Linn County Board of Supervisors
Meeting Agenda
Wednesday, January 23, 2019
10 a.m.
Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA

Call to Order

Pledge of Allegiance

Public Comment: Five Minute Limit per Speaker
This comment period is for the public to address topics on today’s agenda.

Consent Agenda
Items listed on the consent agenda are routine and will be considered by one motion without individual discussion unless the Board removes an item for separate consideration.

Reports
Receive and place on file the Recorder’s Quarterly Report ending 12/31/18.

Resolutions
Resolution to approve Residential Parcel Split for Bowers Farm First Addition, Case JPS18-0027
Resolution to approve Final Plat for Jacob First Addition, Case JF18-0014
Resolution Approving a Request for Permission to use a Portion of Ely Road for Conducting Automobile Vehicle Testing.

Contract and Agreements
Approve and authorize Chair to sign the amended contract and Scope of Services with Reynolds Urban Design for Dows Farm Agri-Community Phase 2 Planning Services. The amendment reduces the contract amount from a not-to-exceed cost of $250,000 to a not-to-exceed cost of $225,000.
Approve and authorize Chair to sign the 2018 Linn County Cemetery Report
Approve and authorize Chair to sign the 2018 Weed Commissioner’s Report
Approve and authorize Chair to sign the 2019 County Weed Commissioner Certification form
Approve and authorize Chair to sign contracts for rock at the following shop locations:
- Alice Shop to Wendling Quarries, Inc. in the amount of $192,000.00
- Drexler Shop to Weber Stone Co. in the amount of $65,875.00
- Main Shop to Wendling Quarries, Inc. in the amount of $133,500.00
- Morgan Creek Shop to Crawford Quarry in the amount of $151,900.00
- Mount Vernon Shop to Moyna Materials in the amount of $178,375.00
• Toddvile Shop to Wendling Quarries, Inc. in the amount of $203,375.00
• Walford Shop to Wendling Quarries, Inc. in the amount of $69,550.00
• Whittier Shop to Weber Stone Co. in the amount of $68,500.00

Approve and authorize Chair to sign contracts for the following rock contracts:
• 76th Ave SW to Crawford Quarry in the amount of $74,900.00
• Tissel Hollow Rd., Maple Grove Rd., St. Patricks Rd., E. Cemetery Rd., Old Bridge Rd., Morgan Bridge Rd. SW to Crawford Quarry in the amount of $128,400.00
• Gibney Rd., Linn-Benton Rd., McVay Rd to Crawford Quarry in the amount of $83,460.00
• Midway Rd., East Otter Rd., St. Peters Rd., Arabian Rd., Old Quass Rd. to Wendling Quarries, Inc. in the amount of $179,310.00
• Tissel Hollow Rd. to Wendling Quarries, Inc. in the amount of $42,350.00
• Jansa Rd. to Moyna Materials in the amount of $15,600.00
• Pleasant Hill Rd. to Moyna Materials in the amount of $10,000.00
• McClelland Rd., Sailor Rd., Clear Creek Rd. to Moyna Materials in the amount of $73,750.00
• Hoosier Rd. to Wendling Quarries, Inc. in the amount of $24,200.00
• Irish Ln. to Moyna Materials in the amount of $53,750.00
• Berry Rd. SE, Bloomington Rd. to Wendling Quarries, Inc. in the amount of $88,740.00
• O’Connor Rd. to Moyna Materials in the amount of $33,750.00
• Creekside Rd., Paralta Rd., Gracey Rd., Linn Jones Rd. to Wendling Quarries, Inc. in the amount of $56,800.00
• Big Springs Rd., Jordans Grove Rd. to Weber Stone Co. in the amount of $131,175.00
• Alderman Rd., Springville Rd. to Weber Stone Co. in the amount of $174,060.00
• Jordans Grove Rd., Austin Rd. to Weber Stone Co. in the amount of $151,200.00
• Anderson Rd. to Weber Stone Co. in the amount of $39,150.00
• Rolling Acres Rd. to Wendling Quarries, Inc. in the amount of $63,840.00
• Troy Mills Rd. to Wendling Quarries, Inc. in the amount of $46,550.00
• N. Marion Rd. south of Burnett Station Rd to Wendling Quarries, Inc. in the amount of $78,600.00
• N. Marion Rd. north of Burnett Station Rd to Weber Stone Co. in the amount of $36,400.00
• Quality Ridge Rd. to Wendling Quarries, Inc. in the amount of $33,410.00
• Sutton Rd., Seven Hills Rd. to Wendling Quarries, Inc. in the amount of $84,870.00

Approve and authorize Chair to sign a contract between Linn County and Summerill Group, LLC in the amount of $45,000 for consulting services to negotiate a new federal per diem rate for housing U.S. Marshals Service prisoners in the Linn County Correctional Center.

Approve and authorize Chair to sign the Linn County Medical Examiner Service Agreement with Donald J Linder, D.O., Linn County Medical Examiner

License & Permits

Approve Class C Liquor License for the Columbus Club #5677, 810 Vernon Valley Dr., noting all conditions have been met.

Regular Agenda

Discuss and Decide on Consent Agenda

Minutes
Discuss and decide on meeting minutes.

Presentation by Linn County Fair Association
Presentation by Robyn Rieckhoff of the Freedom Festival.

Third & final consideration of Ordinance Amendment, rezoning case JR18-0004, request by Bernita Jacobs, owner, to rezone 12.68 acres on property located at 2706 E Robins Rd. from AG (Agricultural) district to USR (Urban Services Residential) district.

Public Comment: Five Minute Limit per Speaker
This is an opportunity for the public to address the board on any subject pertaining to board business.

Claims
Discuss and decide on claims.

Board Member Reports

Legislative Update

Correspondence

Appointments

1:30
Informal Board Room

Review of proposed Fiscal Year 2020 budgets for the Emergency Management Agency and the Auditor

Other budget discussions if necessary.

Adjournment

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncounty.org.
January 14, 2019

Recorder’s quarterly report to the Board of Supervisors

I, Joan McCalmant, Recorder/Registrar of Linn County, Iowa, hereby certify the following fees collected by the Linn County Recorder’s Office from October 1, 2018 through December 31, 2018:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Recording fees</td>
<td>$216,908.60</td>
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<tr>
<td>RVVRS</td>
<td>$4,044.50</td>
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<tr>
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<tr>
<td>UCC’s</td>
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<tr>
<td>Certified copies</td>
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<tr>
<td>Auditor’s transfer</td>
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<td>Interest</td>
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<tr>
<td>Boat titles</td>
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<tr>
<td>Recorder’s automation</td>
<td>$9,878.00</td>
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<tr>
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<td>$379,213.30</td>
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</table>

These fees were sent to the Linn County Treasurer’s Office on January 14, 2019 and are documented on Treasurer’s Receipt# 10000608674

Respectfully submitted,

Joan A. McCalmant

Linn County Recorder/Registrar
LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # ___________________

APPROVING RESIDENTIAL PARCEL SPLIT

WHEREAS, a Residential Parcel Split of Bowers Farm First Addition (Case # JPS18-0027) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A has been filed for approval, a subdivision of real estate located in the NWNW of Section 19, Township 86 North, Range 7 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the NW corner of said Section 19; thence N89° 24'32" E along the north line of said NW frl 1/4 NW frl 1/4, 996.50 feet to the NE corner of said NW frl 1/4 NW frl 1/4; thence S 01° 45'14" E along the east line of said NW frl 1/4 NW frl 1/4, 289.61 feet; thence S 89° 24'32" W, 600.79 feet; thence S 89° 46'03" W, 399.96 feet to the west line of said NW frl 1/4 NW frl 1/4; thence N 00° 55'02" W along said west line, 286.82 feet to the Point of Beginning, containing 6.63 acres which includes 1.06 acres of road right of way.

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 October 17th, 2018 as last amended on November 19, 2018 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT
1. 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.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. 40' of right-of-way on West Otter Road adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement for conditions applicable to Residential Parcel Split cases. County Standard Specifications, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION
1. Not within the Jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT
1. Existing water system must be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 10, Article V Nonpublic Water Supply Wells.
2. Existing sewage disposal system must be either be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 10, Article VI Private Sewage Disposal Systems or if property is being sold, a Time of Transfer septic inspection must be completed and the report submitted.
   If no deficiencies are noted, corrections or repairs require a permit.
   If no permit is recorded for this property, a septic contractor must:
• Show evidence of septic tank by uncovering the tank and pumping it out to determine the volume.
• Show evidence of the absorption field by uncovering the ends of the trenches or by probing five to ten areas over the trenches and verifying a dead-end. Health Department must be present to verify.

3. Existing house was reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 105, Article VI Property Maintenance Regulations. Corrections are required and must be verified.

NATURAL RESOURCES CONSERVATION SERVICE
No conditions to be met.

LINN COUNTY CONSERVATION DEPARTMENT
No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT
No conditions to be met.

LINN COUNTY 911 COORDINATOR
No conditions to be met.

