr. Decker is aware of and has agreed that all costs associated

with the property improvement before and after the transaction of the above mentioned property will be his responsibility.2. That Mr. Decker agrees to save Linn County and it's employees harmless from all liability and has a liability insurance policy in limits satisfactory to the Board of Supervisors.

Resolution 2018-6-80

WHEREAS, Carissa Johnson, Events and Marketing Director, for Cedar Rapids Freedom Festival, has requested permission to use Central City Road, Alice Road, Lafayette Road, Roosevelt Street, N. Alburnett Road, Echo Hill Road and use of the Cedar Valley Nature Trail for the purpose of conducting the Freedom Festival Bike Ride on Sunday, June 24, 2018,

WHEREAS, the Linn County Engineer's Department, Linn County Sheriff's Office, and the Risk Management Department have recommended approval of this request,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Linn County, Iowa, that the above request is herewith approved subject to the following conditions: 1. The personnel sponsoring the Freedom Festival Bike Ride will provide five - six Law Enforcement Officers, with patrol vehicles, for traffic control at County road intersections as required by the Sheriff's Office. The applicant will contact the Linn County Sheriff's Office Extra-Duty Scheduling personnel, Deric Oshel at 892-6192 for extra job duties and assignments and to schedule these officers. 2. The personnel sponsoring the Freedom Festival Bike Ride will advise the participants to obey all traffic regulations as required by the Linn County Sheriff's Office and the Linn County Engineer. 3. The personnel sponsoring the Freedom Festival Bike Ride will oversee the proper conduct of the event. 4. That the applicant will have each participant sign a participant's release which has Linn County named on the release. 5. That the applicant agrees to save Linn County and it's employees harmless from all liability and has a liability insurance policy in limits satisfactory to the Board of Supervisors.

Resolution 2018-6-81

WHEREAS, John Stonebarger, Race Director for CRANDIC Racing Club, has requested permission to use Sutliff Road in Linn County for the purpose of holding a series of bicycle time trials on May 2, June 6, July 18 and August 1, 2018,

WHEREAS, the Linn County Engineer's Department, Linn County Sheriff's Office, and the Risk Management Department have recommended approval of this request,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Linn County, Iowa, that the above request is herewith approved subject to the following conditions: 1. The personnel sponsoring the series of bicycle time trials on Sutliff Road will advise the participants to obey all traffic regulations as recommended by the Linn County Sheriff's Office and the Linn County Engineer. 2. The personnel sponsoring the series of bicycle time trials will oversee the proper conduct of the event. 3. That the applicant will have each participant sign a participant's release which has Linn County named on the release. 4. That the applicant agrees to save Linn County and it's employees harmless from all liability and has a liability insurance policy in limits satisfactory to the Board of Supervisors.

Resolution 2018-6-82

WHEREAS, Wendling Quarries Inc., owner; Horsfield Construction., petitioner; Case JTU18-0003, has requested the Linn County Board of Supervisors' permission to operate a portable concrete plant to be used for a county road project on Edgewood Road between County Home Road and Tower Terrace Road, located at 6101 Blairs Ferry Rd, Cedar Rapids, Iowa.

AND WHEREAS, the Board of Supervisors makes the following Findings of Facts:

1. The portable concrete plant will operate from June 7, 2018 and end by September 1, 2018. 2. A temporary concrete plant is permitted under the provisions of Article V, Section 107-93, §(c)(1) of the Linn County Unified Development Code. 3. The property is located at 6101 Blairs Ferry Rd, Cedar Rapids, Iowa. 4. The property is zoned AG (Agricultural) and is 28.3 acres in size. 5. Approximately 0.5 acres will be used for the temporary use. 6. The owner of the property is Wendling Quarries Inc. 7. The operator of the portable concrete plant will be Horsfield Construction. 8. The plant may operate between the hours of 5:00 AM to 8:00 PM, Monday through Saturday. 9. Two portable toilets and one hand washing station will be accessible on-site for the duration of the operation of the plant. 10. The applicant estimates an increase to a maximum of 500 vehicle trips per day due to the operation of the portable concrete plant.

AND WHEREAS, the Linn County Technical Review Committee has examined the application and all conditions of approval are listed as part of this Resolution;

AND WHEREAS, the Temporary Use application has been examined by the Linn County Board of Supervisors at a public meeting on June 4, 2018, all interested persons having been heard;

LINN COUNTY SHERIFF'S OFFICE 1. Supply an after-hours call list to the Sheriff's Office (must have more than 1 contact person). LINN COUNTY EMERGENCY MANAGEMENT 1. Applicant shall submit a Severe Weather Plan for Special Events or Venues to the Linn County Emergency Management Agency for review and approval. LINN COUNTY E-911 COORDINATOR 1. No conditions to be met. LINN COUNTY CONSERVATION 1. No conditions to be met. NATURAL RESOURCE CONSERVATION SERVICE 1. Applicant shall review operation and proposed addition with the Iowa DNR and Army Corps of Engineers and implement any

required actions. 2. Applicant shall ensure that all stormwater runoff from the plant is contained on site.

WHEREAS, failure to comply with any of the above conditions in a timely manner will void this temporary use permit.

NOW, THEREFORE, BE IT RESOLVED, by the Linn County Board of Supervisors that said temporary use is hereby approved.

Approve and authorize chair to sign a consulting and advisory services agreement with L&L Murphy Associates and Grant Consulting, LLC in the amount of \$60,000.00 for consulting and advisory services for the period of July 1, 2018, through June 30, 2019.

Approve and authorize chair to sign a Memorandum of Agreement with Black Hawk, Dubuque, Johnson, and Scott Counties regarding the membership, purposes, and operations of the Urban County Coalition.

Approve and authorize Chair to sign a contract for public transit service between Linn County Transportation (LIPTS) and the East Central Iowa Council of Governments (ECIOG) for the period of July 1, 2018 through June 30, 2019 in the amount of approximately \$167,000.

Approve and authorize Chair to sign a service and rate agreement contract between Options of Linn County and Mental Health/Disability Services of the East Central Region for the renewal of FY18 service rates effective for FY19.

Approve and authorize Chair to sign 36 month lease agreement with Cedar Rapids Photo Copy at \$225.75 per month for 2 copiers for Home Health.

Approve and authorize Chair to sign the Statement of Agreement between Linn County and the Abbe Center for Community Mental Health to provide skilled mental health services for the inmates of the Linn County Jail effective July 1, 2018 through June 30, 2019 with a cost of \$30,360.

Approve and authorized Chair to sign the Linn County Kids Wraparound Program FY18 Provider Agreement with Covenant Family Solutions.

Approve and sign 28E Agreement between Linn County and the City of Palo for improvements to Blairs Ferry Road and Shellsburg Road.

Authorize Chair to sign purchase order #5469 for \$50,350.00 to Erbs Technology Solutions for disk storage expansion units for the IT Department.

Authorize Chair to sign purchase order #5470 for \$21,435.00 to Vertiv Services, Inc. for annual maintenance on the Liebert equipment for the IT Department.

Authorize Chair to sign purchase order #5471 for \$120,000.00 to ESRI Inc. for annual Enterprise license agreement for IT.

Authorize Chair to sign Memorandum of Understanding between Linn County, City of Cedar Rapids, Cedar Rapids Linn County Solid Waste Agency, and ConnectCR to create a ConnectCR Implementation Committee.

Approve Premises Update for the Indian Creek Nature Center permitting Hy-Vee Mt. Vernon Rd. to provide alcohol service for a renter on June 30, 2018.

Authorize David Hulshizer to conduct a fireworks display at 2549 Janette Nehl Lane, Central City, on the following dates: July 4, 7 (test fire) and August 4 (rain date August 11), 2018.

Authorize Christian Herr to conduct a fireworks display at 4603 Stallmann Rd., Fairfax, on June 16, 2018.

Motion by Houser, seconded by Rogers to approve minutes of June 4, 2018 as printed.

Curtis Nelson and Christie Remley presented a request by the Entrepreneurial Development Center (EDC) for economic development funding consideration in the amount of \$10,000 for Innovation Expo 2018.

Steve Tucker, Finance Dir., and Paul Donna, Baird, presented bid results for the sale of the \$5,620,000 General Obligation Land and Water Legacy Bonds, Series 2018A (low bidder - Sun Trust Robinson Humphrey 2.988718) and \$1,575,000 General Obligation Urban Renewal Economic Development Bonds, Series 2018 (low bidder - Dougherty & Company LLC 2.885121).

Motion by Rogers, seconded by Walker to adopt Resolution 2018-6-83

WHEREAS, Linn County, Iowa (the "County"), State of Iowa, has proposed to issue general obligation bonds, pursuant to the provisions of Chapters 76 and 331 of the Code of Iowa, for the purpose of financing projects for water and land conservation and park and outdoor recreation purposes; and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of General Obligation Land and Water Legacy Bonds, Series 2018A (the "Series 2018A Bonds") were

received and canvassed on behalf of the County and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the County's municipal advisor has determined that the bid of Sun Trust Robinson Humphrey (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the County;

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

Section 1. The bid of the Purchaser referred to in the preamble is hereby accepted, and the Series 2018A Bonds are hereby awarded to the Purchaser, in the principal amount of \$5,515,000, at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale (the "Sale Agreement") of the Series 2018A Bonds to the Purchaser is hereby approved, and the Chairperson and County Auditor are hereby authorized to execute the Sale Agreement for and on behalf of 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 Walker to adopt Resolution 2018-6-84

