

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, FEBRUARY 12, 2020 10:00 A.M.

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

Chairperson Rogers called the meeting to order and led the pledge of allegiance.

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

Authorize Chair to sign, retroactive to February 10, 2020, letters to the Iowa Senate  
and the Iowa House of Representatives supporting syringe access programs.

Authorize Chair to sign, retroactive to February 10, 2020, letters to the Iowa Senate  
and the Iowa House of Representatives supporting voter rights restoration.

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor  
Receipts and Disbursements for the Month of January 2020.

Resolution 2020-2-18

CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under §331.361,  
Code of Iowa, to dispose of the interest of Linn County, in real property, and,  
WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated the portions of  
right-of-way described as:

LEGAL DESCRIPTION

A portion of Town of Paris, Block 4, located in the SE 1/4 SE 1/4, Sec. 19, T. 86N.,  
R. 06W., of the 5<sup>th</sup> P.M., Linn County, Iowa, described as follows:

The east half of the alley lying adjacent to the west line of Lots 1 and 2 of said  
Block 4 from the center of said Block 4, south to the north line of vacated Walnut  
Street and the south half of the alley lying adjacent to the north line of said Lots 1  
and 2 from the center of said Block 4, east to the west ROW line of Sutton Road.  
Said deed area contains 2,246 sf or 0.05 acres, subject to easements and restrictions  
of record. and,

WHEREAS, Edwin W. Dudley, owner of real property adjacent to the above described  
parcel of vacated right-of-way desire to obtain whatever interest Linn County, Iowa  
may have in the above described parcel of vacated right-of-way, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has pursuant to §331.361, Code  
of Iowa, conducted a public hearing upon the proposal to convey by quit claim deed  
whatever interest Linn County, Iowa, 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 whatever interest Linn County,  
Iowa, may have in the above described parcel of vacated right-of-way shall be conveyed  
to Edwin W. Dudley, owner of real property adjacent to the above described vacated  
right-of-way, by quit claim deed.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors, Linn County,  
Iowa, hereby authorize to execute said quit claim deed conveying whatever interest  
Linn County, Iowa, may have in the above described parcel of vacated right-of-way to  
Edwin W. Dudley.

Resolution 2020-2-19

APPROVE QUIT CLAIM DEED

WHEREAS, there is presented to the Board of Supervisors, Linn County, Iowa, for its  
approval, a quit claim deed executed and acknowledged by Ben Rogers, Chairperson of  
the Board of Supervisors, Linn County, Iowa, and Joel Miller by Rebecca Shoop, Deputy  
County Auditor of Linn County, Iowa, conveying the interests of Linn County, Iowa, to  
Edwin W. Dudley, and

WHEREAS, said deed conveys the following real estate described as follows:

LEGAL DESCRIPTION

A portion of Town of Paris, Block 4, located in the SE 1/4 SE 1/4, Sec. 19, T. 86N.,  
R. 06W., of the 5<sup>th</sup> P.M., Linn County, Iowa, described as follows:

The east half of the alley lying adjacent to the west line of Lots 1 and 2 of said  
Block 4 from the center of said Block 4, south to the north line of vacated Walnut  
Street and the south half of the alley lying adjacent to the north line of said Lots 1  
and 2 from the center of said Block 4, east to the west ROW line of Sutton Road.  
Said deed area contains 2,246 sf or 0.05 acres, subject to easements and restrictions  
of record. and

WHEREAS, said deed was executed by Ben Rogers Chairperson of the Board of Supervisors,  
Linn County, Iowa, and Joel Miller by Rebecca Shoop, Deputy County Auditor of Linn  
County, Iowa, pursuant to resolution 2020-2-19 adopted by the Board of Supervisors,  
Linn County, Iowa, on the 12<sup>th</sup> day of February, 2020.

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 above described quit claim  
deed, dated the 12<sup>th</sup> day of February, 2020 conveying whatever interest Linn County,  
Iowa, may have, to Edwin W. Dudley, be and the same is hereby approved.

Resolution 2020-2-20

The following description is a summary of Resolution No. 2020-2-20 as passed and approved by Linn County Board of Supervisors, effective February 12, 2020.

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Commencing at the West Quarter Corner of Section 13, Township 85 North, Range 8 West of the Fifth Principal Meridian; thence S0°44'55"E along the west line of the Southwest Quarter of said Section 13, a distance of 1071.29 feet to the point of beginning; thence continuing S0°44'55"E along said west line, 330.00 feet; thence N89°15'05"E, 440.00 feet; thence N0°44'55"W, 330.00 feet; thence S89°15'05"W, 440.00 feet to the point of beginning. 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](http://www.linncounty.org).

Approving and authorize Chair to sign a Quit Claim Deed to Edwin W. Dudley of Linn County, Iowa's interest of vacated right-of-way along former alleys adjacent to Lots 1 & 2 of Block 4 in Paris.

Approve and authorize Chair to sign Amendment Number 1 to the professional services Agreement between Linn County and Design Dynamics, Inc. for the Fillmore Building Reroofing project, increasing the original stipulated compensation sum of \$33,500 by \$5,500

Approve and authorize Chair to sign "Adopt-A-Roadside" for Neighbors Who Care to adopt Stone Rd from Hwy 151 to Marion Airport Rd and Marion Airport Rd from Stone Rd to Hindman Rd.

Motion by Rogers, seconded by Oleson to approve minutes of February 5, 10 & 11, 2020 as printed.