LINN COUNTY PLANNING AND DEVELOPMENT – ZONING DIVISION
1. All side and rear yard setbacks must be met for all structures involved in this proposal.
2. Various revisions to the site plan and final plat.
3. Complete requirements from Minimum Housing inspection provided by the Linn County Health Department, including obtaining appropriate permits, inspections and final approval from the Building Division.
   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.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. 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.
6. One original and 3 complete copies of the final plat bound documents that must include the following:
   (i) 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
   (ii) 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
   (iii) Surveyor’s certificate
   (iv) Auditor’s certificate
   (v) Resolution of the Planning and Zoning Commission
   (vi) Resolution of the Board of Supervisors
   (vii) Resolution of approval or waiver of review by applicable municipalities
   (viii) Treasurer’s certificate
   (ix) 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 V, Section 107-91, § (h) 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

7. Final plat bound copies must be approved by the Linn County Board of Supervisors on or before NOVEMBER 19, 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 Unified Development Code.

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 by January 23, 2020 to be valid.

Passed and approved this 23rd day of January, 2019

Linn County Board of Supervisors

______________________________
Chair

______________________________
Vice Chair

______________________________
Supervisor

Aye:
Nay:
Abstain:
Absent:
Attest:

______________________________
Joel Miller, Linn County Auditor
Linn County Board of Supervisors
Resolution # ____________________
JPS18-0027
January 23, 2019
Page 4 of 4

Linn County Engineer

________________________________________________________________________
Brad Ketels, Engineer

State of Iowa  )
               ) SS
County of Linn  )

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

___ Aye ___ Nay ___ Abstein ___ Absent

________________________________________________________________________
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, ________________________________,
on this _____ day of __________________________, 2019.

________________________________________________________________________
Notary Public State of Iowa
LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # ______________________

APPROVING A FINAL PLAT

WHEREAS, a final plat of Jacob First Addition (Case #JF19-0014) to Linn County, Iowa, containing five (5) lots, numbered lot 1 and 2, lettered lot A, outlot A and outlot B, has been filed for approval, a subdivision of real estate located in the NESW of Section 26, Township 84 North, Range 7 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the center of said Section 26; thence S01°15’29"E along the east line of said NE 1/4 SW 1/4, 1027.14 feet to the centerline of E. Robins Road; thence N66°07’04"W along said centerline, 732.89 feet to the SE corner of Meadowknolls First Addition to said County; thence N01°16’54"W along the east line of said Addition, 460.36 feet; thence N00°46’33"W along the east line of said Addition, 267.00 feet to the north line of said NE 1/4 SW 1/4; thence N89°44’37"E along said north line, 661.51 feet to the Point of Beginning, containing 13.36 acres which includes 0.67 acres of road right of way.

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 September 19, 2018 as last amended on October 4, 2018 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT
1. 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). Lot 1, Lot 2, and Outlot C shall be limited to one access each. Outlot A and Outlot B shall gain access through Lot 1, Lot 2, or Outlot C.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. 40’ of right-of-way on East Robins Road adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement for conditions applicable to final plat cases. County Standard Specifications, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION
1. Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT
No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE
1. 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.

LINN COUNTY CONSERVATION DEPARTMENT
No conditions to be met.
LINN COUNTY EMERGENCY MANAGEMENT
No conditions to be met.

LINN COUNTY 911 COORDINATOR
No conditions to be met.

LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION
1. Various revisions to the site plan and final plat.
2. 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.
3. This plat lies within the 2-mile jurisdiction of the City of Marion. As per Chapter 354 of the Code of Iowa, a certified resolution by any municipality that has authority to review the plat to either approve the plat or waive its right to review must be provided.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. 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.
6. All conditions of rezoning case JR18-0004 shall be met prior to approval of final plat bound copies.
7. Rezoning case JR18-0004 will be finalized when final plat bound copies are ready to be approved by the Linn County Board of Supervisors.
8. One original and 3 complete copies of the final plat bound documents that must include the following:
   i. 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
   ii. 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
   iii. Surveyor's certificate
   iv. Auditor's certificate
   v. Resolution of the Planning and Zoning Commission
   vi. Resolution of the Board of Supervisors
   vii. Resolution of approval or waiver of review by applicable municipalities
   viii. Treasurer's certificate
   ix. 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 V, Section 107-91, § (h) of the UDC.
   x. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
   xi. Three (3) copies of the surveyor's drawing
   xii. A covenant for a secondary road assessment
9. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before \textbf{OCTOBER 15, 2019} as 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.
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 by January 23, 2020 to be valid.

Passed and approved this 23rd day of January, 2019.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

________________________________________
Joel Miller, Linn County Auditor
Linn County Board of Supervisors
Resolution #_________
JF18-0014
Page 4 of 4

Linn County Engineer

__________________________
Brad Ketels, Engineer

State of Iowa    )
    ) SS
County of Linn )

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

   ___ Aye   ___ Nay   ___ Abstain  ___ Absent

__________________________________________
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, ________________________.
on this ___ day of ________________________, 2019

__________________________________________
Notary Public State of Iowa
RESOLUTION # ______________________

APPROVING A REQUEST FOR PERMISSION TO USE A PORTION OF ELY ROAD FOR CONDUCTING AUTOMOBILE VEHICLE TESTING

WHEREAS, Cher Carney, Sr. Research Associate with the University of Iowa National Advanced Driving Simulator, has requested permission to use Ely Road between Wright Brothers Boulevard and 76th Avenue Drive SW in Linn County for the purpose of conducting autonomous vehicle testing on during February, March and April of 2019,

WHEREAS, the Linn County Engineer’s Department, Linn County Sheriff’s Office, 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:

1. The personnel conducting the research will advise the participants to obey all traffic regulations as recommended by the Linn County Sheriff’s Office and the Linn County Engineer.

2. The personnel sponsoring the research will oversee the proper conduct of the event.

3. That the applicant has provided a liability agreement to Linn County naming the University of Iowa as the responsible party to the extent permitted by Iowa Code Chapter 669, while such driving research is being conducted by the University of Iowa.

Dated at Cedar Rapids, Linn County, Iowa, this ________ day of __________________________, 2019.

LINN COUNTY BOARD OF SUPERVISORS

Chairperson

Supervisor

Supervisor

ATTEST:

JOEL MILLER, Linn County Auditor
Amendment to Contract: Between Linn County, Iowa and Reynolds Urban Design for Dows Farm Phase Two Services
January 16, 2019

Note the following amendments to the Contract signed June 27, 2018:


- Page 9: Compensation: $234,000 plus reimbursables...shall not exceed $250,000 amended to $214,300 plus reimbursables...shall not exceed $225,000.

- Scope of Work to be amended and in accordance to the attached Scope of Agreement per Dows Farm Development Project, Phase 2 - Detailed Master Planning Services updated on January 10, 2019.

- Project Schedule to be amended and in accordance to the attached Dows Farm Phase 2 – Schedule updated January 2, 2019

This amendment to the Agreement entered into as of the day and year first written above.

OWNER

________________________________________
(Signature)
Chair, Board of Supervisors

(Printed name and title) (Date)

ARCHITECT

________________________________________
(Signature)
Dennis Reynolds, Owner, Reynolds Urban Design

(Printed name and title) (Date)
Dows Farm Development Project
Phase 2 – Detailed Master Planning Services
January 10, 2019

Consulting team

- Reynolds Urban Design: PROJECT MANAGEMENT, URBAN DESIGN, SITE DESIGN, DESIGN GUIDELINES, IMPLEMENTATION
- LT Leon: SUSTAINABLE CIVIL ENGINEERING
- ISG: TRANSPORTATION PLANNING
- Strategic Economics Group: MARKET STUDY
- Jason Grimm: AGRICULTURE OPERATIONS
- Modus ENERGY MANAGEMENT

Introduction
Phase 2 Detailed Master Planning Services will provide a detailed master plan and supporting documents to further refine and implement the Phase 1 Dows Farm Concept Plan. Phase 2 services are outlined in Attachment A, Phase 2 Tasks, and discussed in further detail below, but shall generally include additional studies and data collection to guide, refine, and validate the master plan with stakeholder input to gather ideas, input, and feedback throughout Phase 2. Phase 2 services shall also identify best management practices for all land use components (agricultural, residential and commercial) for stormwater management; energy conservation through building orientation, design, and construction; and the use of alternative and renewable energy systems. The best management practices shall also address farm and conservation land ownership and management options and recommend a preferred option for each. Phase 2 services shall also include development guidance documents to be followed by developers and landowners. The documents shall provide a template for site development and building design and construction to achieve the vision articulated in the development concept and the intent of the master plan. Phase 2 services shall identify and recommend appropriate public investments/development incentives; create zoning or other entitlement regulations; and identify, as appropriate, a recommended mechanism (e.g. 28E Agreement, special area plan) for adoption by Linn County and other jurisdictions.
Specific Phase 2 Services

Additional Studies and Data Collection

- **Market Feasibility Analysis.** Perform a market and feasibility analysis to determine a final recommended allocation of residential, commercial, agricultural and conservation uses. Specifically, the analysis will examine local market demand and projections to determine a recommended mix of residential units and commercial space. The analysis shall provide data on the estimated economic value of development and estimated land values for the recommended land use components.

- **Traffic Studies.** Two traffic studies will be provided: the first will be based on the approved Phase 1 concept plan; the second will be based on the final approved Phase 2 master plan. Each traffic study shall provide an understanding of potential impacts of traffic volumes and distribution as a result of the plan (Phase 1 or Phase 2) under study. Evaluate potential traffic impacts on surrounding streets. Predict traffic splits and travel times to determine distributed ADT’s, am Peaks and pm peaks on surrounding roadway system. Provide conceptual design parameters for Mount Vernon Road curb cuts (potential signal warrant, deceleration lanes, spacing...). Determine need, if any, for Dows Road improvements based on travel speeds and anticipated traffic distribution.

- **Energy Conservation and Alternative/Renewable Energy Strategies.** Provide concepts and strategies for encouraging energy efficient buildings, and for the use of alternative and renewable energy systems.

Detailed Master Plan and Supporting Documents

- **Residential/Commercial Lots and Farm/Conservation Layout.** A plan or plans showing the preliminary parcel and internal street layouts for the development, including conservation, agriculture, commercial, and residential areas. Refine development program including product types and price points. Test limits of density and financial viability.

- **Development Guidelines (Site and Buildings).** Create a development guidance document to articulate general development standards for character and quality consistent with the site’s central Iowa agricultural heritage as well as contemporary sustainable construction
practices and home buyer expectations. Design goals include provisions for shared parking, stormwater management/green infrastructure practices and unified retail signage concepts. The guidelines may address implementation of erosion and sedimentation controls during construction; soil restoration and amendment practices during site design and construction; encouragement of green building practices such as LEED; encouragement of building design and orientation that incorporate active or passive solar heating and cooling; encouragement of the use of construction materials that have minimal environmental and health impacts over their life cycle, including recycled or recyclable materials and locally available, indigenous materials and/or products. Building design guidelines will include character, massing, material, window/doors, porches and details as well as pre-approved color schemes.

- **Street Design Standards.** In coordination with various Linn County and City of Cedar Rapids departments, create design standards for street widths and geometry with the goal of reducing pavement widths while providing natural drainage and infiltration.

- **Landscape Buffers and Development Features.** Provide design concepts for public landscape buffers, development identification gateway signage, and lighting for proposed internal streets. Concepts will focus on sustainable strategies and the management or creation of micro-climates. Concepts will illustrate potential active and passive public recreational spaces.

- **Grading.** A conceptual grading plan shall be provided to understand general cut and fill requirements, and sustainable stormwater management strategies.

- **Conceptual Planting Plan.** Provide concepts for landscaping that encourages the selection and installation of plantings that are appropriate to the site’s soils and micro-climates while reducing the need for little or no long-term use of fertilizers, pesticides, or watering. Landscape designs will account for solar heating and cooling considerations and winter windbreaks. Planting concepts will also be provided for streetscapes, “natural” open space and recreational/event open spaces.

- **Trail Layout.** A plan showing easement locations, grades, widths, trailhead, material, seating areas, and other trail features as well as specific trail layout.
• **Public Art.** Initial concepts will be recommended for implementation of a public art program integrated with the development concept and site conditions.

• **Best Practices Stormwater Management.** General goals and strategies will be outlined for managing stormwater runoff to minimize impervious surfaces, provide holding capacity for stormwater on-site, slow surface runoff, incorporate infiltration-based practices and other Low Impact Development (LID) techniques to prevent soil erosion, improve soil quality and decrease runoff volume and duration.

• **Farm/Conservation Land Management Strategies.** Examine farm and conservation land ownership and management options, and recommend a preferred option for each. Identify agricultural activities and land uses. Provide guidelines for agricultural operations compatible with adjacent residential, commercial and conservation land uses. Provide broad direction toward management of natural resources within the conservation area.

• **Waste Management.** Identify strategies to manage waste generated by farm operations, commercial establishments and residential neighborhoods. Identify corridors for sanitary sewer service.

**Development Entitlements and Implementation**

• **Zoning/Development Overlay.** Develop zoning and other regulatory language for adoption by Linn County to enable development to occur in accordance with the approved master plan. Such enabling legislation may take the form of a zoning district, overlay district, Planned Unit Development, or other regulatory tools.

• **Development Incentives/Phasing.** Identify strategic public investments or development incentives that may be considered by Linn County to encourage and facilitate development in accordance with the approved master plan. This may include incentives in the form of a sliding scale of reduced permit fees for greater adherence to the General Development Guidelines.
• **Developer Requests for Proposals.** Provide direction for the issuance of Requests for Proposals by Linn County to seek development proposals for the various development phases. RFP(s) shall provide Linn County with a strategy to identify manage possible timing, benchmarks, and components (residential, commercial) for phased development.

• **Development Agreement Template.** Provide a template for a development agreement between Linn County and developer(s) to ensure that development occurs in accordance with the approved master plan documents.

• **Two Stakeholder/Advisory Group Meetings.** Phase 2 services shall include at least two meetings with the Phase 1 Core Planning Team, and at least one public open house or other public stakeholder input session.

• **Issue Developer Request For Proposals.** Assist Linn County in issuing a Request for Proposal to multiple pre-qualified developers.

• **Developer Agreement Negotiated.** Assist Linn County in negotiating a developer agreement that will result in the implementation of the master plan.

**Timeframe for Completion.** Phase 2 services shall be completed in accordance with Attachment B, Phase 2 Project Schedule with substantial completion by July 15th, 2019.
Attachment A
Phase 2 Tasks

- Market study to confirm existing market supply and demand for residential and commercial products based on existing available local data.
- Traffic study
  - Evaluate potential traffic impacts on surrounding streets. Predict traffic splits and travel times to determine distributed ADT’s, AM and PM peaks on surrounding roadway system.
  - Provide conceptual design parameters for Mount Vernon Road curb cuts (potential signal warrant, deceleration lanes, spacing, etc.).
  - Determine need, if any, for Dows Road improvements based on travel speeds and anticipated traffic distribution.
  - Coordinate with City of Cedar Rapids and Linn County on street design standards.
- Land use
  - Refine land use mix and proportions
  - Test financial viability (lower) limits of density.
- Land management
  - Document strategies and concepts that direct land management decisions consistent with the Vision Plan.
  - Waste management strategies: Identify sanitary sewer corridors. Confirm adequate capacity in adjacent sanitary sewer system to serve proposed development.
  - Identify utilities corridors including power, water, gas, and consolidated private utilities.
  - Energy conservation: Provide concepts for encouraging energy efficiency.
  - Alternative/renewable energy: Provide concepts and strategies for encouraging alternative/renewable energy systems.
  - Ownership/management strategies for farm and conservation land
- Zoning/development overlay
  - Create a PUD document or other format to establish implementation criteria and quality standards consistent with the Vision Plan.
    - Parcel and lot layouts: Identify in CAD format conservation, agriculture, commercial, residential and other major land use parcels.
    - Land uses, densities, lot types and product types.
    - Agriculture: Identify agricultural activities and land uses. Provide guidelines for agricultural operations compatible with adjacent residential, commercial and conservation land uses.
    - Conservation: Provide broad direction toward management of natural resources within the conservation area.
• Trail layout: Identify conceptual grades, widths, materials, seating areas and other trailhead features.

• Design guidelines
  • Site
    o Conceptual landscape/planting plan: Identify typical planting strategies for streetscapes, “natural” open space and recreational/event open space. Pre-approved planting material list.
    o Streetscapes: Provide street widths and typical geometrics for turning radii; identify typical walkways, plantings, signage, and lighting; evaluate and work with City of Cedar Rapids and Linn County to determine use of private vs. public streets.
    o Parking: Provide minimum and maximum parking ratios, locations, dimensions and typical layouts.
    o Development features: Provide signage, public art and recreational concepts.
  • Buildings
    o Character, massing, material, windows/doors, porches and details.
    o Special features of mixed-uses, multi-family, ground floor retail, etc.
    o Pre-approved color schemes.
  • Signage
    o Type, character, material, size, location, etc.

• Public/private partnership negotiations
  o Public investments/development incentives: Phased land sale; pre-approved development entitlements; alternative funding sources (T.I.F., forgivable grants, etc.); public improvements.
  o Conservation maintenance agreements
  o Development agreement format/framework
Attachment B
Phase 2 Project Schedule

Linn County, Dows Farm Phase 2: Schedule
12/2019

Tasks
- Market Feasibility Analysis
- Traffic Study
- Residential/Commercial Lots and Farms/Conservation Layout
- Development Guidelines (Site and Buildings)
- Steel Design Standards
- Landscape Buffers and Development Features
- Easings
- Conceptual Planning Plan
- Trail Layout
- Public Art
- Best Practice Stormwater Management
- Farms/Conservation Land Management Strategies
- Water Management
- Zoning/Development Overlay
- Dev. Incentives/Phasing
- Developer RFP
- Developer Agreement Template
- Two Stakeholder/Advisory Group Meetings
- One Open House
- Local Developer RFP
- Developer Agreement Negotiated

