

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MARCH 20, 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 Running-Marquardt called the meeting to order and led the Pledge of Allegiance.

Motion by Zumbach, seconded by Rogers to approve minutes of March 18 & 19, 2024 as printed.

Motion by Rogers, seconded by Zumbach to approve Claims for payable checks dated 3/20/24 #71013988 to #71014026 in the amt. of \$252,512.12; and ACH in the amt. of \$1,156,486.84; for a total of \$1,408,998.96; payable voided checks in the amt. of \$2,962.39; and the following segregated claims:
Ryan Schlader \$120.78 Food purchase for meeting
Charles Struck \$10.16 Kleenex purchase for office
Joel Miller \$21.39 Software subscription no receipt
Joal Miller \$21.19 Adobe no receipt
Sheriff 3rd \$29.59 Fuel no receipt

Motion by Rogers, seconded by Zumbach 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 February 2024.

Resolution 2024-3-37

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the M-BRIDGE 1701 REHAB(24), 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 rehabilitation; 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 Boulder Contracting, LLC. in the amount of \$359,087.21 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BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed.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, 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 on 3/12/2024.

Resolution 2024-3-38

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the M-PROFILE GRIND(24), hereafter referred to as "the project" is in the best interest of Linn County, Iowa, and the residents thereof. The project is defined as a profile grind immediately south of Bridge 2737; 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 West Fork, LLC. in the amount of \$21,269.50 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, 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 on 3/12/2024.

Resolution 2024-3-39 AUTHORIZE ROAD CLOSURES FOR CONSTRUCTION

WHEREAS, construction work will begin on various Linn County projects, and WHEREAS, projects on the following list are expected to be under construction during 2024.

M-CMP 1059(24) Culvert replacement on West Blue Rd west of Blue Creek Rd in section 30-86-8.
M-CMP 193(24) Culvert replacement West Otter Rd north of Central City Rd in sections 6-85-7 & 1-85-8.
M-PROFILE GRIND(24) Grind a bump in the concrete pavement on North Center Point Rd south of Alice Rd in section 6-84-7.
FM-C057(173)--55-57 Bridge replacement on Matsell Park Rd over the Wapsipinicon River.
L-COVINGTON TURN LANES(24) Left and right turn lanes at 2400 Covington Rd.
L-ELLIS RD NW(24) Asphalt paving and guardrail replacement on Ellis Rd.
L-KENILWORTH COURT(24) 3" asphalt paving Kenilworth Ct from East Post Rd to end of the cul-de-sac.
BROS-C057(172)--8J-57 Bridge replacement on Martin Creek Rd in section 11-83-6.
LOST-MARTELLE RD(24) Regrading and culvert project on Martelle Rd.
M-BRIDGE 2605 REHAB(24) Bridge rehab on West Mount Vernon Rd over Abbe Creek.
M-BRIDGE 1699 REHAB(24) A bridge deck overlay on Springville Rd over Abbe Creek.
CST-030-7(221)--5C-57 Right turn lane on Highway 30 onto Cedar River Rd.
FM-C057(171)—55-57 Culvert replacement on Maple Grove Rd in section 34-82-8.
L-BRIDGE 1931(24) Bridge replacement on Palisades Access Rd in section 34-82-6.
M-BRIDGE 1701 REHAB(24) Bridge rehab on Linn Benton Rd in section 31-82-8.
M-PAVEMENT MARKINGS(24) Pavement markings on various roads in Linn County.
M-HMA PATCHING(24) HMA patching and leveling at various locations.
M-LINN-DELAWARE RD Rock overlay from Prairieburg Rd east to Linn-Jones Rd.
M-FROZEN HILL RD Rock overlay from Silver Creek Rd south to Prairie Hills Rd.
M-JORDANS GROVE RD Rock overlay from Heatons Valley Rd south to Sawyer Rd.
M-PLEASANT VALLEY RD Rock overlay from Scotland Rd south to Indian Bridge Rd.
M-BURNETT STATION RD Rock overlay from Highway 13 east to Jordans Grove Rd.
M-GREVE RD Rock overlay from Whittier Rd east to Labarge Rd.
M-LABARGE RD Rock overlay from Greve Rd south to Wendy Oaks Rd.
M-WENDY OAKS RD Rock overlay from Whittier Rd east to Alderman Rd.
M-HINDMAN RD Rock overlay from County Home Rd south to Highway 151.
M-STONE RD Rock overlay from County Home Rd south to Burr Oaks Rd.
M-STEGGALLS RD Rock overlay from Summer St south to Hodgkin Rd.
M-GRACEY RD Rock overlay from Alderman Rd to Taylor Rd.
M-MARION AIRPORT RD Rock overlay from Hindman Rd to Oxley Rd.
M-MARTELLE RD Rock overlay from Secrist Rd east to Springville Rd.
M-BLOOMINGTON RD Rock overlay from Martin Creek Rd south to O'Connor Rd.
M-ELBOW CREEK RD Rock overlay from Springville Rd east to Linn Grove Rd.
M-YEISLEY RD Rock overlay from Elbow Creek Rd south to Linn Ridge Rd.
M-INK RD Rock overlay from Linn Grove Rd south to Mount Vernon city limits.
M-SKILLMAN RD Rock overlay from E. Betram Rd south to Highway 30.
M-PALISADES ACCESS RD Rock overlay from Ivanhoe Rd north.
M-HARDSHELL RD/SEVEN SISTERS RD Rock overlay from Ivanhoe Rd south to Highway 1.
M-N ALBURNETT RD Rock overlay from Paris Rd north.
M-N MARION RD Rock overlay from Paris Rd to Central City Rd.
M-HILLY LN Rock overlay from Justins Rd north.
M-JUSTINS RD Rock overlay from N Alburnett Rd east to N Marion Rd.
M-MELROSE RD Rock overlay from N Marion Rd east to Sutton Rd.
M-ORRIAN DR SE Seal coat on Orrian Dr south of 30th St Dr SE.
M-SKYVIEW DR Seal coat from S 22nd St to the end of the cul-de-sac.
M-ABBOTSFORD RD Scratch course, seal coat from Lakeside Rd south to Dows Rd.
M-INNES WAY Scratch course, seal coat from Abbotsford Rd to the end of the cul-de-sac
M-DOWS RD Seal coat from Lakeside Rd south to Mount Vernon Rd SE.
M-BERTRAM RD SE Seal coat from new concrete south of bridge to asphalt surface at waste water treatment plant.
M-ANDRLE RD Rock overlay from Honey Grove Rd to Old River Rd.
M-HONEY GROVE RD Scratch course, seal coat from Hwy 30 to Briar Ridge Ct.
M-CAMPFIRE RD Rock overlay from Bettys Grove Rd east to Troy Mills Rd.
M-WILEYS RD Rock overlay from N Center Point Rd to Alice Rd.
M-W OTTER RD Rock overlay from Campfire Rd south to Central City Rd.
M-W BLUE RD Rock overlay from Benton County to Rolling Acres Rd.
M-SCHWIEBERT CT Scratch course, seal coat from Ring Rd to N Center Point Rd.
M-CENTRAL CITY RD PCC rehabilitation between Boundary Ave and Schulz Rd.
M-CENTRAL CITY RD Profile grinding from Reamer Rd to Cupola Rd.
M- STANDLEA RD Rock overlay from Quail Ridge Rd south to Midway Rd.
M-OTTER RD/HOFF LN Rock overlay from Hagerman Rd to end of Hoff Ln.

M-E OTTER RD Rock overlay from Saint Peters Rd south to Midway Rd.
M-HORSESHOE LAKE RD Rock overlay from Morris Hills Rd north to end of Horseshoe Lake Rd.
M-ROLLING RD Rock overlay from Horseshoe Lake Rd east to end of Rolling Rd.
M-BETTSY CT Seal coat from Wells Ln to the end of the cul-de-sac.
M-SANDEN RD Seal coat between Wexford Way NE and Milburn Rd.
M-ROSS RD Rock overlay from Covington Rd north to end of Ross Rd.
M-OLD FERRY RD Rock overlay from Ross Rd to end of Old Ferry Rd.
M-GIBNEY RD Rock overlay from Covington Rd south to Ellis Rd.
M-CLINTON RD Rock overlay from Young Rd east to Gibney Rd.
M-SISLEY GROVE RD Rock overlay from Ellis Rd south to 16th Ave SW.
M-MORGAN BRIDGE RD Rock overlay from Morgan Valley Rd south to W Cemetery Rd.
M-MORGAN BRIDGE RD SW Rock overlay from E Ave south to 16th Ave SW.
M-E CEMETERY RD Seal coat from Fairfax City limits east to Valley View Dr.
M-SUNSET DR Seal coat from Fairfax City limits south to E Cemetery Rd.
M-HILLCREST RD Seal coat from Sunset Dr east to end.
M-CEDAR VIEW DR Seal coat from Hillcrest Rd south to E Cemetery Rd.
M-VALLEY VIEW DR Seal coat from E Cemetery Rd north to end.
M-MEADOWLARK DR Seal coat from Valley View Dr west to end of Meadowlark Dr.
M-LINN-JOHNSON RD Rock overlay from Tissel Hollow Rd east to 18th St SW.
NOW, THEREFORE, BE IT RESOLVED that the Linn County Board of Supervisors hereby authorize the above roads and/or portions thereof, to be closed to public travel during the construction period, and further authorize and direct the County Engineer to post appropriate signs, when and as necessary to protect both the work and the traveling public, in accordance with Chapter 306 of the Code of Iowa and the Manual on Uniform Traffic Control Devices.

Resolution 2024-3-40

A RESOLUTION APPROVING THE CONTRACT AND PERFORMANCE AND/OR PAYMENT BONDS FOR THE LINN COUNTY CORRECTIONAL CENTER ISOLATION CELL BUILDOUT PROJECT
WHEREAS, the Linn County Board of Supervisors ("Board") on February 21, 2024, awarded a contract for the Linn County Correctional Center Isolation Cell Buildout Project ("Project") to Garling Construction, Inc. ("Contractor"), and fixed the amount of the performance and/or payment bonds required for the Project at 100 percent of the amount of the contract; and, WHEREAS, the Contractor duly signed the contract for the Project, and the contract appears to be in proper form; and, WHEREAS, the Contractor filed satisfactory performance and/or payment bonds in the amount fixed by the Board.
BE IT THEREFORE RESOLVED that the Board hereby approves the aforementioned contract and performance and/or payment bonds, authorizes the Board chairperson to execute said contract, declares the contract and performance and/or payment bonds binding upon the parties thereto, and authorizes the Board chairperson to execute a Notice to Proceed.

Award bid and authorize the Chair to sign a contract for Soil Borings to Terracon in the amount of \$62,400 for the Secondary Roads Department.

Award bid and authorize the Chair to sign a contract for Cultural Resource Evaluation to Bear Creek Archeology, Inc. in the amount of \$6,000 for the Secondary Road Department.

Award bid and authorize the Chair to sign a contract for Phase I Archaeology Survey to Rolling Hills Consulting Services in the amount of \$12,000 for the Secondary Road Department.

Award bid and authorize the Chair to sign a contract for National Historic Registry to Bear Creek Archeology, Inc. in the amount of \$12,000 for the Secondary Road Department.

Approve and authorize Chair to sign a Rezoning Application for a 3.23-acre area from the Critical Natural Resource zoning district to the General Commercial zoning district, located at 1206 Stoney Point Rd NW.

Approve and authorize Chair to sign a Land Use Map Amendment Application for a 3.23-acre area from the Critical Natural Resource Area to the Metro Urban Service Area, located at 1206 Stoney Point Rd NW.

Liz Rodriguez, Exec. Dir. East Central Iowa Workforce Development Board (ECIWDB), gave a presentation of a 4-year action plan by ECIWDB.

Discussion continued regarding positive changes that have been made since Rodriguez came on board 1 ½ years ago.

Jade Riley, Waypoint Services, presented a request for Waypoint's Community Survivors Program to use the Linn County Courthouse property to temporarily display materials for National Crime Victims' Rights Week, from March 20, through April 29, 2024.

Motion by Rogers, seconded by Zumbach to adopt Resolution 2024-3-41 APPROVING A PROPERTY USE REQUEST FOR PERMISSION OF TEMPORARY DISPLAY OF MATERIALS IN THE LINN COUNTY COURTHOUSE FOR NATIONAL CRIME VICTIMS RIGHTS WEEK

WHEREAS, Waypoint Services, has requested permission to use the Linn County Courthouse for a temporary display of materials for Crime Victims Rights Week, during the time of March 20, 2024 through April 29, 2024. BE IT THEREFORE RESOLVED by the Board of Supervisors of Linn County, Iowa, that the above request is herewith approved subject to the following conditions: The personnel sponsoring the temporary display of materials will follow the direction as given by the Linn County employees. The personnel sponsoring the temporary display of materials will be responsible for seeing that all items are returned to the same place they were before the temporary display started. The personnel sponsoring the temporary display of materials will oversee the proper conduct of the event.

Darrin Gage, Dir. of Policy & Admin., presented a previously discussed Resolution setting a Public Hearing to dispose of the Secondary Road Shop on Stoney Point Rd. to be held April 8 at 10:00 a.m.

Motion by Rogers, seconded by Zumbach to adopt Resolution 2024-3-42

A RESOLUTION TO SET A PUBLIC HEARING ON A PROPOSAL TO DISPOSE OF LINN COUNTY'S INTEREST IN REAL PROPERTY

WHEREAS, the Linn County, Iowa Board of Supervisors ("Board") is empowered under the authority of Iowa Code Section 331.361 to dispose of the right, title, interest, estate, and claim of Linn County, Iowa ("County"), in real property; and WHEREAS, there is now on file in the Board's office at 935 2nd Street SW, Cedar Rapids, Iowa, a Purchase/Sale Contract, submitted on behalf of Paul Brundell, for Linn County-owned real property located at 1206 Stoney Point Road NW, Cedar Rapids, Iowa legally described as:

The South 305 feet of the East fourteen (14) acres, more or less, of that part of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) Section twenty- two (22), Township eighty-three (83) North, Range Eight (8) West of the 5th P.M., lying South of the Public Highway known as Worcester Road, containing 3.27 acres more or less; and

WHEREAS, said real property was used previously as the Linn County Secondary Road Department District 1 Shop, which the County relocated to a different site. BE IT THEREFORE RESOLVED by the Board as follows:

1. The Board hereby finds that there is no further public use by the County for said real property.
2. The Board hereby finds that it is in the best interest of the County and the public to proceed with consideration of the sale of said real property.
3. The Board shall hold a public hearing to consider its proposal to dispose of the County's right, title, interest, estate, and claim in said real property by sale to Paul Brundell on Monday, April 8, 2024, at 10 a.m. in the Formal Board Room of the Jean Oxley Linn County Public Service Center, 935 2nd Street SW, Cedar Rapids, Iowa, at which time any interested person may appear and file objections to the proposed sale, and after hearing objections, the Board may make a final determination on the proposal by resolution.
4. The Board hereby authorizes and directs the publication of a Notice of Public Hearing on its proposal to dispose of said real property by sale in accordance with Iowa Code Section 331.305.

Legislative Update: Gage stated that HF 2509 regarding Mental Health/Disabilities Services is progressing with a 40-page amendment. Discussion continued regarding the mechanics of reviewing and understanding an amendment of a bill. HF 2664 addresses applications before the Iowa Utilities Board seeking eminent domain.

Adjournment at 10:35 a.m.

Respectfully submitted,

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

APPROVED BY:

KIRSTEN RUNNING-MARQUARDT, Chairperson
Board of Supervisors