Awarding Sale of General Obligation Urban Renewal Economic Development Bonds, Series 2018B

WHEREAS, Linn County, Iowa (the "County"), State of Iowa, has proposed to issue general obligation bonds, pursuant to the provisions of Chapters 76, 331 and 403 of the Code of Iowa, for the 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

WHEREAS, pursuant to advertisement of sale, bids for the purchase of General Obligation Urban Renewal Economic Development Bonds, Series 2018B (the "Series 2018B Bonds") were received and canvassed on behalf of the County and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the County's municipal advisor has determined that the bid of Dougherty & Company LLC (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the County;

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

Section 1. The bid of the Purchaser referred to in the preamble is hereby accepted, and the Series 2018B Bonds are hereby awarded to the Purchaser, in the principal amount of \$1,520,000, at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale (the "Sale Agreement") of the Series 2018B Bonds to the Purchaser is hereby approved, and the Chairperson and County Auditor are hereby authorized to execute the Sale Agreement for and on behalf of the County.

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

Discussion: Supervisor Oleson continued discussion regarding Linn County's Aaa bond rating, Linn County's debt and fiscally responsible decisions that the Board has made. Mr. Donna validated those comments.

VOTE: All Aye.

Motion by Rogers, seconded by Houser to approve upon second consideration rezoning case JR18-0003, request to rezone property located at 9209 Feather Ridge Road, SW from RR3 (Rural Residential 3-Acre) district to USR (Urban Services Residential) district, approximately 6.96 acres, Daniel Davidson, property owner.

Linn County Lobbyists Gary Grant and Larry Murphy gave a 2018 State Legislative Briefing to the Board.

Motion by Houser, seconded by Oleson to approve Employment Change Roster (Payroll Authorizations) as follows:.

TREASURER'S OFFICE

Universal Clerk	Cathy Brown	Transfer to Planning & Development	06/03/18
Treasurer Team Lead	Debra Chase	Transfer to Sheriff's Office	06/17/18
Deputy Treasurer	Rebecca McDonald	Salary Increase	06/07/18 \$2,469.35 - \$2,659.82

PLANNING & DEVELOPMENT

Permit Specialist	Cathy Brown	Bid Award	06/04/18 56E \$23.65 Replaces A. Hendricks
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FACILITIES

Custodian	Wesley Lokeijak	Termination/resignation	05/30/18
Custodial Helper	Katrina Ashbacher	Termination/resignation	05/18/18
Custodian	Timothy Foss	Changed termination/resignation date	05/31/18

SHERIFF'S OFFICE

Cook	Brittany Stuelke	Step increase/contract	07/18/18 54C \$18.80 - 54D \$19.70
Secretary	Melissa Gorman	Bid Award	06/17/18 56E \$23.65 + \$.25 + \$.25 - 55E \$21.962 + \$.25
Food Service Coord	Michelle Haas	Step increase/contract	07/05/18 56D \$22.98 - 56E \$24.22
Account Clerk	Jesica Powell	End of Probation	07/02/18 53A \$15.72 - 53B \$16.56
Deputy Sheriff	Scott Jones	Step increase/contract	07/03/18 DB \$26.52 + \$.40 - D-1 \$27.70 + \$.40
Admin Secretary	Debbie Chase	Bid Award	06/18/18 57E \$25.58 Replaces P. Williams
Deputy Sheriff	Mike Anderson	Bid Award	05/21/18 Replaces R. Meisinger D-6 \$32.36 + \$.40 - D-6 \$32.36

COMMUNITY SERVICES

Center Aide Jessica Roach Increase in hours 05/01/18 30 hrs/week

ENGINEERING

Account Tech Beth Ludwig Bid Award 05/29/18 58E \$27.78/hour Replaces M. Lukes

Engineering Tech I Travis Broell Step increase/contract 06/22/18 17D \$22.95 – 17E \$24.65

Motion by Rogers, seconded by Houser to approve ACH in the amt. of \$\$1,385,296.75; Claims #70602565-#70602784 in the amt. of \$300,754.47; David Wilson in the amt. of \$25 (no receipt); ARC in the amt. of \$20,684.70; Area Ambulance in the amt. of \$246.96 and ASAC in the amt. of \$2,927.30.

PUBLIC COMMENT: Supervisor Oleson commented on the Primary Election.

Supervisor Rogers commended Supervisor Houser on his years of service and also commented on the Primary Election.

Supervisor Walker commended Supervisor Houser on his years of service and voiced his faith in the persons who will lead the Board.

Adjournment at 11:05 a.m.

Respectfully submitted,

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

Approved by:

JOHN HARRIS, Chairperson
Board of Supervisors