

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, AUGUST 18, 2021 11:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.
Present: Chairperson Walker and Vice Chairperson Rogers. Absent: Supervisor Zumbach
(personal business). 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:

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor
Receipts and Disbursements for the Month of July, 2021.

Resolution 2021-8-134

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the
M-BR 2190(22), hereafter referred to as "the project" is in the best interest of Linn
County, Iowa, and the residents thereof. The project is defined as bridge repair on
bridge #2190 on Sisley Grove Road; and WHEREAS, the Board has sought appropriate
professional guidance for the concept and planning for the project and followed the
steps as required by the Code of Iowa for notifications, hearings, and
bidding/letting; and WHEREAS, The Board finds this resolution appropriate and
necessary to protect, preserve, and improve the rights, privileges, property, peace,
safety, health, welfare, comfort, and convenience of Linn County and its citizens, all
as provided for in and permitted by section 331.301 of the Code of Iowa; and
IT IS THEREFORE RESOLVED by Board to accept the bid from Peterson Contractors, Inc.
in the amount of \$55,290.00 and awards the associated contract(s) to the same;
BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict
with this resolution are hereby repealed. If any part of this resolution is adjudged
invalid or unconstitutional, such adjudication shall not affect the validity of the
resolution or action of The Board as a whole or any part thereof not adjudged invalid
or unconstitutional. This resolution shall be in full force and effect from and after
the date of its approval as provided by law; and
BE IT FURTHER RESOLVED by the Board of Supervisors of Linn County, Iowa, that after
receiving the necessary contract documents, including but not limited to, the
contractor's bond and certificate of insurance, Bradley J. Ketels, the County Engineer
for Linn County, Iowa, be and is hereby designated, authorized, and empowered on
behalf of the Board of Supervisors of said County to execute the contracts in
connection with the afore awarded construction project let on 8/13/2021.

Resolution 2021-8-135

RESOLUTION SETTING PUBLIC HEARING ON PROPOSAL TO CONVEY TO LOIS
M. HART VACATED ALLEYWAY AND STREET RIGHT-OF-WAY IN THE
UNINCORPORATED TOWN OF VIOLA, IOWA

WHEREAS Linn County, Iowa in 1976 vacated that portion of Williams Street along the
East side of Lots 21 and 22 in Brown's Addition to the unincorporated town of Viola,
Iowa located in the NE¼ of the NE¼ of Section 14, Township 84 North, Range 5 West of
the 5th P.M.; and, WHEREAS Linn County, Iowa in 2007 vacated the alley running from
John Street East to Williams Street in Brown's Addition to the unincorporated town of
Viola, Iowa; and, WHEREAS Lois M. Hart and her late husband, Edwin N. Hart, have been
in possession of the East 80 feet of the vacated alleyway lying between John Street to
the West and Williams Street to the East in Brown's Addition to the unincorporated
town of Viola, Iowa along with all that part of vacated Williams Street lying West of
Lots 42 and 43 of Brown's Addition to the unincorporated town of Viola, Iowa and the
West Half of the balance of Williams Street North thereof to the South right-of-way
line of County Home Road since each was vacated; and, WHEREAS Ms. Hart and her late
husband maintained the vacated alleyway and street right-of-way as if they were their
own property since both were vacated and with Mr. Hart's recent passing it has come to
Ms. Hart's attention that neither she nor her husband ever received a conveyance from
Linn County for the vacated alleyway or street right-of-way in question; and,
WHEREAS Ms. Hart has offered to pay all out-of-pocket expenses incurred by the
County in conveying the vacated alleyway and street right-of-way in question to her;
and, WHEREAS this Board believes Ms. Hart's offer is a fair one and should be
accepted; BE IT RESOLVED, THEREFORE, that the proposal of this Board to convey by quit
claim deed the vacated alleyway and street right-of-way referenced above to Lois M.
Hart in return for Ms. Hart's payment of all out-of-pocket costs incurred by the
County in connection with the process shall come on for hearing before this Board on
the 13th day September, 2021. At 11:00 a.m.

Approve and authorize Chair to sign a 28E Agreement with the City of Bertram for a
seal coat project on shared portions of Knapp Road between E Bertram Rd and the
southern city limits.

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

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

Approve and authorize Chair to sign a Certificate of Insurance so Linn County Election
Services may utilize space at various properties owned by The Archdiocese of Dubuque
located in Linn County, Iowa as satellite voting locations.

Approve and authorize Chair to sign a Certificate of Insurance so Linn County Veterans Affairs may utilize space at Lindale Mall as part of the Hometown Heroes event

Approve and authorize Chair to sign Release of Mortgage of March 18, 2013, made and executed by the East Central Iowa Council of Governments, in association with the Linn County's Single Family New Construction Grant, regarding property commonly known as 4582 Creekview Trail, Palo, Iowa retroactive to August 13, 2021

Set a public hearing for Monday September 13, 2021 at 5:30 pm to establish a Secondary Road Assessment District to improve Blue Creek Court with a 2 ½ inch asphalt overlay for the entire length of Blue Creek Court and driveway transitions involving concrete driveway panel removal and replacement at a cost of \$56,455.00.

Set a public hearing for Monday September 13, 2021 at 5:30 pm to establish a Secondary Road Assessment District to provide improvements to upgrade Wildlife Road to Class A standards. The project includes: placing 6 inches of macadam and 4 inches of Class A crushed stone on a 28 foot wide top, 1300 feet long; applying calcium chloride at a rate of 0.27 gal/square yard for stability and dust control; replacing a 60 inch diameter corrugated metal pipe; clearing, grubbing, grading, repairing and replacing entrance culverts; and restoring the ditches and surface. The estimated cost for the improvements is \$70,980.00.

Set a public hearing for Monday September 13, 2021 at 11:00 am to vacate all of Timothy Lane lying north of the northerly right-of-way line of Linn Ridge Road and being in the SE ¼ SE ¼ of Section 18, NE ¼ NE ¼ of Section 19, SW ¼ SW ¼ of Section 17 and the NW ¼ NW ¼ of Section 20 all in Township 83 North, Range 05 West, Linn County, Iowa.

Set a public hearing for Monday September 13, 2021 at 11:00 am to vacate all of Old Dubuque Road right-of-way east of the right-of-way of Alderman Road and lying north of Iowa DOT right-of-way for Dubuque Road, located in the W ½ NW ¼, Section 27, Township 84 North, Range 05 West, Linn County, Iowa, extending 1200 feet east of the west line of said Section 27.

Approve and authorize Chair to sign a 36-month lease agreement, at \$315.26 per month, with Gordon Flesch Company for a copier for the Health Department.

Motion by Rogers, seconded by Walker to approve minutes of August 17, 2021 as printed.

Motion by Rogers, seconded by Walker to approve Sheriff's Refund check #71003672 in the amt. of \$120.00; Claims for AP checks #71003673-#71003733 in the amt. of \$421,727.31 and AP ACH in the amt. of \$4,039,815.15.

Pramod Dwivedi, Public Health Dir., presented the following Covid 19 update:

- The number of cases and hospitalizations are increasing.
- He is begging everyone to get vaccinated and to follow recommendations for wearing masks, etc.
- Communicating to schools in Linn County and reminding them of recommended protocol.

Chairperson Walker noted that the Governor and Legislature made it illegal for schools to require students to wear masks. However, it is best practice for students to be masked.

Supervisor Rogers noted that as a parent of two children, his children will be wearing a mask at school and he is pleading other parents to do what is right so that they don't have to go back to virtual learning.

Erin Foster, Mental Health Access Center Dir., presented a request (on behalf of Garth Fagerbakke) for a part time (30 hr. /wk.) custodian at the MH Access Center for Facilities. This will be rolled into a Facilities budget next fiscal year.

Motion by Rogers, seconded by Walker to approve a Vacancy Form request for a part time (30 hr. /wk.) custodian at the MH Access Center for Facilities.

Sara Bearrows, Budget Dir., presented and explained the proposed fiscal year 2022 budget amendment.

Motion by Rogers, seconded by Walker to set a public hearing on the proposed fiscal year 2022 amended budget for September 8, 2021 at 11:00 a.m.

Board Member Reports: Supervisor Rogers will attend Regional Governance Board meeting; attended Solid Waste Agency monthly meeting yesterday; COVID meeting with other municipalities; attended monthly ASAC Board meeting; met with Scott Olson on homeless issues and participated in the quarterly meeting of the Sixth Judicial Dist. Corrections Board.

Chairperson Walker attended the Exec. Comm. for School for Personal and Scholastic Success; attending a meeting tomorrow at the Harris Bldg. to talk to occupants and

employees of the Harris Bldg. re: questions and concerns about a recent mural installation (focus of concerns is a portion of the mural that includes the Black Lives Matters logo).

The Board received and placed on file a Notice of Voluntary annexation to the city of Hiawatha.

Motion by Walker, seconded by Rogers to make the following appointments:

- Appoint Mona Whitters, Rod Courtney, Mary Tharp, Joni Howland and Missy Ginther to the Mental Health Access Center Advisory Committee for terms ending June 30, 2022.
- Appoint Theresa Lewis, Larry Anspach, Andy Oleson, Kent Jackson, Jacquie Fitzgerald and Greg Graver to the Mental Health Access Center Advisory Committee for terms ending June 30, 2023.
- Appoint Chris Bieber, Phil Fort, Carol Meade, Barb Gay, John Stuelke, and Jess Wiedenhoff to the Mental Health Access Center Advisory Committee for terms ending June 30, 2024.

Adjournment at 11:26 a.m.

Respectfully submitted,

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

Approved by:

STACEY WALKER, Chairperson
Board of Supervisors