

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
MONDAY, SEPTEMBER 17, 2018 9:00 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.

Motion by Rogers, seconded by Houser to approve minutes of September 11 & 12, 2018 as printed.

Motion by Rogers, seconded by Walker to open a public hearing on a proposal to name a private lane within Western as Marks Way. There were no oral or written objections.

Brad Ketels, Interim County Engineer, stated that the lane does not have a name currently.

Motion by Houser, seconded by Rogers to close public hearing.

Motion by Rogers, seconded by Oleson to open a public hearing to determine whether Linn County will convey to Hoke Farms, Inc., whatever interest Linn County may have in vacated right-of-way along former Leigh Road. Proof of publication was presented. There were no oral or written objections.

Ketels stated that this stretch of road was vacated and recorded in August and the adjacent property owners have requested quit claim deed.

Motion by Houser, seconded by Oleson to close public hearing.

Motion by Rogers, seconded by Houser to open a public hearing on Case JCAFO18-0001, Construction Permit Application for the expansion of an existing Confinement Feeding Operation; Patricia A. Webster Living Trust, applicant, located at 5558 Alice Road. Proof of publication was presented.

Stephanie Lientz, Planning & Development, stated that an application was received for a construction permit for the expansion of an animal confinement building. There are two existing confinement buildings built in 1995 and 1998 with 2,400 head. This expansion will double the amount of swine and is subject to the Master Matrix. They have evaluated the Master Matrix scoring and after conferring with the DNR (after their sight visit September 5) she did take away some points for the well separation. There are no other deficiencies and they still had well above the required number of points to pass (needed 440 and got 520). The site is approximately 5.5 miles from Center Point, 1.5 miles from Troy Mills and 3.5 miles from Walker. Letters were sent to surrounding landowners and they have received no calls, emails or letters.

Chairperson Harris asked if there has been any updates to the existing buildings and Patricia Webster stated that they just put \$300,000 into the old facility site.

Supervisor Rogers stated that it is very few and far between when they get a CAFO and one that clearly meets the minimum requirements. He asked for clarification in what size this CAFO would be considered and how would it affect the neighbors.

Lientz stated that in order to require the Master Matrix, they must have 1,667.5 animal units or more. The Webster's will be at 1,920.

Becky Sexton, Twin Lakes Environmental Services, addressed the question of this building doubling noting that it will be considered a medium size CAFO. There are trees around the site that act as a barrier and odor should not be an issue. They are deep pitted barns.

Dave Morgan, 3574 Campfire Rd., Walker, stated that his house is located on the west side of Webster's adjoining field. His concern is odor control and the management of spreading of the manure. There was an issue years ago when a contractor that Webster's hired, sprayed during a strong south wind and covered his house, cars and pole buildings. He understands that it is knifed in now. He is also concerned about the consistency of the soil and asked with this volume, is it going to be a slushy muddy mess in the field or is the soil capable of handling it, noting the doubling of the manure. The odor is better now than years past. He asked about a border to the property line for odor. The last time when he tried to figure out where he goes for answers, he ended up going through several agencies and referred to one after another where he finally found somebody where he could register a complaint. His question to the Board is who enforces or if there are additional questions as the facility goes along and starts being stocked with hogs, who does he call.

Becky Sexton stated that Mr. Morgan has good questions and when he has concerns he can contact her or the Webster's. They inject the manure when the ground is solid. The phosphorous has proven to not build up when soil samples are taken every four years. They cannot apply manure when the soil is wet. They have to be cautious of their ground. Farmers will always be cautious of that and will be going in the field when dry because of compaction issues. They will be cautious of that and always looking at and taking care of these issues.

If Mr. Morgan is having issues she wants him to call them. She continued to say that they always need a certified manure applicator (with the state) applying the manure.

Chairperson Harris asked if they are going to be applying the manure from the additional hogs on the same ground as the original 2,400 head and Sexton confirmed that they are.

Supervisor Walker stated that he appreciates Ms. Sexton's expertise and comments. However, it is his understanding that she is a paid consultant and he would appreciate Ms. Lientz running through the process so that citizens can inquire if they want to ask questions or register a complaint.

Lientz stated that she does not know the DNR process and they are the appropriate agency to handle complaints (start with the Manchester field office). They permit the operation and they are responsible for regulating it. She continued to explain that the Board adopts a Master Matrix resolution annually so that they can review CAFO applications. The Board is then required when they receive an application to either give a recommendation and/or hold a public hearing. They must make a recommendation to approve or deny the permit. All of the authority rests with the DNR and it is their decision ultimately to approve or deny. If the public does not like the Board's recommendation they can talk to the DNR and then the Environmental Commission.

Motion by Houser, seconded by Rogers to close public hearing.

Supervisor Oleson commended the Webster's on their very good reputation. The pork industry has changed over the last 30 years. They used to spray manure over the ground in the winter and that is not how it is done today. This is an engineered building with a pit that goes through a rigorous evaluation on the manure management plan. The Webster's have taken the steps along with other responsible pork producers (Jason Russell, Shulista's and Matt Ditch). They communicate with their neighbors to be proactive. He is also glad to see the trees. The Webster's are doing all the right things and he will be supportive of a positive recommendation.

Brock Grenis, ECICOG, gave a presentation regarding the 380 Express Cedar Rapids/Iowa City bus route. He stated that an Iowa Commuter Transportation Study came up with a recommendation for an express bus service and ECICOG was chosen to carry out this task. Windstar lines was selected to provide the buses, drivers and the day to day oversight (Mon-Fri). They want to be ready to go October 1 and are now working on marketing.

Motion by Houser, seconded by Rogers to approve Class C Liquor License for BK's Bar LLC, 803 Vernon Valley Dr., Cedar Rapids, retroactive to September 13, 2018, noting all conditions have been met.

Motion by Rogers, seconded by Houser to approve Class C Liquor License for the Lighthouse Inn, 6811 Mt. Vernon Rd. SE, Cedar Rapids, retroactive to September 13, 2018, noting all conditions have been met.

Don Tyne, Veteran Affairs Dir., presented a Vacancy Form requesting a Veteran's Affairs Department Intake Technician and increasing the hours from 39 to 40 hours per week. The Board will approve on Wednesday.

Dawn Schott, Dir. of Juvenile Detention & Diversion Serv., presented the First Amendment to the Gender Specific Program Contract between Juvenile Court Services for the 6th Judicial District of Iowa. This will run from October to September. The Board will approve on Wednesday.

Joi Alexander, Communications Dir., discussed Usability Testing for the Linn County website redesign. Once the redesign is in production, they will invite users to come in (primarily public) and give them tasks to do. This will cost \$6,000, which will be paid from the consultant line item of the Board's budget. The Board will discuss/decide on Wednesday.

Darrin Gage, Dir. of Policy & Admin., discussed a new Farm Lease Agreement between Linn County, Carson Farms, LLC, and Picket Fence Family Farms, LLC for real estate commonly referred to as the Dows Farm. This will essentially renew the lease with current names. The Board will approve on Wednesday.

Gage also presented a Resolution establishing regulations for Linn County Parking facilities provided for the Jean Oxley Linn County Public Service Center. This is updating the correct references but also addresses some unapproved temporary sales in the parking lot. This will allow for enforcement and the need for a temporary sales permit through the city of Cedar Rapids. The Board will approve on Wednesday.

The Board canvassed results of the Linn-Mar Community School District Bond Issue held September 11th. Results are on file at the Linn County Auditor's Office.

Motion by Rogers, seconded by Houser to approve Employment Change Roster (payroll authorizations) as follows:

AUDITOR'S OFFICE

Property Description Tech Tamera Stewart New employee – FT 09/17/18 56A \$19.65/hour Replaces Ludwig

COUNTY ATTORNEY'S OFFICE

Victim Witness Coord Corinna Araujo Recall to Social Worker 09/13/18

FACILITIES

Assistant Facilities Mgr Osumana Cassell Termination/retirement 08/31/18

SHERIFF'S OFFICE

Sergeant Steve Lowe Termination/retirement 12/28/18

Deputy Sheriff Kristin Hinz Termination/resignation 09/15/18

COMMUNITY SERVICES

Assistant Teacher LuAnn Berry Step increase/contract 08/31/18 53C \$17.36 – 53D \$18.36

Motion by Rogers, seconded by Houser to approve Claims #70604632 in the amt. of \$40.00.

The Board recessed at 9:50 a.m. and reconvened at 10:00 a.m.

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

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

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

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

Adjournment at 10:09 a.m.

Respectfully submitted,

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

Approved by:

JOHN HARRIS, Chairperson
Board of Supervisors