

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, JULY 1, 2020 11:00 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 and led the pledge of allegiance.

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

Receive and place on file the Veterans Affairs Monthly COVID-19 report for May 2020.

Resolution 2020-7-79

RESOLUTION APPROVING APPOINTMENT OF ASSISTANT LINN COUNTY ATTORNEY

WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Jerry Vander Sanden, Linn County Attorney, has submitted to the Board of Supervisors, Linn County, Iowa, for approval

of Molly K. Edwards, for appointment as Assistant Linn County Attorney, and WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Molly K. Edwards to be qualified to serve as Assistant Linn County Attorney and that the appointment of Molly K. Edwards will not exceed the number of assistants authorized for the Linn County Attorney's Office by the Board of Supervisors, Linn County, Iowa.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, that the appointment of Molly K. Edwards as Assistant Linn County Attorney by Jerry Vander Sanden, Linn County Attorney, is hereby approved.

Resolution 2020-7-80

A Resolution approving a Final Plat to be named Chapman Addition. The following description is a summary of Resolution No. 2020-7-80 as passed and approved by Linn County Board of Supervisors, effective July 1, 2020

Chapman Addition (Case # JF20-0005) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, Lot 2, and lettered Lot A, a subdivision of real estate located in the SWSE of Section 24, Township 82 North, Range 7 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing at the South Quarter Corner of Section 24, Township 82 North, Range 7 West of the Fifth Principal Meridian; thence N89°25'24"E along the south line of the Southeast Quarter of said Section 24, a distance of 363.00 feet; thence N2°11'54"W, 33.01 feet to the point of beginning; thence N89°25'24"E, 600.00 feet; thence N2°11'54"W, 363.00 feet; thence S89°25'24"W, 600.00 feet; thence S2°11'54"E, 363.00 feet to the point of beginning.

The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at www.linncounty.org.

Resolution 2020-7-81

A Resolution approving a Residential Parcel Split to be named Stoner Farm First Addition. The following description is a summary of Resolution No. 2020-7-81 as passed and approved by Linn County Board of Supervisors, effective July 1, 2020

Stoner Farm First Addition (Case # JPS20-0009) to Linn County, Iowa, containing two (2) lots, numbered Lot 1 and lettered outlot A, a subdivision of real estate located in the SWSE of Section 13, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing at the North Quarter Corner of said Section 13; thence South 0°52'30" East 3322.39 feet along the West line of the East Half of said Section 13 to the Southwest Corner of the North Half of the Northwest Quarter of the Southeast Quarter thereof and the point of beginning; thence North 88°12'21" East 436.83 feet along the South line of the North Half of the Northwest Quarter of the Southeast Quarter of said Section 13 to a point of intersection with the West right of way line of Highway No. 1; thence South 3° 33'40" East 142.91 feet along said West right of way line; thence South 9° 34'21" West 620.40 feet along said West right of way line to the beginning of a 25526.70 foot radius curve concave Southeasterly; thence Southwesterly along said right of way line through a central angle of 0° 08'40" an arc distance of 64.36 feet (chord bearing South 9° 30'00" West 64.36 feet); thence North 85°07'12" West 321.00 feet to a point of intersection with the West line of the East Half of said Section 13; thence North 0° 52'30" West 357.58 feet along said West line to a point of intersection with the North line of the South 14.75 rods of the Northeast Quarter of the Southwest Quarter of said Section 13; thence South 88°36'05" West 66.00 feet along said North line; thence North 0° 52'30" West 419.23 feet parallel with the West line of the East Half of said Section 13 to a point of intersection with the North line of the South Half of the Northeast Quarter of the Southwest Quarter of said Section 13; thence North 88° 26'51" East 66.00 feet along said North line to the point of beginning, containing 7.82 acres subject to easements, covenants and restrictions of record.

The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at www.linncounty.org

Approve and authorize Chair to sign a renewal agreement between Linn County and the Juvenile Detention Medical Director effective July 1, 2020 through June 30, 2021 for an amount of \$26,523.

Approve and authorize Chair to sign a renewal agreement between Linn County and Johnson County for a Detention Alternative Program effective July 1, 2020 through June 30, 2021 for an amount not to exceed \$95,000.

Approve and authorize Chair to sign a 28E agreement with the City of Cedar Rapids for improvements to Tower Terrace Road between Miller Road and I-380. Linn County has declined to participate financially but will cooperate as necessary to facilitate the acquisition of necessary right-of-way within county jurisdiction.

Approve and authorize Chair to sign the contract for LP Fuel Delivery for the Secondary Road Department to Linn Cooperative in the amount of \$25,200.

Approve and authorize Chair to sign a 3-year contract with Cost Advisory Services, Inc. for an indirect cost recovery plan with no change to the annual fee of \$9,875.

Approve and authorize Chair to sign an audit engagement letter with Eide Bailly for fiscal year 2020, at a fee not to exceed \$60,500.

Approve and authorize Chair to sign the following Linn County Children's Mental Health Assistance Program Fiscal Year 2021 provider agreements with: Four Oaks Family & Children's Services; Melissa Wehr, Therapist; Murray, Wilson & Rose Counseling; Tanager Place; Abbe Center for Community Mental Health; Changing Leaf Counseling; Lisa Ferretti, LISW; Family Psychology Associates; Families, Inc.; Mount Vernon Family Counseling; Covenant Family Solutions; and Guiding Light Christian Counseling Center

Approve and authorize Chair to sign Linn County Fiscal Year 2021 Provider and Program Participation Agreement for Substance Abuse Commitments between Linn County and Associates for Behavioral Healthcare effective July 1, 2020 through June 30, 2021

Approve and authorize Chair to sign a Purchase of Service Agreement between The Area Substance Abuse Council and Linn County effective July 1, 2020 through June 30, 2021 at \$42.30 per day, per client, for a maximum of 30 days

Approve and authorize Chair to sign a 2nd Amendment to an existing Professional Services Agreement between Linn County and New Venture Advisors for a Linn County Food System Assessment.

Approve and authorize Chair to sign 28E Agreement with the City of Marion for a concrete overlay project on Winslow Road.

Approve and authorize Chair to sign 28E Agreement with the City of Marion for a project to install traffic signals at S 31st Street and Hwy 100.

Approve and authorize Chair to sign a purchase order #5645 for \$17,600.00 to iboss, Inc for internet security services for the IT Department.

Authorize Chair to sign purchase order #5647 for \$332,023.72 to CEC for the video management system upgrade for the Correctional Center.

Approve Class C Liquor License for F. B. & Co., 4185 Whittier Rd., noting all conditions have been met.

Motion by Rogers, seconded by Walker to approve minutes of June 29, 2020 as printed.

Motion by Rogers, seconded by Walker to remove the following from the agenda: Update on the 2020 census and Linn County Complete Count Committee.

Motion by Walker, seconded by Rogers to approve placing an emergency agenda item on the agenda as it is for the lease of the Fillmore Building which ended yesterday and agenda only had "discuss". They need to make a decision today.

Pramod Dwivedi, Public Health Dir., gave an update on Linn County's response to COVID-19 as follows.

- Observed a 191% increase in cases from June 7 to June 24.
- The increase in cases poses a significant risk and they urge Linn County residents to follow social distancing, face masks, wash hands, and stay home no matter how minor symptoms are.
- Working on reopening guidance.
- Linn County has 1,230 cases with 82 deaths

COVID-19 Budget requests: The Board agreed to forgo the additional expense for translation signs noting that a better use of resources would be to focus on how they can have handouts when the buildings reopen. This will allow for time to think about what can be translated throughout the other county buildings. There are also members of the community that could do translating for the county without incurring extra costs.

Motion by Rogers, seconded by Walker to approve second and final consideration of Resolution 2020-7-82

A Resolution approving a Preliminary Plat to be named Hilltop Farm Second Addition. The following description is a summary of Resolution No. 2020-7-82 as passed and approved by Linn County Board of Supervisors, effective July 1, 2020 Hilltop Farm Second Addition (Case # JP19-0001) to Linn County, Iowa, containing six (6) lots, numbered Lot 1, Lot 2, Lot 3, Lot 4 and Outlot A and Outlot B, a subdivision of real estate located in the SWSW of Section 18, Township 83 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: Lot 1, "Auditor's Plat No. 508, Linn County, Iowa" except Lot 1, "Hilltop Farm First Addition to Linn County, Iowa" The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at www.linncounty.org

Supervisor Oleson presented a Display Fireworks Permit for the Antioch Christian Church happening July 2, 2020. While communicating with church personnel, he has been assured that if a \$2 million insurance policy is not available, they will not shoot.

Motion by Oleson, seconded by Walker to approve the Display Fireworks Permit for the Antioch Christian Church happening July 2, 2020 conditioned on them satisfying the insurance requirements.

Discussion: Chairperson Rogers asked if the Church mentioned the number of people that will be in attendance and if there is any social distancing. Supervisor Oleson stated that he did not ask.

VOTE: All Aye.

The Board continued their discussion from Monday regarding a Resolution approving a proposed Temporary Use Permit for the Central City Historical Society to hold Brown Farm Pioneer Days.

Dustin Hinrichs, Public Health, stated that he has had conversations with the event organizers since Monday. The Health Department does not recommend that this event be held but if the Board approves it, they have come up with a list of seven different items to make it safe including the elimination of a petting zoo.

Jim Grief, representing Historical Society (via phone), stated that they are okay with the recommendations.

Motion by Oleson, seconded by Walker to approve Resolution 2020-7-83, Temporary Use Permit for the Brown Farm Pioneer Days for discussion:

Discussion: Chairperson Rogers stated that they typically rubberstamp events such as this and he appreciates everyone getting involved during the COVID-19 time. He noted that there has been an increase in cases nearing 200% in the last 14 days. There is no reduction in community spread and it is nothing personal but is uncomfortable approving an event with an estimated 2,000 people.

Supervisor Walker stated that they are in a global health emergency and every other developed country in the world has a handle on it with the exception of the United States. The numbers are on the rise and as a member of the Linn County Board of Health, he feels that he has to pay attention to the data when it comes to keeping residents safe. He appreciates all the work Mr. Grief has done to work with the Public Health staff. He also stated that it would be advisable going forward for the Planning & Development Dept. to work with Public Health and figure out if the Board can anticipate how many more of these types of events are going to happen. He stated that he will in the future not support these types of permits but will be supportive of this event and this instance only.

VOTE: Walker and Oleson - Aye

Rogers - Nay

Resolution 2020-7-83

WHEREAS, CENTRAL CITY HISTORICAL SOCIETY, owner and petitioner, Case JTU20-0003, has requested the Linn County Board of Supervisors' permission to operate "Brown Farm Pioneer Days", an outdoor event, located at 1361 Sawyer Road, Central City, Iowa. AND WHEREAS, the Board of Supervisors makes the following Findings of Facts:

1. The event will operate from July 24, 2020 and end by July 26, 2020.
2. The event will be open from 6pm to 9pm on Friday, July 24, and 10am to 5pm on Saturday, July 25, and Sunday, July 26.
3. The event is located on three parcels and is addressed at 1361 Sawyer Rd, Central City, IA 52214
4. The parcels include GPNs: 07-01-226-001-00000, 07-01-251-001-00000, & 07-01-276-002-00000.
5. The subject properties zoned AG (Agricultural) and combined are approximately 72 acres in size.
6. Approximately 36.5 acres will be used for the temporary use.
7. Central City Historical Society is the owner of the subject properties

8. The applicant estimates an increase to a maximum of 450 additional vehicle trips per day due to the operation of the event.

9. Onsite buildings will be used for activities such as a flea market, vintage farm equipment exhibit, petting zoo, museum, steam powered sawmill, and blacksmith shop. There will also be a tent and open pavilion for food, and temporary tents representing a Buffalo Fork Settler's Camp. Visitors are able to see working demonstrations using antique machinery and horse drawn vehicles and equipment.

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 June 29, 2020, all interested persons having been heard;

NOW THEREFORE, BE IT RESOLVED, that the Linn County Board of Supervisors approve the application,

Case JTU20-0003, 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.

4. The temporary use permit period will begin July 24, 2020 and expire no later than July 26, 2020.

5. Parking for 325 vehicles as indicated on the application shall be provided.

6. Restrooms are required to be available during the hours of operation.

7. The applicant or owner shall obtain and submit proof of a liability insurance policy prior to Board of Supervisors approval.

8. 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.

9. Temporary off site signs may be allowed, provided that:

a. Temporary signs shall not exceed 32 square feet in surface area or exceed 12 feet in height or eight feet in width on a lot in any zoning district. There shall be no more than five such signs for each lot street frontage, and such signs shall be removed no later than 30 days following the accomplishment of activities indicated by such sign.

b. Temporary signs shall not be illuminated.

c. Temporary signs shall not be allowed on any road, street, or highway right-of-way.

LINN COUNTY PLANNING & DEVELOPMENT - (Building Division)

1. An electrical permit is required and may be obtained by a licensed electrical contractor at Linn County Planning and Development.

2. Platforms or structures planned for this event are required to meet building code requirements.

LINN COUNTY ENGINEERING DEPARTMENT

1. Applicant is required to provide dust control on Jordans Grove Road from Sawyer Road to just past entrance (approximately 700'). Applicant may hire a private contractor or participate in the County dust control program.

2. No parking is allowed on Jordans Grove Road.

Linn County Board of Supervisors

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY HEALTH DEPARTMENT

Linn County Public Health recommends not holding this event due to concerns over the COVID-19 pandemic.

Below is a list of the conditions should the board of supervisors approve the event this year.

- Addition of rules sign (large) at the main event entrance as well as handouts with rules and recommendations for the event to be handed out to all those in attendance (to include social distancing of at least 6', encouraging mask usage, encouraging good personal hygiene - covering coughs/sneezes, washing hands more frequently, etc.)

Eliminate petting zoo from the event for this year

Limit number of people entering the museum building to 3-4 at a time and have one designated entrance and one designated exit

Implement disinfection process for common touch surfaces throughout the grounds (portable toilets, sinks, tables, chairs, museum doors, etc.)

Brown bag lunches/boxed meal (prepared by and purchased from a licensed facility) will be available to guests OR a licensed mobile food vendor will be brought in - no money taken by the organization so no cash handling but a donation box will be displayed 6 handwashing stations to be rented, one for each portable toilet

- 1 hot and cold water handwashing sink to be brought in to the event this year to encourage more frequent and thorough handwashing

As a reminder, Linn County Public Health phase 2 re-opening guidance for the COVID-19 pandemic recommends no gatherings of groups larger than 50 people at this time.

1. No conditions to be met.

WHEREAS, failure to submit and/or comply with any of the conditions in a timely manner will revoke this Temporary Use Permit.

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

Motion by Rogers, seconded by Walker to authorize Chair to sign a Consulting and Advisory Services Agreement between Linn County and Collectively L&L Murphy Associates and Grant Consulting, LLC for July 1, 2020 through June 30, 2021 for \$60,000.

Discussion: Supervisor Oleson stated that generally when there is a long standing relationship with contracts, it is good to go back and review. He is comfortable with this contract.

Supervisor Walker stated that he would like to see offers from other firms and he would like to see it opened up again next year to see if it is competitive or not.

VOTE: All Aye.

The Board discussed using the Fillmore Building as a water distribution and cooling center for the homeless starting July 1 in partnership with the City of Cedar Rapids and Willis Dady.

Darrin Gage, Dir. of Policy & Admin., reported that after the Board's discussion on Monday he looked into the cost of operations, which is \$5,000. The City of Cedar Rapids will step up for anything not covered by FEMA.

A representative from Willis Dady (via phone) stated that the hours of operation will be between 8:00 - 5:00 or 9:00 - 5:00. There are potentially 35 individuals on the streets that will come through the day center.

Supervisor Walker reminded them that there will be certain days during July that the electricity will be shut off due to the roofing project.

Chairperson Rogers stated that while this facility is intended for those living outside, it is open to members of the public in the area if they have no air available or working.

Motion by Rogers, seconded by Walker to approve using the Fillmore Building as a water distribution and cooling center for the homeless starting July 1 in partnership with the City of Cedar Rapids and Willis Dady.

Discussion: Ashely Balius, General Assistance, stated that she reached out to other organizations but heard nothing back.

VOTE: All Aye.

Board Member Reports: Supervisor Walker stated that he followed up with an individual and is working to get his criminal record expunged.

Chairperson Rogers participated in his weekly call with municipalities regarding reopening. He will attend a press conference today re: COVID-19.

Adjournment at 11:49 a.m.

Respectfully submitted

JOEL D. MILLER, Linn County Auditor

By: Rebecca Shoop, Deputy Auditor

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors