

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, JANUARY 3, 2024 10:00 A.M.

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

Chairperson Zumbach called the meeting to order and led the Pledge of Allegiance.

Motion by Zumbach, seconded by Rogers to approve minutes of December 18 & 19, 2023 as printed.

Motion by Rogers, seconded by Running-Marquardt to approve Claims dated 12/22/23 for payroll deduction checks #71013233-#71013248 in the amt. of \$761,323.08; ACH in the amt. of \$48,105.08; EFT Wire in the amt. of \$18,591.91 and ACH wire in the amt. of \$2,028,419.26 for a total of \$2,856,439.33; and Claims for payable checks dated 1/3/24 #71013249-#71013329 in the amt. of \$219,689.45 and ACH in the amt. of \$2,202,287.65 for a total of \$2,421,977.10.

Motion by Running-Marquardt, seconded by Zumbach to approve payment to Supervisor Rogers in the amt. of \$135.00. VOTE: Running-Marquardt and Zumbach – Aye Rogers - Abstain

Motion by Rogers, seconded by Zumbach to approve payment to Supervisor Running-Marquardt in the amt. of \$240.00. VOTE: Zumbach and Rogers – AYE Running-Marquardt - Abstain

Motion by Zumbach, seconded by Running-Marquardt to amend agenda and move up the appointment of the new Chairperson and Vice Chairperson.

Motion by Zumbach, seconded by Rogers to appoint Supervisor Running-Marquardt as Chairperson and Supervisor Rogers as Vice Chairperson.

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

**Resolution 2024-1-1 OFFICIAL COUNTY NEWSPAPER DESIGNATION**

BE IT RESOLVED, that the Board of Supervisors, Linn County, Iowa, hereby designate the following named newspapers as the Official County Newspapers pursuant to Chapter 349, Code of Iowa:

The Gazette Company

The Linn Newsletter

The Sun

The Gazette Company is to receive compensation based on one full designation and the two weekly newspapers will share equally in the remaining two designations.

**Resolution 2024-1-2 AUTHORIZING THE DESTRUCTION OF RECORDS**

WHEREAS, Section 331.323(2d), Code of Iowa, provides that the Board of Supervisors is authorized to order a county officer to destroy records in the officer's possession which have been on file for more than ten (10) years and not required to be kept as permanent records. NOW, THEREFORE, BE IT RESOLVED, that the Chairperson of the Board of Supervisors, Linn County, Iowa, be is hereby authorized to order the County Auditor to destroy all Assessor's books, assessment rolls, tax lists, county vouchers, cancelled warrants on file in the office of the County Auditor for more than ten (10) years and order the County Treasurer to destroy all duplicate tax receipts on file in the office of the County Treasurer for more than ten years.

**Resolution 2024-1-3 AUTHORIZING THE ISSUANCE OF WARRANTS WHEN BOARD NOT IN SESSION**

BE IT RESOLVED by the Board of Supervisors, Linn County, Iowa, that the County Auditor is authorized to issue warrants when said Board is not in session for the following purposes provided for in Section 331.506 (2 & 3) , Code of Iowa, and that all bills paid under said Section shall be passed upon by the Board of Supervisors at the first meeting following such payments.

1. For fixed charges including, but not limited to, freight, express, postage, water, lights, telephone service or contractual services previously approved by the Board of Supervisors, after a bill is filed with the Auditor.
2. For salaries and payrolls if the compensation has been fixed or approved by the Board of Supervisors, under whose direction or supervision the compensation is earned."
3. For rent assistance and insurance settlement payments.
4. For refunds due caused by an overpayment of fees to any Linn County office or department or for return of payment due when payment has been made for a service, license or permit that will no longer be performed or issued.

**Resolution 2024-1-4**

A Resolution approving a Residential Parcel Split for HOPPERS FIRST ADDITION...

The following description is a summary of Resolution No. 2024-1-4 as passed and approved by Linn County Board of Supervisors, effective January 3, 2024.

HOPPERS FIRST ADDITION (Case # PPS23-0004) 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 1, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:  
A part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 1, Township 83 North, Range 5 West of the Fifth Principal Meridian, Linn County, Iowa further described as follows:  
Commencing at the West Quarter Corner of the SW ¼ of Section 1;  
Thence S 00°52'53" E 160.02 feet along the west line of the SW ¼ of said Section 1 the Point of Beginning;  
Thence N 89°07'07" E 40.00 feet;  
Thence S 88°01'26" E 458.38 feet;  
Thence S 78°21'29" E 61.57 feet;  
Thence S 14°08'01" E 311.71 feet;  
Thence S 00°12'42" E 133.72 feet to the north line of Plat of Survey #781;  
Thence N 80°14'55" W 638.77 feet along the north line of Plat of Survey #781 to the west line of the SW ¼ said Section 1;  
Thence N 00°52'53" W 355.46 feet along the west line of the SW ¼ of said Section 1 the Point of Beginning.  
Containing 5.52 acres and subject to easements and restrictions of record.  
For the purpose of this description the west line of the SW ¼ of said Section 1 is assumed to bear N 00°52'53" W.  
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.linncountyiowa.gov](http://www.linncountyiowa.gov).

#### Resolution 2024-1-5

A Resolution approving a Residential Parcel Split for FREILINGER ACRES FIRST ADDITION...  
The following description is a summary of Resolution No. 2024-1-5 as passed and approved by Linn County Board of Supervisors, effective JANUARY 3, 2024.  
FREILINGER ACRES FIRST ADDITION (Case # PLPS23-0007) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lettered lot A and Outlot A has been filed for approval, a subdivision of real estate located in the NE SE of Section 17, Township 82 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows:  
Said Freilinger Acres First Addition to Linn County, Iowa, is divided into three (3) lots numbered Lot 1, lettered Lot A and Outlot A. The number of the lots is designated on the plat by figures near the center of the lots. The dimensions of the lots, width of the roads, easements and the distances from the government lines and corners are as shown in feet and decimals thereof on said plat.  
The public easements included on the final plat are being dedicated by the owner for the purposes shown. 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.linncountyiowa.gov](http://www.linncountyiowa.gov).

#### Resolution 2024-1-6

A Resolution approving a final plat for BRUSTKERN FIRST ADDITION.  
The following description is a summary of Resolution No. 2024-1-6 as passed and approved by Linn County Board of Supervisors, effective January 3, 2024.  
BRUSTKERN FIRST ADDITION (Case # PFP23-0012) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A, a subdivision of real estate located in the SW NE of Section 9, Township 86 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:  
Commencing at the northwest corner of the Northeast Quarter (NE1/4) of said Section Nine (9); thence South 00°40'48" West (South 00°06'28" East-Record) along the west line of said Northeast Quarter (NE1/4) a distance of 1323.88 Feet (1323.90 Feet-Record) to the north line of Lot 1 of Sherbon's First Addition to Linn County, Iowa and the Point of Beginning; thence South 88°32'26" East (South 89°20'15" East-Record) along said north line 1058.42 Feet (1058.36 Feet-Record) to the east line of said Lot 1; thence South 16°06'55" East (South 16°54'12" East-Record) along said east line 876.81 Feet (876.68 Feet-Record); thence South 00°42'22" West (South 00°04'55" East-Record) along said east line 488.53 Feet (488.46 Feet-Record) to the south line of said Lot 1; thence North 88°31'49" West (North 89°19'06" West-Record) along said south line 260.35 Feet (260.08 Feet-Record) to the west line of said Lot 1; thence North 00°15'59" East (North 00°34'42" West-Record) along said west line 288.59 Feet (288.96 Feet-Record) to the south line of said Lot 1; thence North 88°25'11" West (North 89°12'49" West-Record) along said south line 410.81 Feet (410.71 Feet-Record) to said west line; thence North 00°47'20" East (North 00°00'22" West-Record) along said west line 445.82 Feet (446.06 Feet-Record) to the south line of said Lot 1; thence North 88°23'45" West (North 89°12'49" West-Record) along the south line of said Lot 1 and then being the south line of a Warranty Deed recorded in Book 3498, Page 460 in the Office of the Linn County Recorder a distance of 586.26 Feet (586.23 Feet-Record) to the west line of said Warranty Deed and the east right-of-way line of N. Center Point Road; thence North 00°47'06" East (North 00°05' East-Record) along said west line 561.05 Feet (561.00 Feet-Record) to the south line of said Lot 1; thence North 88°25'18" West (North 89°12'49" West-Record) along said south line 53.99 Feet (53.75 Feet-Record) to the west line of said Northwest Quarter (NW1/4); thence North 00°40'48" East (North 00°06'28" West-Record) along said west line 26.55 Feet (26.43 Feet-Record) to the Point of Beginning,

containing 23.24 acres, more or less, including 0.03 acre more or less within existing 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.linncountyiowa.gov](http://www.linncountyiowa.gov).

#### Resolution 2024-1-7

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the FM-C057(171)--55-57, hereafter referred to as "the project" is in the best interest of Linn County, Iowa, and the residents thereof. The project is defined as culvert replacement on Maple 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 K Construction Inc., in the amount of \$170,393.00 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, Garret A. Reddish, or Curtis A. Logan, the County Engineer or Assistant 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 through the DOT for this county.

#### Resolution 2024-1-8

A Resolution approving a Residential Parcel Split for NOVEY THIRD ADDITION. The following description is a summary of Resolution No. 2024-1-8 as passed and approved by Linn County Board of Supervisors, effective January 3, 2024.

Outlot A of Novey Second Addition to Linn County as is recorded in Book 10298 on pages 16-36 in the office of the Linn County Recorder and restrictions of record. For a more definite location and description, reference is made to the Final Plat attached hereto and made a part hereof.

The final plat Novey Third Addition is proposed to be a Final Plat and has two (2) lots labeled Lot land Lot 2 and three (3) outlots labeled Outlot A, an infrastructure outlot. Outlot B and Outlot C, as conservation areas. Dimensions of the lot and distances from government lines and corners are shown in feet and decimals thereof on said Final Plat. A 5/8" rebar with a red plastic cap embossed with "PLS JSRitter IOWA 16546" were placed as shown on the Final Plat. 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.linncountyiowa.gov](http://www.linncountyiowa.gov)

Approve and authorize the Chair to sign a Linn County Children's Mental Health Assistance Program Fiscal Year 2024 Provider Agreement between Linn County and Respite Connection, Inc. effective December 1, 2023 – June 30, 2024

Approve and authorize the Chair to sign a renewal service agreement between Linn County and Donald J. Linder, as Medical Examiner, effective January 1, 2024 through December 31, 2024

Sonia Evans, Budget & Finance, discussed the American Rescue Plan Act (ARPA) project funding budget for land and building renovation costs at 2957 HWY 13. She stated that they need to draw a line in the sand on the budget noting that it is over budget and there are several invoices to pay.

Dawn Jindrich, Budget Dir., stated that the Board needs to increase the budget and that \$1.6 million will cover work that has already been done.

Supervisor Zumbach explained all the property "moving parts" that are involved in this project.

Motion by Zumbach, seconded by Rogers to approve \$1.6 million for the American Rescue Plan Act (ARPA) project budget for land and building renovation costs at 2957 HWY 13 and to re-visit it after other related meetings.

Rhonda Betsworth, Deputy Auditor, presented a code required Resolution fixing the 1/1/2024 Utility Valuations Payable 2024-2025, (an administration task).

Motion by Zumbach, seconded by Rogers to approve Resolution 2024-1-9  
RESOLUTION FIXING THE 1/1/2024 UTILITY VALUATIONS PAYABLE 2024-2025  
WHEREAS, Iowa Code Sections 434.22 (railway), 437.10 (electric) and 438.15 (pipeline) establishes that the county board of supervisors shall enter into the minute book an order describing and fixing the miles, assessed valuations, and taxable valuations for state assessed utilities; and WHEREAS, the Iowa Department of Revenue fixes and publishes a schedule of the miles, assessed valuations, and taxable valuations annually on their public website for the County Auditor to retrieve and input into their local tax system; and WHEREAS, the miles, assessed valuations, and taxable valuations for the 1/1/2024 utilities payable in 2024-2025 are as follows:

| Utility                         | Miles  | Assessed Valuation     | Rollback | Taxable Valuation    |
|---------------------------------|--------|------------------------|----------|----------------------|
| Pipeline/Water/Steam            | n/a    | \$17,623,896           | 100%     | \$17,623,896         |
| Railroad                        | 94.210 | \$88,906,916           | Two Tier | \$79,754,281         |
| <i>Total Centrally Assessed</i> |        | <i>\$106,530,812</i>   |          | <i>\$97,378,177</i>  |
| 1-Electric                      | n/a    | \$1,151,128,383        | n/a      | \$177,464,958        |
| 2-Production                    | n/a    | \$429,043,483          | n/a      | \$50,504,031         |
| 3-Gas                           | n/a    | \$121,089,764          | n/a      | \$29,027,439         |
| 6-Transmission                  | n/a    | \$556,200,166          | n/a      | \$109,672,711        |
| 7-Distribution                  | n/a    | \$61,276,966           | n/a      | \$5,326,669          |
| <i>Total Gas and Electric</i>   |        | <i>\$2,318,738,762</i> |          | <i>\$371,995,808</i> |
| Grand Total                     |        | \$2,425,269,574        |          | \$469,373,985        |

WHEREAS, the Linn County Auditor has a detailed listing of the above by company and taxing district on file; now THEREFORE BE IT HEREBY RESOLVED by the Board of Supervisors of Linn County, Iowa, that it is hereby ordered that the above stated miles, assessed valuations, and taxable valuations in Linn County, Iowa, are hereby ordered and fixed accordingly.

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

RECORDER’S OFFICE

|                                     |                |                                               |
|-------------------------------------|----------------|-----------------------------------------------|
| Deputy Recorder                     | Joan McCalmant | Termination/retirement 01/05/24               |
| Deputy Recorder                     | Dawn Froese    | Increase to 85% of Recorder’s salary 01/06/24 |
| \$84,559.02 - \$110,577.18/annually |                |                                               |
| Deputy Recorder                     | Cortney Hayler | Promotion – 60% of Recorder’s salary 01/06/24 |
| 55C \$22.54 - \$78,054.48/annually  |                |                                               |

TREASURER’S OFFICE

|                 |               |                                    |
|-----------------|---------------|------------------------------------|
| Universal Clerk | Marie Chahine | New hire – FT 01/08/24 56A \$21.96 |
|-----------------|---------------|------------------------------------|

COUNTY ATTORNEY’S OFFICE

|                                           |            |                                  |
|-------------------------------------------|------------|----------------------------------|
| Juvenile Prosecutor I                     | Megan Hall | Promotion 12/30/24 \$86,662.60 - |
| \$105,728.37/annually Replaces K. Kaufman |            |                                  |

FACILITIES

|                       |                 |                                 |
|-----------------------|-----------------|---------------------------------|
| Asst. Facilities Mgr. | Steve Nunemaker | Termination/retirement 12/29/23 |
|-----------------------|-----------------|---------------------------------|

SHERIFF’S OFFICE

|                     |               |                                                 |
|---------------------|---------------|-------------------------------------------------|
| Special Deputy      | Paul Nye      | New hire 01/04/24 \$1.00/annually               |
| Communications Oper | Brenda Munier | Step increase/contract 01/13/24 C3 \$29.05 –    |
| C4 \$29.68          |               |                                                 |
| Sergeant            | Shawn Ireland | Step increase/contract 01/19/24 S2 \$50.25 – S3 |
| \$51.00             |               |                                                 |
| Secretary           | Amber Hotz    | Step increase/contract 01/23/24 55B \$21.42 –   |
| 55C \$22.54         |               |                                                 |

COMMUNITY SERVICES

|                      |                    |                                               |
|----------------------|--------------------|-----------------------------------------------|
| Grants Coord.        | Meredith Hershner  | New hire – FT 01/22/24 37A \$26.83            |
| Replaces J. Shoop    |                    |                                               |
| Direct Support Staff | Alexandria Newhard | Correction to status 01/08/24 PT, Permanent – |
| 35 hrs/wk            |                    |                                               |

JUVENILE DETENTION

|                  |              |                                             |
|------------------|--------------|---------------------------------------------|
| Youth Leader     | Lauren Beer  | Termination/declined position 12/20/23      |
| Youth Leader     | Jzonei Jones | New hire – PT, on-call 01/08/24 55A \$20.42 |
| Youth Leader     | Paul Keller  | New hire – PT, on-call 01/08/24 55A \$20.42 |
| Replaces L. Beer |              |                                             |
| Tracker          | Byron Benton | Termination/resignation 01/05/24            |

PUBLIC HEALTH

|                  |             |                                               |
|------------------|-------------|-----------------------------------------------|
| Patient Advocate | Tina Duggan | Step increase/contract 12/18/23 55A \$20.42 – |
| 55B \$21.42      |             |                                               |

SUSTAINABILITY

|                           |               |                                                           |
|---------------------------|---------------|-----------------------------------------------------------|
| Resiliency Coord.         | Karen Kawala  | Step increase/contract 11/21/23 37A \$26.83 – 37B \$28.22 |
| Sustainability Prog. Dir. | Tamara Marcus | Termination/resignation 12/29/23                          |

Public Comment:

John Zakrasek, Cedar Rapids, spoke regarding the Sustainability Program Director vacancy and his concern that it won't be filled. He noted that this position and department is a conduit to bring benefits to the county as the Inflation Reduction Act and Infrastructure Investment & Jobs Act make significant funds available to communities that take very specific actions. He provided statistics regarding funding and jobs. He is also concerned about Linn County piggy backing Cedar Rapids' sustainability work because there is little evidence of Linn County and Cedar Rapids cooperating. He continued to say that Cedar Rapids is not concerned about programs like REAP or routinely considering the needs of rural residents, farmers, ranchers and businesses. The Supervisors created this department and made Linn County a leader in Iowa addressing sustainability and resilience with corresponding benefits to its citizens. It's important that Linn County fill this position with a top-notch Director, noting various reasons.

Auditor Joel Miller asked the Board to consider once again contacting and talking with their IT Director regarding the Tyler software and the City Assessor's connection. They need to have the same features, functionality and timeliness that the County Assessor's Office has so they can enter their information. The last update he got is that there have been additional software licenses purchased but that does not take care of time outs and the City Assessor getting kicked out of the system. He asked that the Board keep this a priority. This is not optional; it is a statutory requirement that the Auditor's Office must fulfill, and it cannot be fulfilled without the City Assessor entering data directly into Tyler. He thanked the Board for their consideration to make this an IT priority.

Supervisor Zumbach thanked his colleagues for the opportunity to be Chairperson last year and he wished them luck.

Motion by Rogers, seconded by Running-Marquardt to appoint the following to the Sustainability and Resiliency Committee: Emmanuel Billay, Grant Nordby, Jo Ann Beer, John Peloquin, Joshua Henik, Laura Barr, Rafaela (Rachel) Cadena, Tim Keegan, Tina Lenton and John Zakrasek.

Motion by Rogers, seconded by Running-Marquardt to go into closed session pursuant to Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of real estate.

VOTE: Running-Marquardt – Aye      Rogers – Aye      Zumbach - Aye

Motion by Rogers, seconded by Running-Marquardt to go out of closed session.

VOTE: Running-Marquardt – Aye      Rogers – Aye      Zumbach - Aye

Reportable Action from Closed Session: Motion by Zumbach, seconded by Running-Marquardt to authorize Darrin Gage and Lisa Epp to go to the Abbe Center for Comm. Mental Health and negotiate the sale of the Fillmore Building property.

Adjournment at 11:05 a.m.

Respectfully submitted,

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

APPROVED BY:

KIRSTEN RUNNING-MARQUARDT, Chairperson  
Board of Supervisors