Charlie Nichols, Planning & Development, summarized the Ordinance Amendment, Chapter 107, Unified Development Code to allow lawn care and landscaping businesses in ag. Zoning districts. A Conditional Use Permit would still be required. He stated that there have been no additional comments.

Motion by Oleson, seconded by Rogers to approve upon third and final consideration Ordinance #1-2-2020, an ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 107, Unified Development Code to allow lawn care and landscaping businesses in ag. Zoning districts.

Discussion: Supervisor Oleson stated that he has voiced his concerns and they have done what they can on the matter.

VOTE: All Aye

Stephanie Lientz, Planning & Development, presented the Floodplain ordinance amendment, noting that there have been no further comments.

Motion by Rogers, seconded by Oleson to approve upon third and final consideration of Ordinance #2-2-2020, a Floodplain ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 107, Unified Development Code.

Stephanie Lientz also presented a Resolution approving a residential parcel split for Big Creek Farms First Addition. She stated that this Resolution was delayed last week and she has made modifications to the resolution to waive a condition that is outstanding in order to approve the Final Plat (all vehicles, equipment, and materials related to an unapproved business activity shall be removed by August 21, 2020 or formal enforcement process shall be initiated).

Supervisor Oleson stated that he asked that last week's action on the matter be delayed to allow him time to look at the property noting that the neighbors were not opposed to the parcel split but had some concerns about when some of the equipment would be moved. He witnessed that 90% of the concerns were addressed. Supervisor Oleson asked Mr. Kelly if he would be able to meet the August 31, 2020 deadline.

Chad Kelly, 1524 Big Creek, stated that a building on a property that he intends to relocate the items to has been held up (Final Plat expired), but he would meet the deadline.

Lientz stated that Mr. Kelly's Final Plat expired but he could start over and has no reason to believe that the August deadline was unreasonable.

Motion by Oleson, seconded by Rogers to adopt Resolution 2020-2-21

The following description is a summary of Resolution No. as passed and approved by Linn County Board of Supervisors, effective February 12, 2020.

The following description is a summary of Resolution No. as passed and approved by Linn County Board of Supervisors, effective February 12, 2020.

Beginning at the E <sup>1</sup>/<sub>4</sub> Corner of said Section 4; thence S89° 12'47"W along the south line of said SE <sup>1</sup>/<sub>4</sub> NE frl <sup>1</sup>/<sub>4</sub>, 61.86 feet; thence N03° 55'52"W, 216.26 feet; thence N89° 09' 01"E, 218.24 feet; thence S13° 12'09"E, 55.08 feet; thence N82 °47'06"E, 241.29 feet to the west line of Lot 1, Lnenicka's 2<sup>nd</sup> Addition to said County; thence S05 °22'34'E along said west line, 190.86 feet to the south line of said SW <sup>1</sup>/<sub>4</sub> NW frl <sup>1</sup>/<sub>4</sub>;  
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thence S89° 19'54"W along said south line, 411.40 feet to the Point of Beginning, containing 2.11 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](http://www.linncounty.org)

Rob Peck, Design Dynamics, presented an Agreement between Linn County and Garling Construction, Inc. for the Mental Health Access Center project.

Motion by Rogers, seconded by Oleson to authorize Chairperson to sign Agreement between Linn County and Garling Construction, Inc. for the Mental Health Access Center project in the amount of \$1,910,000.00.

Britt Nielsen, Communications Specialist, presented a proposal from Monawar Studios to create videos for the 2020 State of the County in the amount of \$5,000 for 5 minutes. The Board will approve next week.

Sara Bearrows, Budget Dir., presented the Fiscal Year 2021 SF 634 resolution on total maximum property tax dollars and requested authorization for publication of the Max Levy Notice and set the public hearing date and time. This will reflect a 3.87% increase in the general fund, general supplemental fund and rural services.

Motion by Rogers, seconded by Oleson to authorize the publication of the maximum property tax dollars levy notice and set March 4, 2020 at 10:00 a.m. for the public hearing.

Discussion: Supervisor Oleson stated that this is not anything different from any other year, it is just additional notices. There is nothing there with regard to a voter approved bond, Mental Health Services levy or debt service. There is no taxpayer objecting to the levies.

VOTE: All Aye

Motion by Rogers, seconded by Oleson to approve Claims #70612841-#70612896 in the amt. of \$123,170.65 and ACH in the amt. of \$847,121.83.

Board Member Reports - Supervisor Oleson reported that he attended an MPO meeting this morning. There are several million dollars available and scoring heavily favors Cedar Rapids; he is also working with individual Cedar Rapids council members regarding a 28E between them, the Solid Waste Agency and Linn County for Linn County Conservation to manage Mt. Trashmore.

Supervisor Rogers met with representatives of St. Lukes regarding the Mental Health Access Center; Early Childhood Iowa and Economic Alliance meetings tomorrow; meeting with the Exec. Dir. of Economic Alliance; Decat and a joint governance meeting of different councils of economic alliance; will be a panelist at the CBJ's Mental Health Care Summit; and meeting with a representative of Area Ambulance.

The Board received and placed on file a notice from the city of Cedar Rapids regarding Stone Creek Urban Renewal Plan.

Motion by Rogers, seconded by Oleson to appoint Michael Martin to the Board of Adjustment, term ending 12/31/24.

Adjournment at 10:29 a.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson  
Board of Supervisors

