

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, JUNE 20, 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 Oleson and Walker.  
Absent: Supervisor Rogers (personal business). 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 Walker to approve the Consent Agenda as follows:

Approve and authorize Chair to sign a Vacancy Form request for a part time day custodian for the Facilities Department

Approve and authorize Chair to sign a Vacancy Form requesting two part time evening custodians for the Facilities Department

Approve and authorize Chair to sign a Vacancy Form requesting a Secretary for the Linn County Attorney's Office

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor Receipts and Disbursements for the month of May, 2018.

Receive and place on file the Linn County Commission of Veterans Affairs monthly report for May 2018

Resolution 2018-6-87

WHEREAS, a final plat of PLAUER ADDITION (Case #JF18-0001) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, Lot A and Outlot A, has been filed for approval, a subdivision of real estate located in the NW SE of Section 5, Township 85 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 5, Township 85 North, Range 5 West of the Fifth Principal Meridian; thence S89° 03'05"W along the north line of said Southeast Quarter, 161.82 feet to the point of beginning; thence continuing S89° 03'05"W along said north line, 64.70 feet; thence S0° 31'15"E, 606.32 feet to the centerline of Boulder Cemetery Road; thence N70° 15'21"E along said centerline, 52.95 feet; thence S0° 31' 15"E, 726.84 feet to the south line of said Northwest Quarter of the Southeast Quarter; thence N88°42'46"E along said south line, 177.63 feet to the Southeast Corner of said Northwest Quarter of the Southeast Quarter; thence N0° 34'07"W, 787.03 feet; thence S89°03'05"1W along the south line of the north 32 rods of said Northwest Quarter of the Southeast Quarter, 161.82 feet to the west line of the east 10 rods of said Northwest Quarter of the Southeast Quarter; thence N0° 34'07"W along said west line, 528.01 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 DECEMBER 20, 2017 as last amended on JANUARY 4, 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 entrance per parcel is allowed. An additional access may be allowed with justification and permit.

Dedication of road rights-of-way, County Standard Specifications, Section 5. 40' (from road centerline) of right-of-way on Boulder Cemetery Road adjacent to development shall be dedicated to Linn County for road purposes.

Road agreement for conditions applicable to Final Plat cases. County Standard Specifications, Section 1. 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

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 Lot 1 and Outlot A. Contact the NRCS office for widths and building restriction requirements. Linn County Board of Supervisors - Steep slopes - The woodlands should be maintained on steep slopes with limited disturbance in these areas. LINN COUNTY EMERGENCY MANAGEMENT - No conditions to be met. LINN COUNTY 911 COORDINATOR - E-911 address sign is required to be located at driveway entrance. Street designation signs and E-911 address signs to be applied for at Linn County Secondary Roads Department, 319-892-6400.

LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION - Minor Boundary Change Plat of Survey #2208 Parcel A and associated deed restriction(s) must be completed and recorded prior to Linn County Board of Supervisor approval of final plat case JF18-0001 Plauer Addition. 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. 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.

The final plat bound documents must be approved by the Linn County Board of Supervisors on or before JANUARY 16, 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 UDC. 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 .

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 JUNE 20, 2019 to be valid.

