

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, FEBRUARY 28, 2024 10:00 A.M.

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

Chairperson Running-Marquardt called the meeting to order and led the Pledge of Allegiance.

Motion by Rogers, seconded by Running-Marquardt to approve Claims for payable checks dated 2/28/24 #71013778-#71013822 in the amt. of \$137,079.81; and ACH in the amt. of \$462,769.11; for a total of \$599,848.92.

Motion by Running-Marquardt, seconded by Rogers to approve Consent Agenda as follows:

Resolution ESTABLISH SURFACE TREATMENT COSTS

Resolution 2024-2-25

A Resolution approving a Residential Parcel Split for CRESS SECOND ADDITION...

The following description is a summary of Resolution No. as passed and approved by Linn County Board of Supervisors, effective February 28, 2024.

CRESS SECOND ADDITION (Case # PLPS23-0008) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A, a subdivision of real estate located in the NWSE of Section 3, Township 84 North, Range 7 West of the 5th P.M., Linn County, Iowa, described as follows: Beginning at the Center of Section 23, Township 85 North, Range 8 West of the Fifth Principal Meridian; thence N88°38'14"E, 1341.06 feet to the Northeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 23; thence S0°22'00"E, 1333.35 feet to the Southeast Corner of said Northwest Quarter of the Southeast Quarter; thence S88°30'12"W along the south line of said Northwest Quarter of the Southeast Quarter, 1015.24 feet; thence N0°26'41"W, 300.05 feet; thence S88°30'12"W, 324.05 feet to the west line of said Southeast Quarter; thence N0°26'41"W, 1036.40 feet to the point of beginning.

Said parcel contain 38.83 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.linncountyiowa.gov.

Resolution 2024-2-26

RESOLUTION APPROVING APPOINTMENT OF ASSISTANT LINN COUNTY ATTORNEY WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Nick Maybanks, Linn County Attorney, has submitted to the Board of Supervisors, Linn County, Iowa, for approval of Daniel G. Clouse, for appointment as Assistant Linn County Attorney, and WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Daniel G. Clouse to be qualified to serve as Assistant Linn County Attorney and that the appointment of Daniel G. Clouse 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 Daniel G. Clouse as Assistant Linn County Attorney by Nick Maybanks, Linn County Attorney, is hereby approved.

Approve and authorize the Chair to sign a certificate of self-insurance to allow Linn County employees and agents working with Early Care and Education Supportive Services intended to increase access to extended day and high-quality wraparound care.

Approve and authorize the Chair to sign a certificate of self-insurance to allow Linn County employees and agents working with Nurturing Parent Program-Long Term to provide short term home visitation family support services to Linn County families.

Approve and authorize the Chair to sign a certificate of self-insurance to allow Linn County Employees and agents working with Nurturing Parent Program-Short Term to provide short term home visitation family support services to Linn County families.

Approve and authorize the Chair to sign a 60-month lease at \$139.34 per month with Gordon Flesch for a copier for Health and Human Services (HHS) Approve and authorize the Chair to sign a 60-month lease at \$213.90 per month with Gordon Flesch for a copier for Health and Human Services (HHS).

Approve and authorize the Chair to sign a 60-month lease at \$19.21 per month with Gordon Flesch for a copier for Health and Human Services (HHS).

Approve and authorize the Chair to sign a listing contract, agency disclosure, appointed agency agreement, and authorization for the release of information with Skogman Realty related to the sale of Linn County Property at 1206 Stoney Point Road NW, Cedar Rapids.

Approve Class C Retail Alcohol License for Stiles of Celebration, 5977 Mt. Vernon Rd. SE, noting all conditions have been met.

Set a public hearing for Monday, March 11, 2024, at 10 a.m. to rename Broadway as Leonard Street.

Public Comment: Darrin Myers, 679 Palisades Access Rd., stated that he is representing the 417 Linn County residents that pay for private dust control from the County. He asked the Board to put off the Resolution approving the costs for seal coat and dust control palliatives for 2024. He has documentation to share with the Board that indicates that the Secondary Roads Dept. is making money off the residents by overcharging them.

Motion by Rogers, seconded by Running-Marquardt to enter into a closed session to discuss pending litigation, pursuant to Code of Iowa 21.5(1)(c).

VOTE: Running-Marquardt – Aye Rogers – Aye

At this time the Board decided to rescind the Resolution approving the costs for seal coat and dust control palliatives for 2024 and to listen to Mr. Myer's comments.

Motion by Rogers, seconded by Running-Marquardt to go out of closed session and continue with public comments from Mr. Myers.

VOTE: Running-Marquardt – Aye Rogers – Aye

Motion by Running-Marquardt, seconded by Rogers to rescind Resolution to ESTABLISH SURFACE TREATMENT COSTS.

Darrin Myers, 679 Palisades Access Rd., stated that he and his neighbors have been paying for dust control since 2019. He knows that the costs that are being charged cannot be justified and Secondary Roads should not make money on it. He noted that calcium chloride is no longer offered, and he is disputing everything in the resolution noting the costs have risen over the last four years. He also stated that the Secondary Road Dept. is not living up to the Fugitive Dust Control Policy. In closing, he stated that he is protesting the increase in costs and other parts of the Policy. He has 10 years of documentation to support his comments.

The Board advised Mr. Myers that they are willing to discuss this issue with him and the County Engineer (or designee) and they are willing to meet next week. Mr. Myers agreed.

Motion by Running-Marquardt, seconded by Rogers to go into a closed session to discuss pending litigation, pursuant to Code of Iowa 21.5(1)(c).

VOTE: Running-Marquardt – Aye Rogers – Aye

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

VOTE: Running-Marquardt – Aye Rogers – Aye

Adjournment at 10:44 a.m.

Respectfully submitted,

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

APPROVED BY:

KIRSTEN RUNNING-MARQUARDT, Chairperson
Board of Supervisors