

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, AUGUST 8, 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 Rogers to approve Consent Agenda as follows:

Resolution 2018-8-102

ROAD NAME CHANGE

WHEREAS, the Board of Supervisors has received a request to change the name of a private lane in sections 13-83-7 and 18-83-6 from Paladin Drive to Witwer Lane SE. WHEREAS, the proposed street name has been reviewed and does not conflict with existing street names in unincorporated areas of Linn County, Iowa. NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors, Linn County, Iowa, this date having met in lawful session, that the private lane Paladin Drive be changed to Witwer Lane SE, Linn County, Iowa. The Board of Supervisors direct the Linn County Engineer to change the base map and notify all county offices, post offices and providers of emergency services of this change.

Resolution 2018-8-103

PETITION for SUSPENSION of 2019 PROPERTY TAXES

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 #
James, Maralene	14034-54003-00000		2019
Mosher, Breanna	14164-03027-00000		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.

Resolution 2018-8-104

RESOLUTION FOR INTERFUND TRANSFER

WHEREAS, it is desired to transfer monies from the Conservation Reserve fund to the Conservation Legacy Bonds fund and,

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa, NOW, therefore be it resolved by the Board of Supervisors fo Linn County, iowa, as follows:

Section 1. The sum of \$5,498,000 is ordered to be transferred from the Conservation Reserve fund to the Conservation Legacy Bonds fund.

Section 2. The Auditor has been directed to correct his books accordingly and to notify the Treasurer of this operating transfer, accompanying the notification with a copy of this resolution and the record of its adoption.

The above and foregoing resolution as adopted by the board of Supervisors of Linn County, Iowa, on August 8, 2018, the vote thereon being as follows: Aye: 5 Nay: 0 Abstain: 0 Absent: 0.

Resolution 2018-8-105

SETTING PUBLIC HEARING FOR CONVEYANCES OF REAL PROPERTY

WHEREAS, Linn County, Iowa, is titleholder to real property, recently acquired from the City of Hiawatha, legally described as:

665 Boyson Road, lot 16 of Auditor's Plat No. 372

675 Boyson Road, lot 17 of Auditor's Plat No. 372

675 Boyson Road, lot 18 of Auditor's Plat No. 372, excepting Parcel A, Plat of Survey No. 1952, Linn County, Iowa

710 Kainz Drive, lot 23 of Auditor's Plat No. 372

and

WHEREAS, Next Level 22 Properties, LLC, owns real property legally described as:

South 42 rods SE ¼ NE ¼ Section 32-84-7, lying E-ly of Highway 150, Linn County, Iowa and that Part of the South ½ SW ¼ NW ¼ Section 33-84-7, lying W-ly right of way of the

Illinois Central Railroad Company except P.B.I. First Addition to the City of

Hiawatha, Linn County, Iowa and except that part described as follows: Commencing at

the West corner, of said Section 33 and proceeding 491.85 feet along the E-ly right-

of-way line of the W.C.F. & N.R.R. being a 2504.6 foot radius curve concave-E-ly with

a long chord of 491.06 feet and bearing North 6°30'27" East; thence North 12°08' East,

53.14 feet; thence South 59°33'27" East, 268.43 feet; thence South 40°19'28" West, 69.0

feet; thence 429.49 feet along the W-ly right-of-way line of the I.C, Gulf R.R. being

on a 1369.3 foot radius curve concave E-ly with a long chord of 427.73 feet and

bearing South 34°42'02" West, thence North 87°37'48" West, 10.1 feet to the point of

beginning and further except the right-of-way of the W.C.F. & N.R.R. Co. and further

excepting Manley's First Addition to the City of Hiawatha, Linn County, Iowa and further excepting the Public Highway.

WHEREAS, the City of Hiawatha, Iowa, and Next Level 22 Properties, LLC, wish to exchange the above-described properties with each other; and

WHEREAS, Linn County, Iowa, wishes to assist in the exchange of the above-described properties with each other; and

WHEREAS, upon completion of the conveyances from the City of Hiawatha, Iowa, and Next Level 22 Properties, LLC, Linn County, Iowa, will convey the real property previously held by the City of Hiawatha, Iowa, to Next Level 22 Properties, LLC, and the real property previously held by Next Level 22 Properties, LLC to the City of Hiawatha, Iowa; and

WHEREAS, the Board of Supervisors finds that a public hearing should be set upon these proposed conveyances and that notice thereof should be published as required by law.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Board of Supervisors, Linn County, Iowa, this date met in lawful session, that the public hearing on the proposal to convey the above-described real property as set forth above shall be held on the 20th day of August, 2018, at 9 o'clock a.m., in the Informal 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 2018-8-106

APPROVE REQUEST FOR USE OF USHER'S FERRY ROAD

WHEREAS, Julie Johnston, race director of the 2018 St. Jude's Sweet Corn Fest Kernel's Road Race, sponsored by St. Jude's Parish, has requested permission to hold a Walk/Run on Saturday, August 11, 2018, on portions of Usher's Ferry Road,

WHEREAS, the Linn County Engineer's Department, Linn County Sheriff's Department and the Linn County 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 Fun Run will advise the participants to obey all traffic regulations as required by the Linn County Sheriff's Office and the Linn County Engineer.

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 have a liability insurance policy in limits satisfactory to the Board of Supervisors.

The personnel sponsoring the Fun Run will oversee the proper conduct of the event.

Approve Application for Fireworks Permit for J & M Displays/West Linn Community Group to conduct a display on August 18, 2018 at 812 Iowa Ave., Palo.

Motion by Houser, seconded by Rogers to approve minutes of Aug. 1 & 6, 2018 as printed.

Supervisor Rogers continued the Board's discussion from Monday regarding funding the Area Substance Abuse Council's (ASAC) application to the Mental Health and Disability Service Fund Balance grant. He proposes \$350,000 from the general fund that was originally set aside if legislators did not honor the rollback.

Motion by Rogers, seconded by Walker to approve \$350,000 to be paid to ASAC from the General Fund in lieu of funding their application with Mental Health and Disability Service Fund Balance.

Discussion: Supervisor Houser stated that he has been reluctant because it was to come from the General Fund but he is okay with it now in order to bridge the gap until the Access Center is opened.

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

Sherry Timmins, Policy & Admin. Specialist, presented the Economic Development Grant request votes from each supervisor and provided a list of those that received three or more votes (\$24,667 more than available).

Chairperson Harris stated that the need has grown over time from an economy and community standpoint and he proposes to add \$60,000 to the fund for a total of \$200,000. The extra \$60,000 would come from the General Fund (same place as where ASAC's funds are coming from).

A lengthy discussion continued regarding the fact the fund evolved from \$250,000 to \$140,000 and possible changes going forward next year.

Supervisor Oleson presented his proposal to make cuts to reach the \$140,000.

Motion by Rogers, seconded by Houser to approve the following Economic Development Fund Grant applications: Alburnett Comm. Diamond Club - \$15,000; Amer. Legion Post 679 - \$9,000; City of Marion & Marion Indep. School Dist. - \$10,000; City of Walker - \$20,000; Linn County Continuum of Care - \$17,000; Entrepreneurial Development Center -

