

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
TUESDAY, MARCH 3, 2020 9:00 A.M.

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

Chairperson Rogers called the meeting to order.

The Board heard updates from the following Elected Officials:

Brian Gardner, Sheriff - working on recruitment posters and changes with upcoming testing in May; discussed lateral transfers and potential concerns; flooding of jail has been cleaned up.

Sharon Gonzalez, Treasurer - tax sale publication bid awarded; potential to register tax sale bidders online in the future; all staff meeting for Tyler training next week; will have money in her budget to cover camera's for her office (offer money can be used for another department).

Becky Shoop, Deputy Auditor - Tyler is training staff in the office today (six weeks until go live); local budgets are arriving; GovSense is in the process of review; Ceridian will issue first paychecks starting October 2nd; will be attending public hearing tonight.

Rebecca Stonawski, Deputy Auditor - Alburnett and College Community elections taking place today; candidate filing period started Monday; moving forward with Lindale Mall satellite location.

The Board recessed at 9:24 a.m. and Board reconvened at 6:30 p.m. at the Falcon Civic Center, Central City.

Motion by Rogers, seconded by Oleson to open a public hearing for a proposed ordinance regulating the operation of all-terrain vehicles and off-road vehicles in Linn County. Proof of publication was presented.

Supervisor Oleson gave an overview of the ordinance, noting that he was approached over a year ago from citizens that wanted this ordinance in place. Teresa Sackett spearheaded the ordinance and went to the County Attorney and modeled the ordinance after state statute. Oleson noted that roadways that are paved with high traffic levels are prohibited and does not include Linn County municipalities.

Mike Hansen, 133 Wellesley Court NW, Cedar Rapids, stated that he purchased an ATV along with his son and family. It is good family fun and they enjoy riding and would like to do so in Linn County. He voiced concern about language in the ordinance regarding three wheels.

Steve Ciha, 5290 Sutton Rd., Central City, stated that he does not own a quad but his father does. He does not have a strong opinion for or against but did say that it would impact him because of where he lives (near the Paris bridge). He suggested giving it a one year trial and then revisit. He also noted that they should be allowed to operate in parks.

Teresa Sackett, rural Central City and Linn County Deputy Recorder. She stated that she is an outdoor enthusiast. This is a work in progress for over a year. She has met with Supervisor Oleson, DNR staff, the Sheriff and County Engineer. The County Attorney has reviewed same. She noted that there is room for change. Sackett also read a statement from Loren and Amy Lacey, owners of Prairie Moon on Main in Prairieburg, supporting the ordinance.

Jeff Drymon, LaFayette, stated that he has been riding side by sides for over 20 years. It's a family affair and his kids wear helmets and seatbelts. They travel all over the United States to ride because they provide the trails and the communities cater to the riders. If the ordinance is allowed, everyone needs to abide by the rules. He encouraged the Supervisors to talk to the Conservation Board about a trail system.

Tyler Snobl, 1151 Waubeek Rd., stated that he had been riding since he was young and stated that there are no recreational trails in Iowa. He goes out of state. He also doesn't like paying for a registration when he can't ride on the roads. Bicycles don't need to be registered and they cause accidents. These machines have roll cages, etc. There are some out of towners that have given ATV's a bad record. Snobl has a map from Jones County that highlights roads where you can go. Everyone needs to abide by the rules.

Scott Minzenmeyer, 24806 120th St., Anamosa and a member of the Blue Cut Trailblazers, stated that Jones County opened roads up to UTV's last year. They have an organized

group that self-regulate (85 members) and 50% are utility vehicles. Everyone at the meeting has a legitimate point and when you start to get legitimate roads and clubs, there are less violations. The more it corresponds with other counties. Most of the surrounding counties have UTV laws and regulations.

Jeremy Stolba, 1395 Curtis Bridge Rd., Swisher, stated that he does not recommend an additional fee. They should get organized and self-regulate. He stated that 51 counties have this law. He has forwarded an economic impact study to the Board.

Rob Hansen, 865 Fairview Dr., Marion stated that he runs West Side Tire and stated that there is a lot of machinery and equipment being brought into this county but they go to other State's to ride them. They spend a lot of money on hotels, meals, gas, food, and maintenance.

John Godar, Troy Mills, stated that he is retired from the Linn County Sheriff's Office. He knows public safety. He asked the Board to make their decision based on evidence. Check with other counties and see if the sky is falling because it's not. He noted that one person can ruin it for the whole group. Godar stated that since he heard about this proposed ordinance, he reached out to Sheriff's across the state that have UTV ordinances. They had not a negative word to say about it.

Jason Adams, Blairsferry Rd., stated that he is on the fence about this. He doesn't own one but has cars and motorcycles. There are people ripping up and down his road with off road motorcycles, etc. He has safety concerns, quality of life concerns, but overall he is open minded about this. He also would like to have places to ride. He is concerned about the more residential paved roads and houses closer to the street. He also suggested trying it for a period of time and revisit.

Supervisor Walker stated that he appreciates his colleague's organizing this public hearing and asked if there was anybody that wanted to speak that is on the other side of this issue. He also encouraged them to send emails as well if they were not comfortable speaking this evening.

Supervisor Oleson stated that he has no problem revisiting any ordinance that the Board adopts.

Trish Stolba, 1395 Curtis Bridge Rd., Swisher, stated that there is an organization in Johnson County, Safety Crisis Committee, that is using a crisis center document that is an unpublished survey. This committee has tried to stop these ordinances from going through and have not been successful.

Eli Hunerdosse, 5653 Sutton Rd., stated that Wisconsin's registration fees go back into trails and will that be happening in Linn County.

Sackett stated that all registration fees go to the DNR and the fees are used for various DNR purposes. This ordinance does not include any additional permit fees.

Dexter Shaffer asked about enforcement and Supervisor Oleson stated that there is a penalty section. This would be in the Sheriff's jurisdiction.

Jeremy Stolba stated that there are grants available through the DNR for ATV clubs. Signs would not cost the county anything.

Ray Archibald, rural Coggon, stated that side by sides can be driven in Coggon but not ATV's. The city is looking at a Manchester ordinance and encouraged other municipalities to do the same.

Supervisor Walker stated that he appreciates everyone's input and stated that he has not made up his mind.

Brad Owens, 826 Prairie Main Rd. Central City, stated that he owns a chunk of land west of Prairieburg. He constantly has people kayaking that don't pick up their trash. He goes to Wisconsin and Minnesota because Iowa doesn't offer anything for trails. He pays \$100 in out of state trail fees which is used for grooming and marking trails. He noted safety aspects of bicycles, motorcycles and snowmobiles. He would like to see this ordinance approved so that he can go down a gravel road in Linn County without being illegal.

Trish Stolba spoke with regard to the financial impact, noting that side by side's will run between \$15,000 and \$20,000. Each have \$2,000 - \$3,000 in accessories.

Jason Adam cautioned those present to not bad mouth bicycles.

Page 3
March 3, 2020

The Board thanked everyone for their time and input and noted that a second public hearing will be held on Wednesday at 10:00 a.m. in the Public Service Center, 935 2nd St. SW, Cedar Rapids.

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

Adjournment at 7:36 p.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Rebecca Shoop, Deputy Auditor
and Amanda Hoy, Executive Assistant

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors