

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, JULY 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.

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

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

Receive and place on file Auditor's Quarterly Report for the quarter ending 6/30/18 in the amount of \$20,143.89. Total Auditor transfer fees deposited by Recorder with the County Treasurer in the amount of \$14,315.00.

Resolution 2018-7-95

WHEREAS, a final plat of JOHNSON ESTATES SECOND (Case #JF18-0005) to Linn County, Iowa, containing two (2) lots, numbered Lots 1 and 2, has been filed for approval, a subdivision of real estate located in the NE NE of Section 27, Township 84 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

JOHNSON ESTATES SECOND ADDITION TO LINN COUNTY, IOWA, is Lot 1 of Johnson Estates First Addition to Linn County, Iowa

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 APRIL 18, 2018 as last amended on MAY 3, 2018 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). 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. 60' (min.) of right-of-way on Blairs Ferry Road adjacent to development shall be dedicated to the public 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. Submit a copy of a shared well agreement/easement that is recorded with both properties. 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 final plat. Contact the NRCS office for widths and building restriction requirements. Land disturbance greater than 1 acre in size, not associated with agricultural crop production, will require a NPDES permit granted by the Iowa Department of Natural Resources. LINN COUNTY CONSERVATION DEPARTMENT. Prohibit filling or building in the Cedar River floodplain. All building, clearing and construction activity should be restricted in the floodplain. 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. 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 Cedar Rapids and the City of Palo, and as per the 28E Agreement between each City and the County, will require approval or a waiver of the right to review from both Cities. 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 MAY 21, 2019 as per Article IV, Section 107-72, § (1)(g), and shall be recorded within 1 year of that approval, as per Article IV, Section 107-72, § (2)(f) 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 JULY 25, 2019 to be valid.

Resolution 2018-7-96

WHEREAS, Anita Haughenbury, Event Coordinator for the Coggon Harvest Home event, has requested permission to use Buffalo Creek Park for the purpose of conducting the "Buffalo Stampede 5K Trail Run" on Saturday, August 10, 2018, WHEREAS, the Linn County Engineer's Department, Linn County Sheriff's Office, Linn County Conservation 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:

The personnel sponsoring the event will advise the participants to obey all traffic regulations as required by the Linn County Sheriff's Office and the Linn County Engineer. The personnel sponsoring the event will oversee the proper conduct of the event. That the applicant will have each participant sign a participant's release which has Linn County named on the release. 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.

Approve and authorize Chair to sign a Memorandum of Understanding between Linn County and the Family Connections Partner Organization to contribute to relevant early childhood services at the Cedar Rapids Public Library effective until June 30, 2019.

Approve and authorize Chair to sign a 28E Agreement between Linn County and the Cedar Rapids Community School District Regarding Statewide Voluntary Preschool Program for Four-Year Old Children effective August 1, 2018 through June 30, 2019 in the amount of \$85,818.15.

Authorize Chair to sign purchase order #5480 for \$7,733.00 to Welter's for chairs for the Correctional Center.

Chairperson Harris read the following Proclamation: 28th Anniversary Celebration of the Americans with Disabilities Act (ADA).

Motion by Houser, seconded by Rogers to approve upon second consideration proposed amendments to Chapter 105 of the Code of Ordinances, Linn County, Iowa pertaining to plumbing

Ronald Moore, 2400 Indian Hill Rd., respectfully submitted a petition signed by 54 residents (representing 31 households) requesting a lower speed limit on Indian Hill Road. Also present: Brad Ketels, Interim County Engineer; Mike Allen, Doug Knuston, Dick & Pauline Landenberger.

The petition is requesting reducing the speed from 35 mph to 25 mph. They also request placing 20 mph signs near the sharpest curves. Mr. Moore proceeded to explain reasons for the speed reduction and noted that they would be agreeable to 30 mph but were told by the previous County Engineer that 30 mph is not allowed.

The Board continued with a series of questions for Mr. Ketels including questioning if a speed study had been completed and what determined the increments of speed allowed.

Ketels stated that he wants to do a thorough speed study and will have it prepared by the end of next week. The 10 mph increments was a preference of Steve Gannon.

Steve Estensen, Risk Manager, presented a service agreement with Sedgwick Claims Management Services to provide third party administration of Linn County's workers' compensation claims. He stated that Millhiser Smith/Accel Group provided the research and recommendation.

Supervisor Rogers disclosed that his wife is the Director of Claims Advocacy at Accel and will recuse himself from the vote.

Motion by Houser, seconded by Oleson to authorize Steve Estensen to sign a service agreement with Sedgwick Claims Management Services to provide third party administration of Linn County's workers' compensation claims.

VOTE: Harris, Oleson, Houser, Walker - Aye Rogers - Abstain

Public Comment:

Ben Rogers, speaking as a County Supervisor, stated that he will be participating in the "point in time" count this evening which identifies the homeless.

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Supervisor Walker took the opportunity to talk about an event he attended named Freedom's School.

Motion by Rogers, seconded by Houser to approve Claims #70603656-#70603744 in the amt. of \$83,069.53; ACH in the amt. of \$910,338.18 and payment to Reynolds Urban Design in the amount of \$6,107.42 (including \$2,237.33).

Motion by Rogers, seconded by Houser to approve payment to Foundation 2 in the amt. of \$6,344.40.

VOTE: Rogers, Oleson, Houser, Walker - Aye Harris - Abstain

Supervisor Oleson stated that he will be on vacation next week and requested that the Board take no action on the Morgan Creek Park assessment.

Motion by Harris, seconded by Rogers to appoint Brett Brecke to the Mechanical Board of Appeals for a term ending 12/31/19.

Adjournment 10:36 a.m.

Respectfully submitted,

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

Approved by:

JOHN HARRIS, Chairperson
Board of Supervisors