Resolution 2018-6-88

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 #
Alberts, Mia	91907-75297-01188	2019	
Alberts, Mia	10334-01002-03107	2019	
Anderson, Carole	14292-84018-00000	2018	
Anderson, Carole	14292-84018-00000	2019	
Becker, Justin	14301-77005-00000	2019	
Brammer, Helen	14091-78021-00000	2019	
Clark, Carol	14271-52016-00000	2019	
David, Rachel	14252-01015-01021	2019	
Dochterman, Headdy	14321-07014-00000	2019	
Frazier, John	14204-04003-00000	2019	
Gogel, Tracie	14223-82032-00000	2019	
Grafton, Kathryn	14272-35015-00000	2019	
Hadenfeldt, Larry	05092-88009-00000	2019	
Howe, Virginia	10322-28007-00000	2019	
Iwanczuk, Eugene	14103-05036-00000	2019	
Kepler, Rex	14333-33016-00000	2019	
Khalid, Rosemarie	14191-51002-00000	2019	
Langham, Portia	14201-01008-00000	2019	
Larabee, Carolyn	13244-76007-00000	2019	
Lawrence, Irene	14082-26002-01001	2019	
Lawrence, Richard	14114-54002-00000	2019	
Mark, Elizabeth	11333-77018-00000	2019	
Null, Mary	13262-81002-00000	2019	
Nus, Carol	14013-53011-01003	2019	
Papke, Erin	14162-02002-00000	2019	
Patterson, Sandra	13252-53003-00000	2019	
Prenosil, Debra	91030-13102-91001	2019	
Prenosil, Debra	10334-01002-03157	2019	
Schirmer, Cathleen	14153-33001-00000	2019	
Schmidt, Beatrice	14313-27043-00000	2019	
Scriven, Roger	14094-52006-00000	2019	
Simmons, Thelma	14283-58001-00000	2019	
Seaborn, James	14193-30042-00000	2019	
Sebetka, Cleo	14292-06007-00000	2019	
Thibodeaux, Ronald	14154-04002-00000	2019	

Varvaris, Katherine            14143-83007-00000            2019  
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Wieck, Jody                    14262-30006-00000            2019

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.

Approve and authorize Chair to sign Adopt-A-Roadside application for Wickiup Hill Learning Center to adopt Feather Ridge Road from Wickiup Hill Road to Blairs Ferry Road.

Approve and authorize Chair to sign a renewal agreement between Linn County and the Juvenile Detention Medical Director effective July 1, 2018 through June 30, 2019 for an amount of \$25,000.

Award bid and authorize Chair to sign a contract and associated documents for Linn County project L-BLAIRS FERRY RD(19), PCC paving on Blairs Ferry Road, Shellsburg Road and Hollenbeck Road near the City of Palo, to Croell, Inc. in the amount of \$1,563,956.50 for the Secondary Road Department.

Approve and authorize Chair to sign a contract entitled Linn County Early Childhood Iowa FY 19 Fiscal Agent Agreement, between Linn County and Linn County Early Childhood Iowa Board effective July 1, 2018 through June 30, 2019.

Approve and authorize Chair to sign a contract entitled, FY 19 Linn County Early Childhood Iowa Board Contract for Employer of Record and Administrative Support Services, between Linn County and Linn County Early Childhood Iowa Board effective July 1, 2018 through June 30, 2019, for an amount of \$90,145.00.

Approve and authorize Chair to sign Release of Mortgage of June 12, 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 5791 Hertz Drive, Marion, Iowa.

Approve and authorize Chair to sign the Linn County Kids Wraparound Program FY19 Provider Agreements with the following: Abbe Center for Community Mental Health; The ARC of East Central Iowa; Dawn D. Worrell, LISW; Alli Center, LLC; Murray, Wilson & Rose Counseling; Mount Vernon Family Counseling; Tanager Place; Insight Therapy Group; Lisa Ferretti, LISW; Families, Inc.; and Keys to Living Counseling

Approve and authorize Chair to sign the Linn County FY19 Provider and Program Participation Amendments for Substance Abuse Commitments with the following: Associates for Behavioral Healthcare; Unity Point St. Lukes Hospital

Approve and authorize Chair to sign the professional services contract with Aspect Inc. for \$13,600 for architectural services for ADA design work on the main entrance and lobby restroom at the Linn County Correctional Center.

Approve and authorize Chair to sign 1<sup>st</sup> Amended contract number DCAT4-18-016, entitled Decat Management and Fiscal Services Contract between Linn County and the Iowa Department of Human Services effective July 1, 2018 through June 30, 2019, for an amount not to exceed \$73,950.00.

Approve and authorize Chair to sign contract number DCAT4-19-066, entitled Community Partnership for Protecting Children (CPPC), between Linn County and the Iowa Department of Human Services effective July 1, 2018 through June 30, 2019, for an amount not to exceed \$20,000.00.

Approve and sign purchase order for a used 2017 John Deere Wheel Loader to Martin Equipment in the amount of \$108,500.00 for the Secondary Road Department.

Approve Class C Beer Permit for the Troy Store, Troy Mills, noting all conditions have been met.

Approve Application for Display Fireworks Permit for Gary Peiffer to conduct a display for Troy Mills Dam Daze at the North Linn High School on July 7, 2018, noting all conditions have been met.

Approve Application for Display Fireworks Permit for Troy Merrifield to conduct a display at 7902 Beverly Rd., Fairfax, on July 4, 2018, noting all conditions have been met.

Motion by Houser, seconded by Walker to approve minutes of June 18, 2018 as printed.

Jordan Timm, Junior Achievement Dist. Mgr., gave a presentation for economic development funding consideration in the amount of \$11,503.40.

Alphonse OBannon gave a presentation by Leaders, Believers and Achievers (LBA) Foundation for economic development funding consideration in an amount yet to be determined.

A public hearing was called to order to consider an Amended Ground Lease between Linn County and Prospect Meadows, Inc. for real property to be utilized by Prospect Meadows, Inc. for the development of an outdoor baseball and softball facility. Proof of publication was presented.

Darrin Gage, Dir. of Policy & Admin., stated that the original lease was signed in 2012 and Prospect Meadows is asking for a more thorough legal description along with other issues including addressing the assignment of lease hold interest. Gage recommends no action until next week when the County Attorney can work with Prospect Meadows representatives to get the details.

Supervisor Oleson stated that the greatest public good is that taxpayers hold onto the underlying land. They want to make sure if Prospect Meadows ceases to exist or went into default. Anything they do to operate or further that idea on the field the county Board of Supervisors would need to approve and carry on.

Motion by Houser, seconded by Walker to close public hearing. Gage recommends they defer action on the next item until they come back.

Ruby Perin, Healthy Homes Dir., met with the Board to discuss a resolution setting a public hearing date for the Control of Lead-Based Paint Hazards ordinance. She presented a PowerPoint highlighting lead based paint hazards and new changes that have been made since the resolution was last updated in 1979.

Motion by Oleson, seconded by Houser to set public hearing date for July 2<sup>nd</sup>, 2018.

Motion by Oleson, seconded by Walker to authorize Chair to sign the Linn County Preservation Commission FY19 Grant Funding recommendations (as the signed agreements are received) as follows: Alburnett Community Historical Society - \$4,000; Bruce more - \$697; Central City Historical Society - \$3,000; Coggon Community Historical Society (projector) - \$100; Coggon Community Historical Society (slides) - \$334; Cornell College - \$5,000; Fairfax Cemetery Association - \$2,200; Linn County Historical Society d.b.a. The History Center - \$1,000; Marion Heritage Center & Museum - \$3,000; Mayflower Chapter, National Society Daughters of the American Revolution - \$7,469; Troy Mills Historical Society - \$2,000.

Motion by Houser, seconded by Oleson to approve Claims #70602929-#70603100 in the amt. of \$362,434.33; ACH in the amt. of \$48,513.44 & \$785,488.44 and payment to Weber Specialty Transport Company in the amt. of \$2,454.50.

PUBLIC COMMENT: Stacey Walker, Supervisor, stated that on Thursday, Friday and Saturday he will be attending the National Conference on Local Governments in Denver (Equity in Policy Making). He has not attended many conferences this year and hopes to bring back some learnings to implement in Linn County.

The Board received and placed on file the following correspondence: letter from the City of Ely regarding an annexation and a thank you letter from Willis Dady Homeless Services.

Motion by Houser, seconded by Walker to appoint Diane Daubenmier and Mike Tiernan to the Community Services Advisory Board for a term ending June 30, 2021 and reappoint Scott Lindsley to the Community Services Advisory Board for a term ending June 30, 2021.

Adjournment at 10:48 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor  
By: Rebecca Shoop, Deputy Auditor  
and Amanda Hoy, Executive Assistant

Approved by:

JOHN HARRIS, Chairperson  
Board of Supervisors