

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, JULY 3, 2019 10:00 A.M.

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

Vice Chairperson Rogers called the meeting to order.

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

Resolution 2019-7-99

ESTABLISH AREA SERVICE "C" ROADS

WHEREAS, Linn County has received a request to classify a portion of Blodgett Road on the area service system to provide for a minimal level of maintenance and access by means of a gate; and

WHEREAS, the County Board of Supervisors, after consultation with the County Engineer, has the authority to specify roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57; and

WHEREAS, the only persons who will have access rights to the road shall be:

- (1) the owner, lessee, or person in lawful possession of adjoining land,
- (2) The agent or employee of the owner, lessee or person in lawful possession of adjoining land,
- (3) any peace officer,
- (4) any magistrate,
- (5) any public employee whose duty it is to supervise the use or perform maintenance of the road,
- (6) any agent or employee of any utility located within the road right-of-way.

WHEREAS, the minimal level of maintenance will be as follows:

1. Blading. Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis.
3. Signing. Signing shall not be continued or provided. ALL AREA SERVICE LEVEL C ROADS SHALL BE IDENTIFIED WITH A SIGN AT POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE.
4. Weeds, Brush and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained.
5. Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
6. Road Surfacing. There will be no surfacing materials applied to Area Service System C Roads on a regular basis.
7. Shoulders. Shoulders will not be maintained on a regular basis.
8. Crown. A crown will not be maintained on a regular basis.
9. Repairs. There will be no road repair on a regular basis.
10. Uniform Width. Uniform width for the traveled portion of the road will not be maintained.
11. Inspections. Regular inspections will not be conducted.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LINN COUNTY that Linn County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Blodgett Road beginning at the east right-of-way line of N Marion Road east 1/2 mile to near 100' west of NE corner of the SE1/4 of the SW1/4 of 30-86-6 (currently class B).

Resolution 2019-7-100

The following description is a summary of Resolution No. 2019-7-100 as passed and approved by Linn County Board of Supervisors, effective July 3rd, 2019. A Resolution approving a Rural Land Use Map Amendment (case JA19-0002) to change the map designation on 0.28 acres of a 1.15 acre property. This case is running concurrently with a 1-lot subdivision case (JF19-0004) correcting an illegal parcel split. The resulting lot would have dual land use map designations. The proposed amendment would change the map designation for the entire resulting parcel to Rural Residential 3-Acre (RRD3) from Critical Natural Resources Area (CNRA) thereby making it consistent with the land use designation on the remainder of the property. A Rezoning (case JR19-0001) is also running concurrently with this case. 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 2019-7-101

The following description is a summary of Resolution 2019-7-101 as passed and approved by Linn County Board of Supervisors, effective July 3rd, 2019. The Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019-2024 identifies potential hazards and the actions that need to be taken to reduce or eliminate the long term risks to human life and property from those hazards for the citizens of Linn County. A Local Mitigation Plan, is required for

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jurisdictions that elect to participate in FEMA hazard mitigation programs as a sub applicant or sub grantee. Linn County, on behalf of the Lower Cedar Watershed Management Authority, desires to submit a Notice of Interest for FEMA disaster funding the State of Iowa may receive under the Hazard Mitigation Grant Program. Four of the Priority #1 mitigation project types outlined in a Notice of Funds Availability posted by FEMA on March 26, 2019 were not included in the Mitigation Strategies of the current Linn County Hazard Mitigation Plan. Those projects include hydrology studies of watersheds overlapping its boundaries, green infrastructure and floodplain restoration, river flood gauges or other alert devices, and public education as desirable mitigation projects. These types of projects are of immediate interest to the Lower Cedar Watershed Management Authority. However, to be considered for funding through the Hazard Mitigation Grant Program these projects must first be included as mitigation strategies in one of the watershed jurisdictions Hazard Mitigation Plans. The proposed amendment will add these four mitigation strategies to the Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019-2024. The Linn County Hazard Mitigation Plan planning committee has reviewed the requested amendment and has no concerns with the proposed change. 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 2019-7-102

A Resolution approving a Final Plat to be named Blitzcreek First Addition. The following description is a summary of Resolution No. 2019-7-102 as passed and approved by Linn County Board of Supervisors, effective July 3rd, 2019. Blitzcreek First Addition (Case # JF19-0003) to Linn County, Iowa, containing two (2) lots, numbered lots 1 and 2, a subdivision of real estate located in the SESE of Section 07, Township 85 North, Range 07 West of the 5th P.M., Linn County, Iowa, described as follows: Blitzcreek First Addition to Linn County, Iowa, is Lot 1, Stadtmueller First Addition to Linn County, Iowa as recorded in Book 3902, Page 303 in the Office of the Linn County, Iowa Recorder. Said parcel contains 15.21 acres, subject to easements 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

Resolution 2019-7-103

The following description is a summary of Resolution No. 2019-7-103 as passed and approved by Linn County Board of Supervisors, effective July 3rd, 2019. Pate Acres First Addition (Case # JPS19-0006) to Linn County, Iowa, containing two (2) lot, numbered lot 1 and lettered lot A, a subdivision of real estate located in the NENE of Section 31, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows: Beginning the SE Corner of said NE Fri. 1/4 NW Frl 1/4; thence N89°07'48"W along the south line of said NE Fri. 1/4 NW Frl 1/4, 742.36 feet; thence NOI°OI'38"W, 9.70 feet; thence N88°53'44"W, 578.49 feet to a point on the west line of said NE Frl. 1/4 NW Frl 1/4; thence NOI°04'49"W along said west line, 597.96 feet; thence S89°47'53"E, 578.69 feet; thence NOI°00'50"W, 362.08 feet to the centerline of North Center Point Road; thence S46°26'38"E along said centerline, 354.73 feet; thence SE-ly continuing along said centerline on an arc of 221.05 feet of a 1432.40-foot radius curve to the right having a chord length of 220.83 feet, bearing S42°01'22"E; thence S37°36'06"E continuing along said centerline, 539.55 feet; thence SE-ly continuing along said centerline on an arc of 37.76 feet of a 1909.86-foot radius curve to the left having a chord length of 37.76 feet, bearing S38°10'05"E to a point on the east line of said NW 1/4; thence SOI°05'26"E along said east line, 124.34 feet to the Point of Beginning containing 17.95 acres which includes 1.33 acres of road right of way.

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

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Resolution 2019-7-104

The following description is a summary of Resolution No. 2019-7-104 as passed and approved by Linn County Board of Supervisors, effective July 3rd, 2019. Carson First Addition (Case # JPS18-0024) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A, a subdivision of real estate located in the NWSW of Section 22, Township 82 North, Range 06 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing at the NE corner of said NW 1/4 SW 1/4; thence S01°30'22"E along the east line of said NW 1/4 SW 1/4, 917.62 feet to the Point of Beginning; thence S01° 30'22"E continuing along said east line, 387.70 feet; thence N88°45'07"W, 591.18 feet; thence N00°29' 01"W 362.93 feet; thence N88°50'40"E, 584.03 feet to the Point of Beginning, containing 5.06 acres which includes 0.41 acres of road right of way. 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

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Award bid and authorize Chair to sign contract and associated documents for Linn County project M-HMA PATCHING(20), hot mix asphalt patching and leveling in various locations, to LL Pelling Co., Inc. in the amount of \$268,674.70.

Award bid and authorize Chair to sign contract and associated documents for Linn County project M-SEAL COAT(20), seal coat in various locations, to LL Pelling Co., Inc. in the amount of \$324,548.41.

Approve and authorize Chair to sign a contract for services, in the amount of \$103,950, between Linn County Early Childhood Iowa Board and Linn County Board of Supervisors, on behalf of Linn County Community Services Child & Youth Development, for the Nurturing Parenting Program effective July 1, 2019 through June 30, 2020.

Approve and authorize Chair to sign an Assurance form to the Linn County Early Childhood Iowa Board assuring Completion of required Criminal History and Child Abuse Record Checks.

Approve and adopt revised Board of Supervisors Policy PM-003, Workplace Harassment Policy.

Approve and adopt revised Board of Supervisors Policy PM-007, Employee Recognition Policy.

Approve and adopt revised Board of Supervisors Policy PM-010, Fitness Reimbursement Policy.

Approve and adopt revised Board of Supervisors Policy PM-013 Training and Tuition Reimbursement Policy.

Approve and sign lease with Pitney Bowes Inc. for a postage machine for the Secondary Road Department in the amount of \$162.60 quarterly.

Authorize Chair to sign purchase order #5557 for \$10,097.18 to Terry-Durin Co for fixtures for the Correctional Center.

Authorize Chair to sign purchase order #5558 for \$15,000.00 to Saxton for furniture design services for the Community Services Building remodel.

Approve Application for Display Fireworks Permit for F. B & Co., Waubeek, on July 13, 2019 (July 20, 2019 Rain Date).

Motion by Rogers, seconded by Oleson to approve minutes of July 2, 2019 as printed.

Motion by Rogers, seconded by Oleson to approve upon second consideration rezoning case JR19-0001, request to rezone property located at 4202 Drew Lane NENE 33-85-08, from CNR (Critical Natural Resource) district AG (Agricultural) district, approximately .28 acres, Gary and Carol Dundee, property owners; Ryan Dundee, petitioners

Rhonda Betsworth, Deputy Auditor, presented the tax levies for FY 2019-2020 tax collections. She noted that the Dept. of Management issued consolidated rates ten days later than normal which was due to changes in the school funding formulas. A few entities had a higher than 3% increase (the cities of Walker & Ely and Anamosa, Linn-Mar and Monticello schools). Also new to the document are the levy rates and changes by taxing authority.

Motion by Rogers, seconded by Oleson to approve the tax levies for FY 2019-2020 tax collections.

Lisa Powell, HR Dir., recapped her recommendation made to the Board on Monday regarding the Fiscal Year 2020 Delta Dental Renewal.

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Motion by Rogers, seconded by Oleson to approve the Fiscal Year 2020 Delta Dental Renewal to include the following: Increase Maximum out of Pocket amount from \$1,000 to \$1,250 per year and approve 3 year Stepped Administration fee schedule - FY20 - 2.8%; FY21 - 2.7%; and FY22 - 2.6%

Public Comment: Supervisor Ben Rogers congratulated and thanked Supervisor Oleson, the County Engineer and his staff as well as the county's communications team for their involvement in the Rock Road Forum held last evening. This forum allowed citizens the opportunity to engage in a two-way dialogue. The information presented was enlightening and the County Engineer demonstrated his openness to listen to the citizens and that department is headed in the right direction.

Motion by Rogers, seconded by Oleson to approve Claims #70609396-#70609497 in the amt. of \$430,556.34 and ACH in the amt. of \$2,868,610.72.

Board Member Reports - Supervisor Oleson thanked the County Engineer and Communications Director for organizing the Rock Road Forum last evening. It was a good team effort and it turned out to be an event that they could hear citizens in a positive way; he continues with the strategic planning with Conservation; there are things coming up in the next couple weeks with the Solid Waste Agency that will be made public.

Supervisor Rogers reported that he will be participating in a Conservation conference call today and participating in a meeting with the Skywalk Group who was hired to help facilitate the search and hiring of the MHDD Governance Board CEO.

Adjournment at 10:12 a.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Vice Chairperson
Board of Supervisors