October
November
December
January
February
March
April
May
June
July
As required by Iowa Code and at request of the Linn County Board of Supervisors all cemeteries under jurisdictional control of the township trustees or located outside of incorporated limits were inventoried by the county Weed Commissioner. Cemeteries were evaluated for compliance with Iowa Code relating to noxious weeds. The following is a listing of all Linn County Townships and corresponding notes associated with each cemetery that was reviewed. Conditions were ranked in order of maintenance as AA – above average, A – average, B – below average, U - unmaintained.
1.) Bertram Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campbell</td>
<td>08/18</td>
<td>AA \Delta = +</td>
<td></td>
</tr>
<tr>
<td>Cherry Family Burials</td>
<td>08/18</td>
<td></td>
<td>Could not locate</td>
</tr>
<tr>
<td>Martin’s Creek Cemetery</td>
<td></td>
<td>AA = 0</td>
<td></td>
</tr>
<tr>
<td>Scott Family Burials</td>
<td>08/18</td>
<td></td>
<td>Could not locate</td>
</tr>
</tbody>
</table>

2.) Boulder Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prairieburg-Boulder Cemetery</td>
<td>12/17</td>
<td>AA \Delta=0</td>
<td></td>
</tr>
<tr>
<td>Saint Joseph’s Cemetery</td>
<td>12/17</td>
<td>AA \Delta=0</td>
<td></td>
</tr>
</tbody>
</table>

3.) Brown Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whittier Quaker Cemetery</td>
<td>10/29</td>
<td>A \Delta=0</td>
<td>Cared for by Whitter</td>
</tr>
<tr>
<td>Hopewell Cemetery</td>
<td>10/29</td>
<td>AA \Delta=0</td>
<td></td>
</tr>
<tr>
<td>Springville Cemetery</td>
<td>N/A</td>
<td>AA \Delta=0</td>
<td>Cared for by Springville</td>
</tr>
<tr>
<td>St. Isadore Cemetery</td>
<td>N/A</td>
<td>AA \Delta=0</td>
<td>Cared for by Springville</td>
</tr>
<tr>
<td>Friends Cemetery</td>
<td>10/29</td>
<td></td>
<td>Could not locate</td>
</tr>
<tr>
<td>Wilcox Cemetery</td>
<td>10/29</td>
<td>AA \Delta=+</td>
<td></td>
</tr>
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### 4.) Buffalo Township

<table>
<thead>
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<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boulder Cemetery</td>
<td>12/17</td>
<td>AA Δ = +</td>
<td>Well maintained</td>
</tr>
<tr>
<td>Harts Cemetery</td>
<td>12/17</td>
<td>U Δ=0</td>
<td>Corn field - weedy</td>
</tr>
<tr>
<td>Hazel Knoll Cemetery</td>
<td>12/17</td>
<td>A Δ=0</td>
<td>Front fence repair needed</td>
</tr>
<tr>
<td>Gillilan Cemetery</td>
<td>12/17</td>
<td>B Δ=0</td>
<td>Tombstones need reset still</td>
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</tbody>
</table>

### 5.) Clinton Township

<table>
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<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saint Joseph’s Cemetery</td>
<td>10/23</td>
<td>AA Δ=0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Sisley Grove Cemetery</td>
<td>10/23</td>
<td>A Δ= 0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Spring Grove Cemetery</td>
<td>10/23</td>
<td>AA Δ=0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Dead trees removed</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 6.) College Township

<table>
<thead>
<tr>
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<th>Inventory Date</th>
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<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baker Cemetery</td>
<td>10/26</td>
<td>AA Δ=+</td>
<td></td>
</tr>
<tr>
<td>Buresh Cemetery</td>
<td>10/25</td>
<td>A Δ=0</td>
<td>Dead trees removed</td>
</tr>
<tr>
<td>Truhlar Cemetery</td>
<td>10/25</td>
<td>AA Δ=+</td>
<td>Aka First Presbyterian –</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>maintained by church</td>
</tr>
<tr>
<td>Williams Cemetery</td>
<td>10/26</td>
<td>AA Δ=0</td>
<td></td>
</tr>
<tr>
<td>Western Cemetery</td>
<td>10/25</td>
<td>AA Δ=0</td>
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7.) Fairfax Township

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<th>Condition</th>
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<tbody>
<tr>
<td>Fairfax Cemetery</td>
<td>10/23</td>
<td>AA Δ = +</td>
<td></td>
</tr>
<tr>
<td>St. Patrick’s Cemetery</td>
<td>10/23</td>
<td>AA Δ = +</td>
<td></td>
</tr>
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</table>

8.) Franklin Township

<table>
<thead>
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<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbe Creek Cemetery</td>
<td>12/11</td>
<td>AA Δ=0</td>
<td></td>
</tr>
<tr>
<td>Craig Cemetery</td>
<td>12/11</td>
<td>A Δ=0</td>
<td>Mole problem</td>
</tr>
<tr>
<td>Ivanhoe Cemetery</td>
<td>12/11</td>
<td>AA Δ=+</td>
<td></td>
</tr>
<tr>
<td>Two Kirkpatrick Stones</td>
<td>12/11</td>
<td>U Δ=0</td>
<td>Corn field not maintained</td>
</tr>
<tr>
<td>Lisbon Cemetery</td>
<td>N/A</td>
<td>AA Δ=0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Andre Cemetery</td>
<td>12/11</td>
<td>AA Δ=0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Mt. Vernon Cemetery</td>
<td>N/A</td>
<td>A Δ=0</td>
<td>Not township maintained</td>
</tr>
</tbody>
</table>

9.) Fayette Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strawn Cemetery</td>
<td>11/05</td>
<td>A Δ=0</td>
<td></td>
</tr>
<tr>
<td>Old Palo Cemetery (Dickinson)</td>
<td>12/12</td>
<td>A Δ=+</td>
<td>Improved</td>
</tr>
<tr>
<td>Palo Cemetery</td>
<td>10/23</td>
<td>AA Δ=0</td>
<td>1/3 Township 2/3 Assoc.</td>
</tr>
<tr>
<td>Lewis Bottoms (Morrison) Cemetery</td>
<td>11/05</td>
<td>A Δ=0</td>
<td>Dwayne Myers Lee Lewis</td>
</tr>
<tr>
<td>Morrison Cemetery</td>
<td>10/29</td>
<td>A Δ=0</td>
<td></td>
</tr>
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### 10.) Grant Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Davis Cemetery</td>
<td>11/13</td>
<td>B Δ=0</td>
<td>Brush encroachment in fenceline</td>
</tr>
<tr>
<td>Sacred Heart Cemetery</td>
<td>N/A</td>
<td>AA Δ=0</td>
<td>Maintained by Walker Catholic Church</td>
</tr>
<tr>
<td>Walker Cemetery</td>
<td>11/13</td>
<td>AA Δ=0</td>
<td></td>
</tr>
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### 11.) Jackson Township

<table>
<thead>
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<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pleasant Hill Cemetery</td>
<td>N/A</td>
<td>AA Δ=0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Blodgett Cemetery</td>
<td>12/10</td>
<td>AA Δ=0</td>
<td></td>
</tr>
<tr>
<td>Coggon Cemetery</td>
<td>12/10</td>
<td>AA Δ=+</td>
<td></td>
</tr>
<tr>
<td>Mount Olivet Cemetery</td>
<td>N/A</td>
<td>AA Δ=0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Oak Hill Cemetery</td>
<td>12/10</td>
<td>AA Δ=+</td>
<td></td>
</tr>
<tr>
<td>Paris Cemetery</td>
<td>12/10</td>
<td></td>
<td>Could not locate/Not township maintained</td>
</tr>
<tr>
<td>Nugents Grove Cemetery</td>
<td>12/10</td>
<td>B Δ=−</td>
<td>Stones need reset</td>
</tr>
<tr>
<td>Mills Cemetery</td>
<td>12/10</td>
<td>A Δ=0</td>
<td></td>
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### 12.) Linn Township

<table>
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<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paralta Cemetery</td>
<td>12/11</td>
<td>AA Δ =+</td>
<td></td>
</tr>
<tr>
<td>Linn Grove Cemetery</td>
<td>12/11</td>
<td>A Δ = 0</td>
<td></td>
</tr>
<tr>
<td>Old Kirby Estate</td>
<td>12/11</td>
<td></td>
<td>Could not find</td>
</tr>
<tr>
<td>Cemetery</td>
<td>Date</td>
<td>Condition</td>
<td>Additional Notes</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-------</td>
<td>-----------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Mt. Zion Cemetery</td>
<td>12/11</td>
<td>AA Δ==</td>
<td></td>
</tr>
<tr>
<td>Early Burials</td>
<td>12/11</td>
<td>U</td>
<td>bean field?</td>
</tr>
<tr>
<td>Scott Family Burials</td>
<td>12/11</td>
<td>U</td>
<td>In pasture 2 locations?</td>
</tr>
</tbody>
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13.) Maine Township

<table>
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<tr>
<th>Cemetery</th>
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<th>Condition</th>
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<tbody>
<tr>
<td>Jordan’s Grove Cemetery</td>
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<td>AA Δ=+</td>
<td></td>
</tr>
<tr>
<td>Mount Clark Cemetery</td>
<td>12/10</td>
<td>AA Δ=0</td>
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14.) Marion Township

<table>
<thead>
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<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
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</thead>
<tbody>
<tr>
<td>Crabapple Cemetery</td>
<td>7/4</td>
<td>A Δ=0</td>
<td>Simpson Chapel maint.?</td>
</tr>
<tr>
<td>County Home Burials</td>
<td>7/4</td>
<td>B Δ=0</td>
<td>On Landfill property?</td>
</tr>
<tr>
<td>Prairie Chapel Cemetery</td>
<td>7/4</td>
<td>AA Δ = 0</td>
<td></td>
</tr>
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15.) Monroe Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunkard Cemetery</td>
<td>11/05</td>
<td>AA Δ=0</td>
<td></td>
</tr>
<tr>
<td>Robins Cemetery</td>
<td>11/05</td>
<td>AA Δ=0</td>
<td>Maint. By Robins</td>
</tr>
<tr>
<td>Buffalo Cemetery</td>
<td>11/09</td>
<td>A Δ=0</td>
<td>Fence repair needed (RA?)</td>
</tr>
</tbody>
</table>
### Otter Creek Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alice Cemetery</td>
<td>11/13</td>
<td>AA Δ=0</td>
<td></td>
</tr>
<tr>
<td>LaFayette Cemetery</td>
<td>11/13</td>
<td>AAAΔ=0</td>
<td></td>
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### Putnam Township

<table>
<thead>
<tr>
<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
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</thead>
<tbody>
<tr>
<td>Rogers Grove Cemetery</td>
<td>10/25</td>
<td>AA Δ=0</td>
<td></td>
</tr>
<tr>
<td>Moore-Skillman Cemetery</td>
<td>12/11</td>
<td>A Δ=0</td>
<td>Fence repair needed. Fallen tree in rear.</td>
</tr>
<tr>
<td>Elizabeth Briney Tombstone</td>
<td>10/25</td>
<td>U</td>
<td>In woods small cement marker?</td>
</tr>
<tr>
<td>Ely Woods Burial</td>
<td>10/25</td>
<td>U</td>
<td>could not find</td>
</tr>
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### Washington Township

<table>
<thead>
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<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pleasant Ridge Cemetery</td>
<td>11/05</td>
<td>A Δ=0</td>
<td></td>
</tr>
<tr>
<td>Ashlock Cemetery</td>
<td>11/05</td>
<td>AA Δ=0</td>
<td>In CRP field (Quail Ridge)</td>
</tr>
<tr>
<td>Center Point Cemetery</td>
<td>06/24</td>
<td>AA Δ=0</td>
<td>Not township maintained</td>
</tr>
<tr>
<td>Old Mounce Cemetery</td>
<td>06/24</td>
<td>N/A</td>
<td>Could not find</td>
</tr>
<tr>
<td>Greens Grove Cemetery</td>
<td>11/05</td>
<td>A Δ=0</td>
<td></td>
</tr>
<tr>
<td>Squires-Oliphant Cemetery</td>
<td>06/24</td>
<td>A Δ=0</td>
<td></td>
</tr>
<tr>
<td>Mason Baby Grave Cemetery</td>
<td>11/05</td>
<td>N/A</td>
<td>Could not find, in ROW?</td>
</tr>
<tr>
<td>Oliphant Cemetery</td>
<td>11/05</td>
<td>A Δ=0</td>
<td></td>
</tr>
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### 19.) Spring Grove Township

<table>
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<th>Cemetery</th>
<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring Grove Cemetery</td>
<td>12/10</td>
<td>A Δ=0</td>
<td></td>
</tr>
<tr>
<td>West Prairie Cemetery</td>
<td>12/10</td>
<td>A Δ=0</td>
<td>Needs perimeter fence repair</td>
</tr>
<tr>
<td>Troy Mills Cemetery</td>
<td>11/13</td>
<td>AA Δ=0</td>
<td>Township maintained</td>
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### 20.) Rapids Township

<table>
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<th>Inventory Date</th>
<th>Condition</th>
<th>Additional Notes</th>
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</thead>
<tbody>
<tr>
<td>Brockman Cemetery</td>
<td>11/09</td>
<td>AA Δ=0</td>
<td>Well maintained</td>
</tr>
<tr>
<td>Shilo Cemetery</td>
<td>11/09</td>
<td>A Δ=0</td>
<td>Review Authority?</td>
</tr>
</tbody>
</table>
# 2018 WEED COMMISSIONER’S REPORT

For the County of: Linn

Submit to County Board of Supervisors by: November 1, 2018
Return copy to the IDALS office by: December 1, 2018

## Weed Commissioner’s Contact Information:

<table>
<thead>
<tr>
<th>Name</th>
<th>Year Appointed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jonathan Gallagher</td>
<td>2010</td>
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<table>
<thead>
<tr>
<th>Address</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>USDA Service Center - 891 62nd Street</td>
<td>319-377-5960 X3</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>City, Zip Code</th>
<th>Alternate Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marion, IA 52302</td>
<td>319-270-4814</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email Address</th>
<th>Pesticide Certificate #</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:jon.gallagher@linncounty.org">jon.gallagher@linncounty.org</a></td>
<td>48956</td>
</tr>
</tbody>
</table>

## Which of the noxious weeds have you found in your county?

1 – Found, a problem in my county  
2 – Found, but not a problem  
3 – Not known in my county  
? – If you cannot identify this plant  

<table>
<thead>
<tr>
<th>Primary Noxious Weeds</th>
<th>Answer</th>
<th>Secondary Noxious Weeds</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buckthorn</td>
<td>2</td>
<td>Buckhorn Plantain</td>
<td>2</td>
</tr>
<tr>
<td>Bull Thistle</td>
<td>2</td>
<td>Cocklebur</td>
<td>2</td>
</tr>
<tr>
<td>Canada Thistle</td>
<td>1</td>
<td>Curly Dock (Sour Dock)</td>
<td>2</td>
</tr>
<tr>
<td>Field Bindweed</td>
<td>2</td>
<td>Multiflora Rose</td>
<td>1</td>
</tr>
<tr>
<td>Hoary Cress (Perennial Pepper-grass)</td>
<td>3</td>
<td>Poison Hemlock</td>
<td>1</td>
</tr>
<tr>
<td>Horse Nettle</td>
<td>2</td>
<td>Puncturevine</td>
<td>3</td>
</tr>
<tr>
<td>Leafy Spurge</td>
<td>2</td>
<td>Red Sorrel (Sheep sorrel)</td>
<td>3</td>
</tr>
<tr>
<td>Musk Thistle</td>
<td>1</td>
<td>Shattercane</td>
<td>2</td>
</tr>
<tr>
<td>Palmer Amaranth</td>
<td>3</td>
<td>Smooth Dock</td>
<td>3</td>
</tr>
<tr>
<td>Perennial Sow Thistle</td>
<td>2</td>
<td>Teasel</td>
<td>1</td>
</tr>
<tr>
<td>Quackgrass</td>
<td>2</td>
<td>Velvetleaf (Butterprint)</td>
<td>2</td>
</tr>
<tr>
<td>Russian Knapweed</td>
<td>3</td>
<td>Wild Carrot</td>
<td>2</td>
</tr>
</tbody>
</table>

<p>|                          |         | Wild Mustard | 2 |
|                          |         | Wild Sunflower | 2 |</p>
<table>
<thead>
<tr>
<th>Invasive Prohibited Plants</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garlic Mustard</td>
<td>2</td>
</tr>
<tr>
<td>Japanese Hop</td>
<td>3</td>
</tr>
<tr>
<td>Japanese Knotweed</td>
<td>1</td>
</tr>
<tr>
<td>Oriental Bittersweet</td>
<td>1</td>
</tr>
<tr>
<td>Purple Loosestrife</td>
<td>2</td>
</tr>
</tbody>
</table>

Please list any other plants which are a problem or a concern in your county:
Tree of Heaven, Reed Canarygrass, Miscanthus sacchariflorus are considered plants of concern.

As County Weed Commissioner, do your duties include roadside spraying?
Yes ___  No ___

Did your county publish a Notice of Program for weed control pursuant to the provisions of Title VIII Chapter 317 Section 317.14?
Yes ___  No ___

Did your county employ contract spraying during 2017?
Yes ___  No ___

If yes, what percentage of your total spray program is contracted? ___%  
If possible, please list the contract rates. $/mile__
Total contract cost $________

In the past year how much did your county spend on purchasing herbicides?
$>$3,000

How many times during 2018 was it necessary to serve a noxious weed notice?
Private (written) 0    Public (written) (DOT, DNR, CCB) 0

How many times did you contact individuals personally, rather than sending them a weed control notice?
Private (verbal) 7    Public (verbal) (DOT, DNR, CCB) 8
How many times did you actually enter private or public land, control weeds, and assess the cost to the owner?
0

How many months were you employed as weed commissioner in 2018?
8 months

Are your duties as weed commissioner incorporated into another county job?
Yes X No ___ If Yes, what?
County Resource Conservationist
Weed Comm. Duties 10% IRVM Duties ___%
Other County Duties ___%

How does the overall county weed situation compare with last year?
Improved X Unchanged ___ Worse ___

Comments: Teasel infestations in ROW and private lands have decreased. County has improved upon timely mowing and spraying of target noxious species. Compliance with law on private lands was generally better in 2018.

Is brush control included in your weed commissioner duties?
Yes ____ No X

If yes, what method(s) do you use? (Circle all that apply):
Spraying Cutting Stump treatment Basal bark

What are your suggestions and/or recommendations which may improve your county weed and brush infestations?
Additional resource materials from State for more uniform and efficient administration of annual weed control program.

What herbicides did your county use in your weed control program? Be specific, please list brand name and quantity of each. Please do not list surfactants or adjuvants. If the spray program is contracted in your county, ask your contractor for this information. Add another page if necessary.
## Herbicide usage table:

<table>
<thead>
<tr>
<th>CHEMICAL/BRAND</th>
<th>RATE USED</th>
<th>QUANTITY USED in gallons or lbs</th>
<th>TO CONTROL?</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Example) Milestone</td>
<td>4 fluid ounces per acre</td>
<td>3.32 gallons</td>
<td>Thistle and teasel on roadside</td>
</tr>
<tr>
<td>Roundup PowerMax Concentrate</td>
<td>2-5% solution</td>
<td>3.5 gallons</td>
<td>Bare ground Non-selective</td>
</tr>
<tr>
<td>Roundup PRO Concentrate</td>
<td>2% solution</td>
<td>25 gallons</td>
<td>Bare ground Non-selective Non-residual</td>
</tr>
<tr>
<td>Perspective</td>
<td>varies</td>
<td>169 ounces</td>
<td>Introduced/Seasonal</td>
</tr>
<tr>
<td>Roundup PRO/Perspective/Oust XP solution</td>
<td>2 qts/11 oz./2 oz. per acre</td>
<td>see above/see above/31 oz.</td>
<td>Bare ground Non-selective Non-residual</td>
</tr>
<tr>
<td>Milestone in solution with Garlon 4 Ultra</td>
<td>5 oz. per acre 2% solution/ 20% solution</td>
<td>3 gallons/40 gallons</td>
<td>basal bark cut stump</td>
</tr>
<tr>
<td>Garlon 4 Ultra with Escort XP and Milestone Solution</td>
<td>1 gallon/100, 2 oz./100, 20% solution of Milestone 2%</td>
<td>see above/see below/see above</td>
<td>basal bark cut stump</td>
</tr>
<tr>
<td>Garlon 4 Ultra with Escort XP and Milestone solution</td>
<td>1 gallon/100, 2 oz./100, 20% Milestone 2% solution</td>
<td>see above/see below/see above</td>
<td>woody invasives</td>
</tr>
<tr>
<td>Escort XP</td>
<td>varies</td>
<td>29 ounces</td>
<td>woody plants</td>
</tr>
<tr>
<td>Vastlan 1%/Export XP solution</td>
<td>1 gallon/100 2 oz./100</td>
<td>20 gallons/see above</td>
<td>woody plants</td>
</tr>
</tbody>
</table>
The above report is true to the best of my knowledge.

Signature  
Jonathan Hallgren  
County Weed Commissioner  

Date  
1-14-19

Signature  
Chairman, County Board of Supervisors  

Date

Please return a copy to: Iowa Department of Agriculture and Land Stewardship  
Attn: State Weed Commissioner  
2230 S Ankeny Blvd  
Ankeny, IA  50023-9093
# 2019 COUNTY WEED COMMISSIONER CERTIFICATION FORM

For the County of: Linn

## Weed Commissioner's Contact Information:

<table>
<thead>
<tr>
<th>Name: Jonathan Gallagher</th>
<th>Year Appointed: 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address: USDA Service Center</td>
<td>Telephone: 319-377-5960</td>
</tr>
<tr>
<td>City, Zip Code: 891 62nd Street Marion, IA 52302</td>
<td>Alternate Telephone: 319-270-4814</td>
</tr>
<tr>
<td>Email Address: <a href="mailto:jon.gallagher@linncounty.org">jon.gallagher@linncounty.org</a></td>
<td>Pesticide Certificate #: 48956</td>
</tr>
</tbody>
</table>

---

Signed: ________________________________ Date: _______________________
Chair/President, County Board of Supervisors

**PLEASE RETURN THIS FORM TO:**

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
State Weed Commissioner
2230 South Ankeny Boulevard
Ankeny, IA 50023-9093

### 317.3 Weed commissioner -- standards for noxious weed control.

The board of supervisors of each county may annually appoint a county weed commissioner who may be a person otherwise employed by the county and who passes minimum standards established by the department of agriculture and land stewardship for noxious weed identification and the recognized methods for noxious weed control and elimination. The county weed commissioner's appointment shall be effective as of March 1 and shall continue for a term at the discretion of the board of supervisors unless the commissioner is removed from office as provided for by law. The county weed commissioner may, with the approval of the board of supervisors, require that commercial applicators and their appropriate employees pass the same standards for noxious weed identification as established by the department of agriculture and land stewardship. The name and address of the person appointed as county weed commissioner shall be certified to the county auditor and to the secretary of agriculture within ten days of the appointment. The board of supervisors shall fix the compensation of the county weed commissioner and deputies. In addition to compensation, the commissioner and deputies shall be paid their necessary travel expenses. At the discretion of the board of supervisors, the weed commissioner shall attend a seminar or school conducted or approved by the department of agriculture and land stewardship relating to the identification, control, and elimination of noxious weeds.

The board of supervisors shall prescribe the time of year the weed commissioner shall perform the powers and duties of county weed commissioner under this chapter which may be during that time of year when noxious weeds can effectively be killed. Compensation shall be for the period of actual work only although a weed commissioner assigned other duties not related to weed eradication may receive an annual salary. The board of supervisors shall likewise determine whether employment shall be by hour, day or month and the rate of pay for the employment time.
<table>
<thead>
<tr>
<th>Location: Alice Shop</th>
<th>Location: Drexler Shop</th>
<th>Location: Main Shop</th>
<th>Location: Morgan Creek Shop</th>
<th>Location: Mt. Vernon Shop</th>
<th>Location: Toddville Shop</th>
<th>Location: Walford Shop</th>
<th>Location: Whittier Shop</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO.</td>
<td>ITEM</td>
<td>QUANTITY</td>
<td>UNIT</td>
<td>PRICE PER TON (FOB)</td>
<td>PRICE PER TON @ GATE</td>
<td>PRICE PER TON (FOB)</td>
<td>PRICE PER TON @ GATE</td>
</tr>
<tr>
<td>1</td>
<td>Class A</td>
<td>14,500</td>
<td>Tons</td>
<td>$12.50</td>
<td>$10.00</td>
<td>$13.00</td>
<td>$10.50</td>
</tr>
<tr>
<td>2</td>
<td>Macadam</td>
<td>250</td>
<td>Tons</td>
<td>$14.00</td>
<td>$11.00</td>
<td>$14.00</td>
<td>$11.50</td>
</tr>
<tr>
<td>3</td>
<td>Macadam</td>
<td>250</td>
<td>Tons</td>
<td>$14.00</td>
<td>$11.00</td>
<td>$14.00</td>
<td>$11.50</td>
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<tr>
<td>2</td>
<td>Macadam</td>
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<td>Tons</td>
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<td>$11.00</td>
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<td>$11.00</td>
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<tr>
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<td>Class A</td>
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<td>Tons</td>
<td>$12.50</td>
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<td>Tons</td>
<td>$16.00</td>
<td>$11.00</td>
<td>$16.00</td>
<td>$11.00</td>
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</tbody>
</table>

TOTAL: $1,063,075.00
<table>
<thead>
<tr>
<th>District</th>
<th>Road Name</th>
<th>Class A Tons</th>
<th>Price per Ton (Price @ Gate)</th>
<th>Total</th>
<th>Price per Ton (Price @ Gate)</th>
<th>Total</th>
<th>Price per Ton (Price @ Gate)</th>
<th>Total</th>
<th>Price per Ton (Price @ Gate)</th>
<th>Total</th>
<th>Price per Ton (Price @ Gate)</th>
<th>Total</th>
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<tbody>
<tr>
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<td>2nd Ave SEW</td>
<td>7,000</td>
<td>$ 98,000.00</td>
<td>$ 74,300.00</td>
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<td>$ 975</td>
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<td>$ 83,875</td>
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<tr>
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<td>Hazel Hollow Rd.</td>
<td>1,700</td>
<td>$ 10.00 $ 4.00 $ 23,500.00</td>
<td>$ 20.350</td>
<td>$ - $ -</td>
<td>$ 975</td>
<td>$ 2,150</td>
<td>$ 20,235</td>
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<tr>
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<td>Melser Storm Rd.</td>
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<td>$ 10.00 $ 4.00 $ 23,500.00</td>
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<td>$ 2,150</td>
<td>$ 20,235</td>
<td><strong>CRS</strong></td>
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<tr>
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<td>$ - $ -</td>
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<td>$ 975</td>
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<td>$ 41,850</td>
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<td>$ 2,150</td>
<td>$ 16,860</td>
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<tr>
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<td>Cranbury Rd.</td>
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<td>$ 975</td>
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<td>Old Quaker Rd.</td>
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<td>2</td>
<td>Moyna Materials</td>
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<td>$ - $ -</td>
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<td>$ 975</td>
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<td>Mill Creek Rd.</td>
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<tr>
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135,500 $1,706,070.00
January 7, 2019

Sheriff Brian D. Gardner
Linn County Sheriff's Office
310 2nd Ave SW
Cedar Rapids, IA 52404

Subject: Negotiating New Per Diem Rate For US Marshals IGA: 29-00-0019

Dear Sheriff Gardner:

I appreciate your consideration of The Summerill Group, LLC for calculating and negotiating a new per diem rate for IGA 29-00-0019 for housing U.S. Marshals Service (USMS) prisoners in the Linn County Jail. The following proposal, if accepted, will serve as the contract between The Summerill Group, LLC and Linn County, Iowa for this project.

STATEMENT OF WORK.

- The Summerill Group, LLC shall work with Linn County Sheriff officials (and other County officials) to collect all allowable and allocable economic data regarding the costs associated with the current and future operation of the Linn County Jail.

- Mr. Summerill's team will build Linn County's new federal per diem rate, utilizing methodologies in compliance with the U.S. Office of Management & Budget Circular 200; Chapter XXVIII – Department of Justice (2 CFR 200) and Section 119 of the Department of Justice Appropriations Act of 2001 (Public Law 106-553).

- Mr. Summerill will then present to Sheriff Gardner a draft proposal to submit to USMS. We will research neighboring County federal per diem rates and make a strategic recommendation regarding the submittal of the Sheriff's proposal to USMS.

Remainder of Page Blank
If Linn County chooses not to submit the proposal prepared by The Summerill Group, LLC to USMS, no fee shall be paid to The Summerill Group, LLC.

In such a case, all cost data prepared by The Summerill Group, LLC shall remain our property.

- Upon the County’s approval, Mr. Summerill’s team will then submit the proposal (for the new per diem rate and the new transportation / guard service rate) to USMS, uploading the County’s cost data into the USMS eIGA internet system. We will also assist the Sheriff’s Office in creating the County’s eIGA account; reviewing the cost data in that eIGA account; and ultimately submitting that electronic proposal.

- After the electronic proposal is submitted to USMS, we will work with the DOJ Office of the Federal Detention Trustee (OFDT) to answer their questions regarding the format of the proposal submitted. Upon OFDT’s approval, the proposal will be forwarded to the USMS grants officer for negotiation.

- The USMS Grants Officer will represent the government in the negotiations of the new IGA. She will need at least 30 days to review our data submitted through the eIGA website. During that time, we will be available to answer any questions raised by her regarding the proposal and provide her answers.

- The USMS grants officer will use different price analysis techniques to assess the fairness and reasonableness of the Sheriff’s proposed per diem rate. For example, the grants officer will calculate an “adjusted core rate” by applying certain facility characteristics to an “econometric model.” We will work with the grants officer as she goes through this analysis.

- We will then request that USMS start negotiations. Mr. Summerill will then partner with Sheriff Gardner (or other designated County official) to conduct the actual negotiations with USMS. During those negotiations, we will supply USMS with all necessary data and back up material to support the per diem rate request.

- Once the USMS grants officer determines a new per diem rate and transport rate, we will review that offer with Sheriff Gardner and make a recommendation as to whether or not the County should accept the offer or, instead, continue negotiations. Once the County and USMS agree upon new rates, we will work with the USMS grants officer to answer any remaining questions during the finalization process.
SUMMERILL

Sheriff Brian D. Gardner
IGA 29-00-0019 / Linn County, IA
January 7, 2019
Page 3

SUMMERILL GROUP ADVISORY TEAM.

For this project, The Summerill Group, LLC advisory team will be made up of the following individuals:

Joe Summerill is the Managing Principal of The Summerill Group, LLC. Joe specializes in working with the Department of Justice’s Federal Bureau of Prisons, United States Marshals Service and the Department of Homeland Security’s Immigration and Customs Enforcement. Before entering private practice, Mr. Summerill was the chief contracts attorney for the U.S. Department of Justice, Federal Bureau of Prisons, advising the agency on various commercial issues, including the negotiation, award, and administration of contracts and intergovernmental service agreements for prison services and construction.

Michele Sharpe is the Senior Grants Officer for The Summerill Group, LLC. Michele specializes in the preparation and submission of Intergovernmental Service Agreement proposals to the US Marshals Service and Immigration & Customs Enforcement. Ms. Sharpe understands the rules and regulations, including A-87 Cost Principals, necessary to build federal per diem rates with allowable and allocable jail and law enforcement operating cost. Ms. Sharpe has developed internal algorithms which can assist local government is calculating per diem rates.

TIME FRAME FOR THE LINN COUNTY PROJECT.

From the date of engagement until the date that Linn County executes a new USMS IGA is typically 90 to 110 days. No proposal can or will be submitted to USMS without the Sheriff’s approval. Mr. Summerill will work directly with the USMS grants officer to answer any questions related to the calculation of the per diem rate. Mr. Summerill will partner with the Sheriff’s Office during the actual negotiation session. If submitted by February 15, 2019, Mr. Summerill anticipates that negotiations with USMS will begin in late March 2019 and a new IGA per diem rate starting in April / May 2019.

GOALS FOR THIS PROJECT.

A draft analysis by The Summerill Group, LLC of costs related to the operation of the Linn County Jail suggests a new per diem rate of $76.00 - $79.00 (See Attached Draft Analysis). With an Average Daily Population of 100 USMS prisoners housed at this facility, a new rate of $76.00 would generate new additional annual revenue of approximately $425 K for Linn County. The IGA between the Sheriff and USMS can have a term between 36-48 months. With a term of 36 months, Linn County will generated approximately $1.2 M in new additional revenue over the 36 month life of the IGA. This amount will increase if the Sheriff chooses a longer term (i.e., 48 or 60 months).

WASHINGTON D.C.
SUMMERILL

Sheriff Brian D. Gardner
IGA 29-00-0019 / Linn County, IA
January 7, 2019
Page 4

COMPENSATION FOR CALCULATING & NEGOTIATING NEW PER DIEM.

In consideration for the services described above, the Parties agree that The Summerill Group, LLC shall be paid a firm fixed fee of FORTY FIVE THOUSAND DOLLARS ($45,000.00). This price reflects the complexity of the project and the skills required to perform the service.

If the Sheriff chooses not to execute the new IGA with USMS, no fee shall be paid to The Summerill Group, LLC. Until such time that the Sheriff executes the new IGA, all cost data belongs to The Summerill Group, LLC.

If the Sheriff chooses to execute the new IGA with USMS, the Parties agree that The Summerill Group LLC’s invoice for this project shall be paid no later than September 1, 2019.

The Summerill Group, LLC will submit one invoice to Linn County, IA and that invoice shall not reflect an hourly breakdown of the work performed by Mr. Summerill, but instead state: "For Services Rendered to Linn County, IA In Connection With the Formation and Execution of IGA 29-00-0019 Between the Linn County Sheriff’s Office and the U.S. Marshals Service - $45,000.00.

WAIVER OF CONFLICTS.

In consideration for the services described above, the Parties agree that The Summerill Group, LLC may represent other Sheriffs (including Iowa Sheriffs) seeking to renegotiate IGA per diem rates with U.S. Marshals Service and / or Immigration & Customs Enforcement.

REFERENCES.

Please feel free to contact:

- Major Royce Denny; Greene County Sheriff’s Office, Missouri; 417-829-6251; rdenny@greenecountymo.gov
- Finance Officer Susan Evans, Alamance County, North Carolina; 336-570-4026; susan.evans@alamance-nc.com
- Steffani Ebert; Weber County Sheriff’s Office, Utah; 801-778-6704; sebert@co.weber.ut.us

WASHINGTON D.C.
EXPIRATION OF OFFER.

This offer expires January 31, 2019.

CONCLUSION.

Thank you again for your consideration of hiring The Summerill Group LLC for this project. Upon your approval, we will move forward. In the meantime, please do not hesitate to contact me at 202-413-8884 with any questions.

JOSEPH SUMMERILL
202-413-8884

Accepted and agreed to this ___ day of _________, 2019 for Linn County, Iowa.

By: 

Title: 

WASHINGTON D.C.
LINN COUNTY MEDICAL EXAMINER SERVICE AGREEMENT

This Agreement entered into this _____ day of ______________, 201__, between Linn County, Iowa, (hereinafter referred to as "County") and Donald J. Linder, D.O., a doctor of medicine and surgery licensed in the State of Iowa and duly appointed Medical Examiner of Linn County, Iowa, (hereinafter referred to as "Medical Examiner") whose office is located at 2900 Hunters Ridge Rd., Marion, IA 52302.

WITNESSETH, IN CONSIDERATION of the mutual undertakings and agreements hereinafter set forth, County and Medical Examiner agree as follows:

I. MEDICAL EXAMINER SHALL PERSONALLY OR BY DULY APPOINTED DEPUTY LINN COUNTY MEDICAL EXAMINER(S), LICENSED IN THE STATE OF IOWA AS A DOCTOR OF MEDICINE AND SURGERY, A DOCTOR OF OSTEOPATHIC MEDICINE AND SURGERY OR AS AN OSTEOPATHIC PHYSICIAN, PROVIDE THE FOLLOWING SERVICES:

1. Conduct a preliminary examination of the cause and manner of death, prepare a written report of the findings, promptly submit the full report to the State Medical Examiner on forms prescribed for that purpose and submit a copy of the report to the Linn County Attorney for each person's death occurring in Linn County, Iowa, which affects the public interest as required in subsection 331.802(3), Code of Iowa.

