

LINN COUNTY BOARD OF SUPERVISORS  
 CEDAR RAPIDS, LINN COUNTY, IOWA  
 WEDNESDAY, MAY 26, 2021 11:00 A.M.

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

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

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

Resolution 2021-5-75 2022 County Five Year Program Resolution 0.1  
 Linn County Secondary Roads Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan. The Board of Supervisors of Linn County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2022), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following projects shall be ADDED to the Program's Accomplishment year:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Total
ER-C057(LIGHT REPAIR)-- 58-57 ER-C057-LIGHT REPAIR-22 48666	On COUNTY HOME RD AT INTERSECTION WITH HWY 13S, S9 T84 R06 REPLACE DESTINATION LIGHT THAT WAS DESTROYED BY DERECHO ON 8/10/2020. DDIR APPROVED.	5515 0.000 miles	395 Lighting FA	\$10,000

Fund	Accomplishment Year		
	Previous Amount	New Amount	Net Change
Local	\$1,900,000	\$1,902,000	\$2,000
Farm-to-Market	\$500,000	\$500,000	\$0
Special	\$5,015,000	\$5,015,000	\$0
SWAP	\$0	\$0	\$0
Federal Aid	\$0	\$8,000	\$8,000
Totals	\$7,415,000	\$7,425,000	\$10,000

Approve and authorize Chair to sign a certificate of insurance to allow Linn County departments and agencies participation at the Linn County Fair June 21 through June 27, 2021.

Approve and authorize Chair to sign Shared Road Maintenance and Snow & Ice Control Agreement between Linn County and the City of Springville.

Approve and authorize Chair to sign contract between Iowa Office of Drug Control & Policy and Linn County for the Iowa Byrne Justice Assistance Grant (JAG) Program for on-call crisis counselor support at the Linn County Mental Health Access Center utilizing Foundation 2 as the contracted agency, for a total of \$21,000.

Approve and authorize Chair to sign a variance application for the reconstruction of a restroom within the floodplain in the 4200 block of Chain Bridge Road.

Approve and authorize Chair to sign a Decat Contract for Fiscal Year 2022, DCAT4-22-016; Protective Program between The Iowa Department of Human Services and Linn County effective July 1, 2021 through June 30, 2022 in the amount of \$39,935

Approve Cigarette Permit for Casey's General Store #2789, 888 Vernon Valley Dr. SE, Cedar Rapids.

Approve Liquor License for Touch of Class, 5977 Mt. Vernon Rd. SE, Cedar Rapids, retroactive to May 20, 2021, noting all conditions have been met.

Approve Liquor License for Bass Farms, 840 Bass Ln., Mt Vernon, IA, retroactive to May 20, 2021, noting all conditions have been met.

Approve Liquor License for Columbus Club, 810 Vernon Valley Dr., Cedar Rapids, retroactive to May 20, 2021, noting all conditions have been met.

Approve Casey's General Store #2789 Liquor License, 888 Vernon Valley Dr. SE, noting all conditions have been met.

Approve Sutliff Cider Liquor License, 382 Sutliff Rd., noting all conditions have been met.

Motion by Zumbach, seconded by Rogers to approve claims for AP checks #71002448-#71002494 in the amt. of \$178,271.43 and AP ACH in the amt. of \$1,036,134.98.

Chairperson Walker stated that the weekly COVID update will be removed from the agenda, however, he receives regular information regarding the COVID situation.

Brent Oleson, Deputy Dir. of Policy & Community Relations, presented the post-bid quality assurance questionnaire for use in evaluation of qualifications of bidder as discussed on Monday. The Board will need to direct staff to administer the questionnaire.

Lisa Epp, Asst. County Atty., stated that she has done some research and it is her opinion that they certainly can do a questionnaire but she prefers that language be tailored or authored by someone within the county's organization.

Supervisor Zumbach suggested that they table this. He contacted different people that are willing to make legislation next year to tackle the issue.

Motion by Zumbach, seconded by Walker to not approve the questionnaire at this time.

Discussion: Chairperson Walker stated that he appreciates Supervisor Zumbach's suggestion, however, if they were in direct violation of the law by adopting this language, the civil division would advise them of that. Supervisor Rogers made the comment on Monday about uniformity and that the largest governments be on the same page. This helps them get to a place where they can take into other considerations, therefore he will not support this motion. He will encourage the Board to adopt the questionnaire language as is and if changes are necessary down the line, then they can change it.

Lisa Epp stated that there are certain questions on the questionnaire that she would not include on the final document. There are certain questions that she would like not to be there and again, if they could have a more tailored one, she would support that.

Supervisor Rogers stated that he understands Supervisor Zumbach's motion and his perspective and appreciates that. Unfortunately, they just concluded a legislation session where there was a brutal assault on local control. It is hard to work with a legislature that does not care about local control.

Supervisor Zumbach clarified that the Board is about to vote down working with the legislature that will help Linn County. Then there is going to be a new motion that will go against the County Attorney.

Supervisor Zumbach amended his motion to direct council to work with the powers that be to write a draft more in line with Iowa law.

Lisa Epp stated that there are questions that she would strike from the document for legal reasons and there are questions that she is not comfortable with.

Gage clarified for the Board that should they approve the questionnaire as written, that it will take one meeting and a motion to make any changes they would want to make.

Supervisor Rogers seconded motion to amend.

Discussion: Gage advised the Board that there are not a number of large dollar projects in que at this time. There will be some with measurable dollar amounts in a couple months however.

Supervisor Zumbach stated that the Board should follow the County Attorney's lead.

VOTE: Zumbach - Aye Walker & Rogers - Nay

Motion by Walker, seconded by Rogers to adopt post-bid quality assurance questionnaire for use in evaluation of qualifications of bidder.

Discussion: The Board asked that Oleson work with civil division to uncover her recommendations.

Oleson stated that they talked before the meeting and felt comfortable with the document when they had known that Polk County, Des Moines and Cedar Rapids had a version. When the ABC letter came in, that made them rethink some things.

Epp clarified that the ABC letter did not influence her concerns. She identified some concerns before the letter was received and she is at today's meeting to talk to the Board about them. She did research the better part of yesterday and she is here today to tell the Board about her concerns. ABC has a certain interest in this issue and the body that brought the issue. Her concern is protecting the county and that is what she will do. She and Oleson spoke at length this morning and he understands her concerns.

Supervisor Zumbach stated that there is no reason they cannot table this for a week or two in order to hear Epp's concerns.

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Darrin Gage advised the Board that the motion made by Chairperson Walker is out of order. Supervisor Zumbach's original motion needs to be voted on.

VOTE: Zumbach - Aye Walker & Rogers - Nay

Motion by Walker, seconded by Rogers to adopt post-bid quality assurance questionnaire for use in evaluation of qualifications of bidder.

Discussion: Supervisor Zumbach stated that they should take two weeks to look into this and revisit.

Chairperson Walker stated that they can have their cake and eat it too. They can take all the time they need to assess the situation and if the Board deems an amendment is necessary, then they can revisit.

VOTE: Zumbach - Nay Walker & Rogers - Aye

Trace Nelson, 3311 Pleasant Creek Rd., Palo, spoke to the Board regarding the sighting of utility scale solar installation and standards for review and factors in permitting. She stated that there could be some changes to the current ordinance more specific to the CRP, buffer zones between residential areas (something reasonable), installation area should have water collection system, holding basins, and need for separate requests for each individual site.

Supervisor Rogers thanked Ms. Nelson for sitting through last night's meeting and for her advocacy. He highlighted Charlie Nichols, Planning & Development Dir., who put on a master class of calm, confidence and a mastery of knowledge on policy last evening. He did a great job of helping to alleviate a lot of concerns permeating around this process. He also thanked Jon Resler, Jon Gallagher and Shoop for attending.

Chairperson Walker apologized for his absence last evening, as he was severely under the weather. He felt bad and did not want people to think he was running away from what could be an uncomfortable meeting. It was a good thing for people who do not see eye to eye to meet and speak. He is pleased to hear that Linn County came through again.

Board Member Reports: Chairperson Walker reported that board members had another conversation with the LC3 team examining their strategic plan.

Adjournment at 11:48 a.m.

Respectfully submitted,

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

Approved by:

STACEY WALKER, Chairperson  
Board of Supervisors