

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, JULY 10, 2019 10:00 A.M.

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

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

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

Statement of Election Costs—Alburnett Community School District.

Resolution 2019-5-105

VACATE A COUNTY ROAD

WHEREAS, a public hearing was conducted on July 8, 2019 following publication and service of notice as required by law on the proposed vacation and closure of a portion of Linn County Secondary Road, described as follows:

To vacate part of Forest Grove Road located in Section 28, Township 83 North, Range 6 West of the 5TH Principal Meridian, Linn County, Iowa, as shown on plat exhibit "A" attached hereto which by this reference made a part hereof and described as follows: All of Forest Grove Road right-of-way lying south of the southerly most E Berry Road right-of-way line located Section 28, Township 83 North, Range 6 West of the 5TH Principal Meridian.

WHEREAS, no objections have been received, either in writing or by persons present. WHEREAS, it being deemed in the best interest of Linn County to vacate said right-of-way, and

WHEREAS, this vacation is subject to easements of record at time of the public hearing including a utility easement, and

NOW THEREFORE BE IT RESOLVED by the Linn County Board of Supervisors that the subject section of road be ordered vacated and closed.

To vacate part of Forest Grove Road located in Section 28, Township 83 North, Range 6 West of the 5TH Principal Meridian, Linn County, Iowa, as shown on plat exhibit "A" attached hereto which by this reference made a part hereof and described as follows: All of Forest Grove Road right-of-way lying south of the southerly most E Berry Road right-of-way line located Section 28, Township 83 North, Range 6 West of the 5TH Principal Meridian.

Said area contains 3.13 acres more or less, subject to easements and restrictions of record or use.

Resolution 2019-5-106

SET PUBLIC HEARING FOR CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under authority of §331.361, Code of Iowa, to dispose of the interest of Linn County, Iowa, in real property, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated portions of right-of-way described as:

LEGAL DESCRIPTION

To vacate part of Forest Grove Road located in Section 28, Township 83 North, Range 6 West of the 5TH Principal Meridian, Linn County, Iowa, as shown on plat exhibit "A" attached hereto which by this reference made a part hereof and described as follows: All of Forest Grove Road right-of-way lying south of the southerly most E Berry Road right-of-way line located Section 28, Township 83 North, Range 6 West of the 5TH Principal Meridian.

Said area contains 3.13 acres more or less, subject to easements and restrictions of record or use.

and

WHEREAS, Forest Grove Farms Ltd, owner of real property adjacent to the above described parcel of vacated right-of-way desire to obtain whatever interest Linn County 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 a public hearing shall be held for the purpose of determining whether Linn County, Iowa, will convey to Forest Grove Farms Ltd, whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way.

BE IT FURTHER RESOLVED that said hearing shall be held on the 22nd day of July, 2019, at 10 o'clock, in the formal Board Room on the lower level of the Jean Oxley Linn County Public Service Center, 935 2nd St SW, Cedar Rapids, Iowa, for the above stated purpose and that notice of the time and place of said public hearing shall be published in accordance with §331.305, Code of Iowa.

Resolution 2019-5-107

A Resolution approving a Residential Parcel Split to be named S & S West Farms First Addition.

The following description is a summary of Resolution No. 2019-5-107 as passed and approved by Linn County Board of Supervisors, effective July 10th, 2019.

S & S West Farms First Addition (Case # JPS19-0009) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A, a subdivision of real estate located in the NESE of Section 20, Township 82 North, Range 05 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing at the E 1/4 Corner of said Section 20; thence S88°54'37"W along the north line of said N 1/2 SE 1/4, 236.18 feet to Point of

Beginning No. 1; thence S25°06'45"W, 409.12 feet; thence S64°41'34"W, 303.94 feet; thence N75°16'05"W, 280.05 feet to a point on the SE-ly right of way line of State Highway No. 1; thence N45°18'35"E along said right of way line, 837.21 feet; thence S44°55'55"E, 191.58 feet; thence S25°06'45"W, 26.51 feet to Point of Beginning No. 1 AND Commencing at the E ¼ Corner of said Section 20; thence S88°54'37"W along the north line of said N ½ SE 1/4, 701.29 feet to the west right of way line of State Highway No 1 and Point of Beginning No. 2; thence S45° 18'35"W along said west right of way line, 912.64 feet; thence N40°36'03"W, 815.49 feet said north line, thence N88°53'57"E along said north line, 1179.74 feet to Point of Beginning No. 2, all containing 13.34 acres. The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at www.linncounty.org

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Authorize Fiscal Year 2020 payment to Lower Cedar Watershed Management Authority for start-up funding in the amount of \$1,000.00.

Approve contract between Linn County Planning & Development and A Touch of Class Banquet and Convention Center for Dows Farm Agri-Community Open House, to be held on August 1, 2019, at a cost of \$100 per hour.

Approve quote for \$12,946.05 from Esco Group, and authorize Chair to sign Purchase Order #5559 in that amount to Esco, to provide and install fiber and communication cable for employee parking lot security cameras for the Linn County Public Service Center.

Approve and authorize Chair to sign FY20 Provider and Program Participation Amendment for Substance Abuse Commitments with Mercy Medical Center, Cedar Rapids, Iowa. Approve and authorize Chair to sign Linn County Kids Wraparound Program FY20 Provider Agreements with the following: Lisa Hawk MSW, LISW, RPT; Mount Vernon Family Counseling; Mercy Medical Center (Cedar Rapids, Iowa); and PRK Williams, Inc. d/b/a To the Rescue.

Authorize Stacey Walker to electronically sign Amendment 1 of Contract #5880HC08 between the Iowa Department of Public Health and Linn County Community Services/Ryan White Program authorizing an additional \$10,698.00 in funding for contract year April 1, 2019 - March 31, 2020, increasing the contract total to \$375,989.00.

Approve and sign "Adopt-A-Roadside" application for Metro High School to adopt Otis Road SE from Indian Creek to the Cedar Rapids city limits.

Authorize Chair to sign one-year renewal contract (7/1/2019 - 6/30/2020) for phone hardware and software maintenance from Marco, at a cost of \$6,517.73 per month (\$78,212.76 annually).

Authorize Chair to sign one-year renewal contract (7/15/2019 - 7/14/2020) for UPS and CRAC unit annual maintenance from Vertiv Corporation (equipment location is the CSB computer room), at an annual cost of \$22,507.00).

Motion by Rogers, seconded by Oleson to approve minutes of July 9, 2019 as printed.

County Attorney Jerry Vander Sanden continued discussion from July 1st regarding his request for a Criminal Prosecutor III for the Linn County Attorney's Office. Vander Sanden highlighted the need due to significant developments in their office since the last budget cycle including rising felony caseloads and 11 active murder cases.

Monica Slaughter, Asst. Co. Atty., informed the Board of circumstances in their office that validate the need for another attorney.

Supervisor Rogers stated that this is outside of the norm noting that Linn County has more staff members than other large County Attorney Offices. He added that Vander Sanden's previous budget priorities did not include this new position and it was not brought to the Board's attention until the first day of the new budget cycle. New positions need to be done in consideration with all of the other priorities that have to be funded, therefore Rogers is not supportive of this new position.

Chairperson Walker stated that it is rare to see Vander Sanden at his Elected Official updates noting that is the time to share information such as this request. He also asked if one attorney would be a fix or if additional staff would be needed.

Discussion continued regarding upcoming Elected Official updates, budget priorities, and staff caseload levels

Supervisor Oleson stated that he cannot support this new position.

Nick Maybanks, Asst. County Attorney, read a statement highlighting the need for an additional attorney.

Motion by Walker, seconded by Oleson to approve request for a Criminal Prosecutor III for the Linn County Attorney's Office.

Discussion: Dawn Jindrich, Finance Dir., stated that even though budgets are submitted in December, the important decisions are not made until February. She requested that
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departments not walk away from their budget after the initial submittal and to let her know of any changes.

VOTE: Walker - Aye Rogers - Nay Oleson - Nay

Motion by Rogers, seconded by Oleson to authorize chair to sign a professional services Agreement between Linn County and Design Dynamics, Inc. in the amt. of 8.5% of the constructions costs for converting the existing Linn County Public Health Building into the Mental Health Access Center

Motion by Rogers, seconded by Oleson to approve Claims #70609498-#70609556 in the amt. of \$134,193.14 and ACH in the amt. of \$2,864,567.84.

Motion by Rogers, seconded by Walker to retroactively approve payment to Supervisor Oleson in the amt. of \$150.00.

VOTE: Rogers - Aye Walker - Aye Oleson - Abstain

Motion by Rogers, seconded by Oleson to enter into closed session pursuant to Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of real estate.

VOTE: Rogers - Aye Walker - Aye Oleson - Aye

Motion by Rogers, seconded by Walker to go out of closed session.

VOTE: Rogers - Aye Walker - Aye Oleson - Aye

Adjournment at 10:59 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Amanda Hoy, Executive Assistant

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors