

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
MONDAY, SEPTEMBER 13, 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.

Motion by Rogers, seconded by Zumbach to approve minutes of Sept. 7 & Sept. 8, 2021 as printed.

Motion by Rogers, seconded by Zumbach to open public hearing to vacate all of Timothy Lane lying north of the northerly right-of-way line of Linn Ridge Road and being in the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 18, NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 19, SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 17 and the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 20, all in Township 83 North, Range 05 West, Linn County, Iowa.

Brad Ketels, County Engineer, stated that Timothy Lane is a Class A road that is 1/3 of a mile long west of Springville Rd. It provides access to four property owners. One of the property owners (Mr. Unash) requested that this road be vacated and Ketels recommends approval, noting that it is in the best interest of all concerned.

Don Raytora, 3443 Adeline Crt. SW, stated that he has owned two parcels of land along Timothy Lane for 30 years. The gate on the road is the entrance to one of the properties that goes to a pole building. South of that building is a mobile home used for storage. In the area around the building, he mows two acres of grass once a week from May - Sept. At the end of Timothy Lane is another gate that leads to his house in the timber. He mows eight acres once a week May - Sept. This is their second house (fall - spring). Both properties are very attractive and useful and the road vacation would be devastating to him and his land.

Dan Stoner, 1050 Linn Ridge Rd., stated that he owns property on both sides of the road. His son was going to build a home out there and he cannot recommend that his son does that if the road is vacated. The value of the property would be taken away with the vacation.

James Newman, 1001 Linn Ridge Rd., stated that his biggest concern if the road is abandoned is what the school buses were supposed to do. He also asked about mail delivery and newspaper delivery. He stated that he is opposed to the road vacation.

Ketels stated that it is not about access being taken away but that it is about them making choices about the road rather than the county. He stated that Mr. Unash wants to make the choices about the road but there are three other owners. This is not a high priority for Linn County.

Chairperson Walker stated that in Mrs. Unash's letter, she is claiming that her husband and father are maintaining the road and asked Ketels if that was accurate.

Ketels stated that he cannot confirm or deny but that it is the perception of the property owners.

Supervisor Zumbach stated that it is not uncommon for rural residents to plow the county road in order to get to work. Not because it is not plowed, it just is not plowed in time. In his opinion, three of the four landowners on the road are opposed to the vacation. He is of the opinion that they keep the road open.

Motion by Rogers, seconded by Zumbach to close public hearing. The Board will make a decision on Wednesday.

Motion by Rogers, seconded by Zumbach to open a public hearing to vacate all of Old Dubuque Road right-of-way east of the right-of-way for Alderman Road and lying north of Iowa DOT right-of-way for Dubuque Road, located in the W  $\frac{1}{2}$  NW  $\frac{1}{4}$ , Section 27, Township 84 North, Range 05 West, Linn County, Iowa, extending 1200 feet east of the west line of said Section 27.

Ketels explained that this 1200 ft. dead end road leads to one house and farm and this vacation is at the request of that property owner.

Todd Nulle, 957 Paralta Rd., stated that the reason for requesting the vacation is because people come out on Springville Rd. and the intersection of Alderman Rd. and see a paved road going straight. There was a barricade at the time the DOT closed the road which has been destroyed. He would like to reinstall that barricade.

Supervisor Zumbach stated that this issue was brought to his attention a few years ago while in the statehouse. It is a safety issue.

Motion by Rogers, seconded by Zumbach to close public hearing. The Board will make a decision on Wednesday.

Motion by Rogers, seconded by Zumbach to open a public hearing to determine whether Linn County will convey to Lois M. Hart whatever interest Linn County may have in

vacated right-of-way as follows: 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.

Brad Ketels explained that this is to convey by Quit Claim Deed any interest Linn County may have in the vacated property described. The County Attorney has reviewed and noted that there is no property that will be land locked.

Motion by Rogers, seconded by Zumbach to close public hearing.

Ruby Perrin, Public Health, presented an Intergovernmental 28E Agreement between the Iowa Department of Natural Resources and Linn County regarding private water well permitting.

Motion by Rogers, seconded by Zumbach to approve an Intergovernmental 28E Agreement between the Iowa Department of Natural Resources and Linn County regarding private water well permitting.

Nicole Kehres, Veteran Affairs Dir., presented and explained the revised Linn County Commission of Veteran Affairs General Policy and Emergency Assistance Guidelines. She stated that she worked closely with Darrin Gage and the County Attorney has reviewed this. She stated that the portion of the budget that covers this has been underspent for several years. The Board will approve on Wednesday.

Pramod Dwivedi, Public Health Dir., presented a request for a Public Health Deputy Director for Public Health. The reorganization of department management staff is based on recent retirements. Three upper level management positions are being eliminated. The Board will approve on Wednesday.

Motion by Rogers, seconded by Zumbach to adopt Resolution 2021-9-149  
WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Joel D. Miller, Linn County Auditor, has submitted to the Board of Supervisors, Linn County, Iowa, for approval of Matthew Warfield, for appointment as Deputy Auditor, and  
WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Matthew Warfield to be qualified to serve as Deputy Linn County Auditor and that the appointment of Matthew Warfield will not exceed the number of deputies authorized for the Linn County Auditor'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 Matthew Warfield as Deputy by Joel D. Miller, Linn County Auditor, is hereby approved retroactive to September 4, 2021.

Brent Oleson, Deputy Dir. of Policy & Comm. Relations, presented an agreement with Advocates for Social Justice to provide all necessary services related to the Linn County Expungement Clinic Program and Chairperson Walker explained. The Board will approve on Wednesday.

Dawn Jindrich, Finance Dir., presented a reimbursement resolution to allow Linn County Conservation to spend Land and Water Legacy bond proceeds prior to the next bond issuance. The Board will approve on Wednesday.

Jindrich also presented proposed change orders from GovSense for software enhancements, including \$78,750 for additional implementation work performed; \$21,000 for projects, grants and contracts module enhancements; and \$57,414 for Public Health additional user licenses and integration of inspection fees. The Board will approve on Wednesday.

Motion by Zumbach, seconded by Rogers to approve Liquor License for the Indian Creek Nature Center, 5300 Otis Rd. SE, Cedar Rapids, retroactive to Sept. 8, 2021, noting all conditions have been met.

Motion by Rogers, seconded by Walker to approve Employment Change Roster (payroll authorizations) as follows:

AUDITOR'S OFFICE

Deputy Auditor	Matthew Warfield	Promotion 09/04/21 \$90,000/annually - \$100,830.18/annually Replaces R. Stonawski
Elections Technician	Mark Wilson	Step increase/contract 09/26/21 56D \$24.51 - 56E \$25.84
Elections Office Coord.	Grant Barton	Termination/resignation 09/10/21

TREASURER'S OFFICE

Universal Clerk	Morgan Driscoll	Step increase/contract 09/21/21 56B \$22.01 - 56C \$23.26
Universal Clerk	Sara Keeling	Step increase/contract 09/21/21 56B \$22.01 - 56C \$23.26

FACILITIES

Custodian	Jeannie Huber	Termination/retirement 09/03/21
Custodian	Stephania Gahwegeri	Internal applicant - PT to FT 09/04/21 10E \$20.95 + \$ .25 Replaces J. Huber

Custodian	Carine Ndizigiye	Internal applicant – increase in PT hours	09/11/21 10C \$18.90 + \$ .25 20
hrs/wk – 30 hrs/wk Replaces S. Gahwegeri			
Custodian	Selina Bakunduukize	Internal applicant – increase in PT hours	09/11/21 10C \$18.90 + \$ .25 20
hrs/wk – 30 hrs/wk Replaces J. Seeman			
Custodian	Jose Guardado Alfaro	Internal applicant – increase in PT hours	09/11/21 10C \$18.90 + \$ .50 – 10C
\$18.90 + \$ .25 20 hrs/wk – 30 hrs/wk New position			
<u>SHERIFF'S OFFICE</u>			
Female Correctional Officer	Megan Collins	Shift change	09/11/21 56D \$24.51 + \$ .25 + \$ .50 – 56D \$24.51 + \$ .25 + \$ .25
Female Correctional Officer	Ariel Spitzner	Shift change	09/11/21 56D \$24.51 + \$ .25 + \$ .50 – 56D \$24.51 + \$ .25 + \$ .25
Female Correctional	Jeimmy Navarro	Shift change	09/11/21 56B \$22.01 + \$ .25 + \$ .25 – 56B \$22.01 + \$ .25 + \$ .25
<u>JUVENILE DETENTION</u>			
Youth Leader	Kerry Kilker	Termination/resignation - on-call position	09/07/21
JDDS Supervisor	Dylan Ciavarelli	Correction to termination/resignation date	09/06/21
JDDS Supervisor	Aaron Nord	Termination/resignation	10/29/21
<u>PUBLIC HEALTH</u>			
Sr Air Quality Scientist	David Burns	Internal applicant – promotion	09/18/21 39E \$36.41 – 40B \$40.10 Replaces A. Drahos

Motion by Zumbach, seconded by Rogers to approve Claim #71004206 to the city of Cedar Rapids in the amt. of \$17,569.50.

The Board received and placed on file three letters objecting to the vacation of Timothy Lane (Rajtora, Newman and Stoner); letter supporting the vacation of Timothy Lane from Jennifer Unash; and letter from Fred Huber concerning solar and wind energy.

The Board recessed at 12:10 p.m. and reconvened at 5:30 p.m.

Motion by Rogers, seconded by Zumbach to open a public hearing to establish a Secondary Road Assessment District to provide improvements to upgrade Wildlife Road to Class A standards. This includes: placing 6 inches of macadam and 4 inches of Class A crushed stone on a 28-foot top 1300 feet long; calcium chloride will be applied at a rate of 0.27 gal/sy for stability and dust control; a 60- inch diameter CMP will be replaced at the north end; and additional work will include clearing, grubbing, grading, repairing and replacing entrance culverts as needed and restoring the ditches and surface. The estimated cost for the improvements is \$70,980.00.

Jon Resler, Asst. Co. Engineer, presented the history of Wildlife Road, noting that it was downgraded to a level B Class rock road after the interstate went through. Mr. Kerkman wants to put a business at the end of the road that will sell portable structures. This is a unique situation in that this is a Secondary Road Assessment District with one owner. The City of Center Point has annexed Mr. Kerman's property (but not the road). Resler stated that Mr. Kerman was told that in all likelihood he would have to pay 100% of the cost (\$70,980.00). The only expense to neighboring properties is entrance upgrades to current design standards (culverts, additional rock, etc.). They would pay material costs only.

Craig Kerkman, 713 Ely Blvd., Walker, stated that hopes that the Board approves this request as his sales continue to increase.

Deputy Auditor Shoop explained the process after the Board establishes the district and payment options. Mr. Kerman stated that he intends to make three installment payments.

Motion by Rogers, seconded by Zumbach to close public hearing.

Motion by Walker, seconded by Rogers to approve the establishment of the Secondary Road Assessment District for Wildlife Road with 100% of the cost to be paid by the property owner.

Adjournment at 5:40 p.m.

Respectfully submitted,

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

Approved by:

STACEY WALKER, Chairperson  
Board of Supervisors

