

BOARD OF SUPERVISORS

District 1 | **Stacey Walker**

District 2 | **Ben Rogers**

District 3 | **Louis J. Zumbach**

JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER

935 2ND ST. SW

CEDAR RAPIDS, IA 52404

PH: 319-892-5000 | FAX: 319-892-5009

LinnCounty.org



**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Monday, August 9, 2021

11 a.m.

Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA

Call to Order

Public Comment: Five Minute Limit per Speaker

This comment period is for the public to address topics on today's agenda.

Minutes--Discuss and decide on meeting minutes.

Proclamation: Derecho Remembrance Day

Discuss proposed Temporary Use Permit, case JTU21-0011, John Bickel, owner; Horsfield Construction, petitioner; request to operate a portable concrete plant at 1636 Marietta Road from August 11 until October 1, 2021

Discuss and decide on a request from Kevin Visser of Simmons, Perrine, Moyer, Bergman PLC for use of the Linn County Courthouse to host a gathering for the retirement of one of their longtime members. All affected departments as well as State Court Administration have been notified and proper hold harmless documentation is on file.

Discuss a Vacancy Form requesting a change in the clerk's hours from 28 hours to 30 hours for the Purchasing Department.

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.

Payroll Authorizations

Discuss and decide on Employment Change Roster (payroll authorizations).

Claims--Discuss and decide on claims.

Correspondence

Appointments

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.

LINN COUNTY



PROCLAMATION

Derecho Remembrance Day

Whereas, many parts of the Midwest, including Iowa and Linn County, were affected by a severe derecho storm that swept through the state on Monday, August 10, 2020; and

Whereas, the derecho unleashed sustained winds and gusts between 90-140 mph for up to 45 minutes causing extensive damage and power outages for hundreds of thousands of people, including Linn County residents and businesses; and

Whereas, in addition to structural damage, downed trees and widespread power outages, the strong winds resulted in major agricultural losses for farmers; and

Whereas, the agricultural losses vaulted the estimated damage cost from the derecho to \$7.5 billion making it the costliest severe thunderstorm weather disaster to hit the United States in at least four decades, according to the National Oceanic and Atmospheric Administration; and

Whereas, the derecho has changed the appearance of much of Linn County, including our local county and city parks, street trees, and private yards, homes, and businesses, all experiencing widespread devastation, not to mention the emotional anguish and anxiety that continues to linger for many in our community; and

Whereas, it is our obligation to do the best we can on our path to recovery and collaborate with many organizations in our quest to rebuild a resilient and sustainable Linn County, so future generations will be able to appreciate the natural resource as we did previously;

NOW, THEREFORE, BE IT PROCLAIMED that we, the Linn County Board of Supervisors, do hereby proclaim August 10, 2021 as **Derecho Remembrance Day** in Linn County and call upon all residents and visitors to commit to proactive disaster preparation and to learn about and take action that advances environmental sustainability.

Linn County Board of Supervisors

Chairperson





Zoning Division

Temporary Use Application

Owner Information:		Applicant Information:	
Owner	<u>John Bickle</u>	Applicant	<u>Horsfield Construction, Inc.</u>
Address	<u>2305 Hillcrest Drive SE</u> <u>Cedar Rapids IA 52403-4237</u>	Address	<u>505 East Main St.</u> <u>Epworth, IA 52045</u>
Phone	<u>319-363-0398</u>	Phone	<u>563-876-3335</u>
E-mail	<u>johncorky1@gmail.com</u>	E-mail	<u>scottb@horsfieldinc.com</u>
Surveying Co:	_____	E-Mail	_____
Engineer:	_____	Phone	_____
Property Information:			
Property Address or Address Range (block)	<u>1636 Marietta Rd, Ely, IA 52227</u>		
Brief legal(s) (Sec./Twp./Range)	<u>NE ¼ Sec. 15 T8283N-R6W</u>		
GPN(s)	<u>LAT 41° 55' 05" N LONG 91° 31' 12" W</u>		
Rural Land Use Map Designation	_____		
Current Zoning	<u>AG</u>	Total Acres	<u>4 Acres</u>
Submittal Requirements: Application, Fee, Minor Site Plan Drawing Proof of Insurance (if applicable) Severe Weather Plan (if applicable)			
The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Linn County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the office of Linn County Planning and Development to conduct a site visit and photograph the subject property.			
This development is subject to and shall be required, as a condition of final development approval, to comply with all Unified Development Code policies, requirements, and standards that are in effect at the time of final development approval.			
Owner	<u>John M Bickle</u>	Applicant	<u>Scott Bergquist</u> - Horsfield Construction, Inc.
Date	<u>7/21/21</u>	Date	<u>7/21/21</u>
Case #	<u>JTU21-0011</u>	<p style="text-align: center;">Date Received RECEIVED</p> <p style="text-align: center;">AUG 04 2021</p> <p style="text-align: center;">LINN COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT</p>	
Receipt#	_____		

The following information shall be provided with the application:

Is the property located within a Flood Plain? YES NO

Is the Proposed Use within the Flood Plain area? YES NO

Temporary use period:

Beginning As soon as Permit is Approved

Ending 10/1/2021

Description of Proposed Use:

Setting Portable Concrete Plant Temporarily for Linn County Road Project

Days & Hours of Operation

Monday-Saturday 5:00 am – 8:00 pm

Will a building or structure be used and what type?

No

Will there be a sign? Per Article V, section 107-94 (j) include dimension details and content.

No

Have you contacted the Building Division for review of applicable building code requirements?

YES NO

Restroom Facilities:

Currently provided on site.

Portable will be brought to the site.

None available.

Estimated increase in vehicle trips per day Maximum of 500

Type of vehicles using facility Dump Trucks and Semis

Does the property have access from a state highway? YES NO

(If yes, review with Iowa Department of Transportation at (319) 365-3558.

Number of parking spaces provided Enough for all vehicles

The following documents shall be attached:

- Proof of Insurance
- Minor Site Plan
- Proof of Insurance (if applicable)
- Severe Weather Plan (if applicable)



Legend
📌 PORTABLE PLANT LOCATION

Project Site
Haul Route

PORTABLE PLANT LOCATION



Prepared by and to be returned to: Stephanie Lientz, Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100 (319) 892-5130

RESOLUTION APPROVING A TEMPORARY USE

RESOLUTION # _____

WHEREAS, John Bickel owner; and Horsfield Construction, petitioner; Case JTU21-0011, has requested the Linn County Board of Supervisors' permission to operate a portable concrete plant to be used for a county road project on Ivanhoe Road, and located at 1636 Marietta Rd, Ely, Iowa.

AND WHEREAS, the Board of Supervisors makes the following Findings of Facts:

1. The portable concrete plant will operate from August 11, 2021 and end by October 1, 2021.
2. A temporary concrete plant is permitted under the provisions of Article V, Section 107-93, §(c)(1) of the Linn County Unified Development Code.
3. The property is located at 1636 Marietta Rd, Ely, Iowa.
4. The property is zoned AG (Agricultural) and is 53.0 acres in size.
5. Approximately 1.5 acres will be used for the temporary use.
6. The owner of the subject property is John Bickel.
7. The operator of the portable concrete plant will be Horsfield Construction.
8. The plant may operate between the hours of 5:00 AM to 8:00 PM, Monday through Saturday.
9. Two portable toilets and one hand washing station will be accessible on-site for the duration of the operation of the plant.
10. The applicant estimates an increase to a maximum of 500 vehicle trips per day due to the operation of the portable concrete plant.

AND WHEREAS, the Linn County Technical Review Committee has examined the application and all conditions of approval are listed as part of this Resolution;

AND WHEREAS, the Temporary Use application has been examined by the Linn County Board of Supervisors at a public meeting on August 9, 2021, all interested persons having been heard;

NOW THEREFORE, BE IT RESOLVED, that the Linn County Board of Supervisors approve the application, Case JTU21-0011, subject to the following conditions:

LINN COUNTY PLANNING & DEVELOPMENT (Zoning Division)

1. The Temporary Use may be reviewed at any time during the duration of the permit to ensure that all conditions have been or are being met.
2. All building, electrical, mechanical, plumbing and zoning permits will be obtained as necessary.
3. Adhere to the operating hours indicated in the temporary use application; 6:00 AM to 8:00 PM, seven days a week.
4. The temporary use permit period will be begin August 11, 2021 and expire no later than October 1, 2021.
5. Restrooms are required to be available during the hours of operation.
6. The applicant or owner shall obtain and submit proof of a liability insurance policy prior to Board of Supervisors approval.
7. The petitioner shall sign an "Acceptance of Conditions" form which provides assurance that all conditions will be met prior to the Board of Supervisors Resolution of Approval, and specifically agrees to hold Linn County harmless from any and all damages or claims for damages that might arise or accrue by reason of approval of the Temporary Use permit by the Linn County Board of Supervisors. Further, by signing the "Acceptance of Conditions" form, the petitioner shall agree to allow employees of the County reasonable access to the property for inspection and for submission of documents to verify any additional information.

LINN COUNTY PLANNING & DEVELOPMENT (Building Division)

1. An electrical permit is required for new electrical services and/or the installation of non-chord and plug electrical equipment associated with the batch plant.
2. Two permanent or portable restrooms shall be on-site and serviced for the duration of the operation of this concrete plant.

LINN COUNTY ENGINEERING

1. Placement of 6" thick macadam stone (or other clean crushed product approved by engineer) pad for aggregate stockpiles.

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY HEALTH DEPARTMENT

1. Approval from the Air Quality Division for Air Quality Construction Permit.
2. Submit Notice of Relocation to Linn County Public Health at least seven (7) days prior to moving the equipment to the proposed location.

LINN COUNTY SHERIFF'S OFFICE

1. Supply an after-hours call list to the Sheriff's Office (must have more than 1 contact person).

LINN COUNTY EMERGENCY MANAGEMENT

1. Applicant shall submit a Severe Weather Plan for Special Events or Venues to the Linn County Emergency Management Agency for review and approval.

LINN COUNTY E-911 COORDINATOR

1. No conditions to be met.

LINN COUNTY CONSERVATION

1. No conditions to be met.

NATURAL RESOURCE CONSERVATION SERVICE

1. Applicant shall review operation and proposed addition with the Iowa DNR and Army Corps of Engineers and implement any required actions.
2. Applicant shall ensure that all stormwater runoff from the plant is contained on site.
3. Submit erosion and sediment control plan for review and acceptance.

WHEREAS, failure to comply with any of the above conditions in a timely manner will void this temporary use permit.

NOW, THEREFORE, BE IT RESOLVED, by the Linn County Board of Supervisors that said temporary use is hereby approved.

Passed and approved this 11th day of August, 2021.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

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 and ___ Absent from voting.

Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, on this 11th day August, 2021.

Notary Public State of Iowa