2. Conduct the investigations set forth in paragraph 1 of this section in the manner required by the State Medical Examiner and determine whether the public interest requires an autopsy or other special investigation. In determining the need for an autopsy, Medical Examiner shall consider the request for an autopsy from a public official or private person, and Medical Examiner shall require an autopsy upon the request of the State Medical Examiner or the Linn County Attorney or if the death occurred in the manner specified in subsection 331.802(3)(j), Code of Iowa.

3. Ensure that any person making an autopsy pursuant to the request by Medical Examiner promptly file a complete record of findings in the office of the State Medical Examiner, the Linn County Attorney and, when applicable, the county attorney of the county where the death occurred or the county where any injury contributing to or causing the death was sustained.

4. Ensure that summary of the findings resulting from an autopsy of a child under the age of two (2) years whose death occurred in the manner specified in subsection 331.802(3)(j), Code of Iowa, be transmitted immediately by the person who performed the autopsy to Medical Examiner. Medical Examiner shall forward such report to the parent, guardian, or custodian of the child or ensure that such report is so forwarded by Medical Examiner's designee or the infant's attending physician.
5. Notify the Linn County Attorney in any instance of a sudden, violent, or suspicious death after which the body is buried without an investigation or autopsy. Upon such a body being exhumed pursuant to court order, arrange for an autopsy performed by a Medical Examiner or a pathologist.

6. Upon application and payment of a fee determined by the Board of Supervisors, Linn County, Iowa, Medical Examiner shall provide an examination certificate to the person requesting same and file a copy of the certificate in the Medical Examiner’s office.

7. After an investigation has been contemplated, including an autopsy if one is made, arrange for delivery of the body to a relative or friend of the deceased person for burial or other appropriate disposition.

8. Medical Examiner shall be solely responsible for payment of fees, costs, and expenses to Deputy Linn County Medical Examiner(s) and Linn County Medical Examiner Investigator(s), including Lead Linn County Medical Examiner Investigator, for services provided pursuant to this Agreement. Notwithstanding the foregoing, Medical Examiner shall approve and submit claims to County for fees, costs, and expenses of Deputy Linn County Medical Examiner(s), Linn County Medical Examiner Investigator(s), including Lead Linn County Medical Examiner Investigator, for services provided pursuant to this Agreement, and payment for such claim shall be made directly to the Deputy Linn County Medical Examiner(s), Linn County Medical Examiner Investigator(s), including Lead Linn County Medical Examiner Investigator, by County.

9. Engage in outreach activities with the medical and law enforcement communities, and other Linn County groups as Medical Examiner deems appropriate and beneficial to promote the welfare of Linn County residents and further the objective of the Linn County Medical Examiner’s Office.

II. COUNTY AGREES TO:

1. Pay to Medical Examiner for provision, pursuant to this Agreement, of the services set forth in Section I herein by Medical Examiner and/or Deputy Linn County Medical Examiner(s) fees at the rate of Four Hundred Fifteen Dollars and Seventy-Nine Cents ($415.79) per death investigated with written report of findings set forth in Section I of this Agreement.

2. County shall also pay to Medical Examiner, for additional services rendered in deaths where an autopsy is ordered, fees at the rate of Three Hundred Thirty-Three Dollars and Thirty-Three Cents ($333.33) for each such death. Fees paid pursuant to this section of the Agreement shall not exceed Thirty Thousand Dollars ($30,000.00) for the term of the Agreement regardless of the number of deaths in which autopsies are ordered. The payments made pursuant to this section are in lieu of payment for clerical services provided by Medical Examiner or actual expenses incurred
by Medical Examiner to obtain clerical services in the performance of this Agreement. No such claims shall be submitted by Medical Examiner or paid by County.

3. Subject to the provisions of Section II(2) of this Agreement, County shall reimburse Medical Examiner for other actual expenses incurred in the provisions, pursuant to this Agreement, of the services set forth in Section I herein.

4. County shall separately pay the fees and costs of any autopsy requested by Medical Examiner pursuant to this Agreement and performed by a person other than Medical Examiner or Deputy Linn County Medical Examiner.

5. Costs for issuance of cremation permits pursuant to Section 331.805(3)(b), Code of Iowa, shall be established by Medical Examiner, not to exceed Seventy-Five Dollars ($75.00) per permit issued. Such costs shall be borne by the family, next of kin, guardian of the decedent, or other person, as provided in Section 331.805(3)(b), and shall be retained by Medical Examiner.

6. Effective the month of August, 2016, County shall also pay to Medical Examiner, for Lead Medical Examiner Investigator services in deaths for which services are provided pursuant to this Agreement, a fee in the amount of Three Thousand One Hundred Sixty-Seven Dollars and Twenty-Five Cents ($3,167.25) per month.

III. ADMINISTRATION:

1. Pursuant to Section 670.8, Code of Iowa, the County shall defend, save harmless and indemnify Medical Examiner and/or Deputy Linn County Medical Examiner(s) against any tort claim or demand, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of his duties. However, this agreement to save harmless and indemnify shall not apply to awards for punitive damages. Also, this agreement to save harmless and indemnify shall not apply and County is entitled to restitution by Medical Examiner and/or Deputy Linn County Medical Examiner(s) if, in an action commenced by County against Medical Examiner, it is determined that the conduct of the Medical Examiner and/or Deputy Linn County Medical Examiner(s) upon which the tort claim or demand was based constituted a willful and wanton act or omission. This agreement to defend, save harmless and indemnify shall apply whether or not County is a party to the action and shall include but not be limited to cases arising under Title 42 United States Code Section 1983. In the event Medical Examiner and/or Linn County Deputy Medical Examiner(s) fails to cooperate in the defense against the claim or demand, County shall have a right of indemnification against Medical Examiner.

2. This Agreement recognizes that Medical Examiner, Linn County Deputy Medical Examiner(s), Linn County Medical Examiner Investigator(s), including Lead Linn County Medical Examiner Investigator, are independent contractors and will not be considered employees of Linn County, Iowa, for any purpose.
IV. TERM OF THIS AGREEMENT:

1. This Agreement shall commence on January 1, 2019, and shall be in effect until December 31, 2019.

2. This Agreement shall terminate of its own accord and without further notice should Donald J. Linder, D.O., no longer occupy the position of Linn County Medical Examiner for any reason.

V. EFFECTIVE DATE:

This Agreement shall be effective upon its execution by the parties, retroactive to the commencement of the Agreement term as provided herein.

IN WITNESS WHEREOF, the parties hereto have set their hands for the purposes herein expressed to this instrument, as of the dates below indicated.

LINN COUNTY, IOWA

BY:

Chairperson, Linn County Board of Supervisors

Donald J. Linder, D.O.
Linn County Medical Examiner

Date

Date

MEDEXAM1- 1/8/2019
LINN COUNTY ORDINANCE AMENDMENT No. __________________

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF LINN COUNTY, IOWA BY REZONING AND CHANGING THE DISTRICT CLASSIFICATION OF CERTAIN PROPERTY LOCATED AT 2706 E ROBINS RD, IOWA FROM THE "AG" AGRICULTURAL DISTRICT TO THE "USR" URBAN SERVICES RESIDENTIAL DISTRICT

BE IT ORDAINED by the Board of Supervisors of Linn County, Iowa, as follows:

SECTION 1. ZONING DISTRICT CHANGED. The zoning of approximately 12.68 acres of property located at 2706 E Robins Rd, Iowa legally described as:

A part of the NE ¼ SW ¼ of Section 26, Township 84 North, Range 7 West of the 5th Principal Meridian, Linn County, Iowa described as follows: Beginning at the center of said Section 26, thence S01°15'29"E along the east line of said NE ¼ SW ¼, 1027.14 feet to the centerline of E. Robins Road; thence N66°07'04"W along said centerline, 732.89 feet to the SE corner of Meadowknolls First Addition to said County; thence N01°16'54"W along the east line of said Addition, 460.36 feet; thence N00°46'33"W along the east line of said Addition, 267.00 feet to the north line of said NE ¼ SW 1/4; thence N89°44'37"E along said north line, 651.51 feet to the Point of Beginning, containing 13.36 acres which includes 0.67 acres of road right of way.

is hereby changed from the "AG" Agricultural District to the "USR" Urban Services Residential District.

SECTION 2. ZONING MAP AMENDED. The Planning and Development Director, or his designee, is instructed to modify the Official Zoning Map of Linn County, Iowa to reflect the district classification change described in Section 1.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed.
SECTION 4. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Public hearing and first consideration on the 29th day of October, 2018

Second consideration on the 31st day of October, 2018.

Third and final passage on the 23rd day of January, 2019.

Published in the Gazette on the 19th day of October, 2018.

LINN COUNTY BOARD OF SUPERVISORS

__________________________
Chairperson

__________________________
Supervisor

__________________________
Supervisor
ATTEST:

__________________________
Joel D. Miller, Linn County Auditor

STATE OF IOWA )
 )SS
COUNTY OF LINN )

I, ___________________________, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on ______________________, 2019 and published as provided by law on ______________________, 2019.

__________________________
Linn County Auditor

Subscribed and sworn to me this _____ day of ______________________, 2019.

__________________________
Notary Public, State of Iowa