

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MAY 20, 2026 10:00 A.M.

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

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

Motion by Running-Marquardt, seconded by Scheetz to approve minutes of May 13, 14 & 18, 2026, as printed.

Motion by Scheetz, seconded by Meisheid to approve accounts payable checks dated 05/20/26 #71021305 to #71021354 in the amount of \$188,182.85; and ACH in the amount of \$2,216,303.58; for a total of \$2,404,486.43.

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

Receive and place on file the Sheriff's Quarterly Report from January 1, 2026, to March 31, 2026, a total quarterly amount of \$1,722,290.55.

Resolution 2026-5-70

NOTICE TO ALL PROPERTY OWNERS AND MANAGERS WEED NOTICE!

Pursuant to the provisions of Title VIII Chapter 317.4 Subsection 2, Iowa Code, which can be found online at: <https://www.legis.iowa.gov/law/iowaCode> and Iowa Administrative Code (otherwise referred to as Iowa Administrative Rules) Agriculture and Land Stewardship Chapter 58 Noxious Weeds, it is hereby resolved by the Linn County Board of Supervisors and ordered by the Linn County Weed Commissioner acting on behalf of the Linn County Board of Supervisors:

That between May 20, 2026 to October 1, 2026 each owner and each person in the possession or control of lands in Linn County including both incorporated and unincorporated shall: eradicate all Class A noxious weeds listed in Iowa Administrative Rules 21-58.4(317); and control all Class B noxious weeds thereon, at such time in each year and in such manner as shall prevent said weeds from blooming or coming to maturity.

Class A Noxious Weeds for Eradication: Palmer Amaranth (*Amaranthus palmeri*)

Class B Noxious Weeds for Control:

Canada Thistle (*Cirsium arvense*)

Teasel (*Dipsacus spp.*) biennial

Leafy Spurge (*Euphorbia esula*)

Bull Thistle (*Cirsium vulgare*)

Multiflora Rose (*Rosa multiflora*)

European Morning Glory or Field Bindweed (*Convolvulus arvensis*)

All other species of thistles belonging in the Genus of *Carduus*

That the Linn County Road Department shall control noxious weed infestations and other vegetation deemed appropriate for control growing in county road rights of way for the purposes of maintaining public health, preventing economic loss, or affecting safe travel. Methods for eradication/control and/or prevention of seed production will be performed in a manner consistent with the county's integrated roadside vegetation management plan.

That it is recommended noxious weeds be cut, burned or otherwise controlled or destroyed on or before June 1st, 2026, so as to prevent the production of seed by all varieties of listed Noxious weeds. This includes noxious weeds on all lands within the limits of the County regardless of jurisdiction. Control or elimination measures associated with Class A and B Noxious Weeds located on lands enrolled in the Conservation Reserve Program (CRP) will comply with the Conservation Reserve Program contract requirements for that land.

That persons not in compliance with Iowa's Weed Law, Code of Iowa Chapter 317 Noxious Weeds, and Iowa Administrative Rules Agriculture and Land Stewardship Chapter 58 Noxious Weeds will be notified to use appropriate methods to eradicate or control the weed problem. Failure to do so can incur penalties including, but not limited to, daily fines for non-compliance, and the Weed Commissioner or Deputies entering upon the land to control the weed problem, with all costs, including fines and administrative costs, levied against the landowner. Iowa law provides these assessments can be attached to the real estate tax of the land for collection. Weed eradication/control will still be required to be implemented in all cases where penalties are assessed.

More information regarding Linn County's weed control program can be found under the Soil Conservation section at: www.linncountyiowa.gov, the following web address, <https://crops.extension.iastate.edu/encyclopedia/iowas-noxious-weed-law-chapter-317>, or by contacting:

Linn County Weed Commissioner: Jonathan Gallagher at 319-377-5960 Ext. 3.

Resolution 2026-5-71

RESOLUTION APPROVING THE APPOINTMENT OF LEGAL INTERN IN THE LINN COUNTY ATTORNEY'S OFFICE

WHEREAS, pursuant to Iowa Code Section 331.903(1), Linn County Attorney Nicholas G. Maybanks submitted a request to the Linn County Board of Supervisors to approve the appointment of Jessica Patel, beginning May 28, 2026, as legal intern in the Linn County Attorney's Office who will engage in the

practice of law and/or appear as counsel in the trial and or/appellate courts of the State of Iowa in accordance with Iowa Code Section 602.10102 and Rule 31.15 of the Iowa Court Rules; and WHEREAS, the Linn County Board of Supervisors, based on the recommendation of Linn County Attorney Nicholas G. Maybanks, finds that Jessica Patel is qualified to serve as legal intern as described in the foregoing section of this Resolution, and WHEREAS, the Board of Supervisors acknowledges that the County Attorney's Office will pay Jessica Patel from the budget amount approved for assistant attorneys and finds that their appointments will not exceed the number of assistants authorized for the Linn County Attorney's Office by the Board of Supervisors. BE IT THEREFORE RESOLVED by the Linn County Board of Supervisors that the appointment by Linn County Attorney Nicholas G. Maybanks of Jessica Patel as legal intern in the Linn County Attorney's Office beginning May 28, 2026, as described in this Resolution is hereby approved.

Resolution 2026-5-72

A RESOLUTION AWARDING CONTRACT FOR THE LOST-S 31ST STREET(26) RECONSTRUCTION

WHEREAS, the Linn County Board of Supervisors, hereafter referred to as "the Board", believes the LOST-S 31ST STREET(26), hereafter referred to as "the project" is in the best interest of Linn County, Iowa, and the residents thereof. The project is defined as S 31st Street reconstruction; 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 \$1,043,204.35 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 Linn County Board of Supervisors, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Bradley J. Ketels or Garret A. Reddish, 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 5/12/2026.

Resolution 2026-5-73

A Resolution approving a Final Plat for SUTTER FARM SECOND ADDITION...

The following description is a summary of Resolution No. 2026-5-73 as passed and approved by Linn County Board of Supervisors, effective May 20, 2026.

SUTTER FARM SECOND ADDITION (Case # PF26-0004) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lot 2, and lettered lot A has been filed for approval, a subdivision of real estate located in the SE NE of Section 11, Township 85 North, Range 06 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the E ¼ corner of said Section 11;

thence N89°08'23"W along the south line of said SE¼ NE¼, 1326.04 feet to the SW corner of said SE¼ NE¼;

thence N00°54'02"W along the west line of said SE¼ NE¼, 664.00 feet to the SW corner of Minor Farms First Addition to said County;

thence S89°11'50"E along the south line of said Addition, 1328.64 feet to the east line of said SE ¼ NE ¼;

thence S00°40'25"E along said east line, 665.26 feet to the Point of Beginning, containing 20.24 acres which includes 0.76 acres of road 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, 7:30 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at www.linncountyiowa.gov.

Resolution 2026-5-74

A Resolution approving a Final Plat for SUTTER FARM FIRST ADDITION...

The following description is a summary of Resolution No. 2026-5-74 as passed and approved by Linn County Board of Supervisors, effective May 20, 2026.

SUTTER FARM FIRST ADDITION (Case # PF26-0003) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A has been filed for approval, a subdivision of real estate located in the SW NW of Section 12, Township 85 North, Range 06 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing as a point of reference at the W ¼ corner of said Section 12;

thence N00°40'25"W along the west line of said SW¼ NW¼, 499.62 feet to the Point of Beginning;

thence continuing N00°40'25"W along said west line, 289.11 feet;

thence N89°50'26"E, 250.01 feet;

thence S00°39'44"E, 40.00 feet to the north line of the S 1/2 S 3/5 N 5/8 of said SW¼ NW¼; thence N89°50'26"E, 810.14 feet to the west line of the E 1/5 S 1/2 S 3/5 N 5/8 of said SW¼ NW¼;

Page 3

May 20, 2026

thence S00°43'02"E along said west line, 249.25 feet to the south line of the N 5/8 of said SW¼ NW¼; thence S89°50'53"W along said south line, 1060.33 feet to the Point of Beginning, containing 6.29 acres which includes 0.33 acres of road 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, 7:30 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at www.linncountyiowa.gov.

Approve and authorize Chairperson to sign Iowa Department of Transportation (IDOT) Federal-aid Agreement for a County Highway Bridge Program Project, a bridge replacement project on Sutton Road over the Wapsipinicon River. Project no. BROS-C057(187)—5F-57.

Approve and authorize the Chairperson to sign the Wellmark Blue Cross Blue Shield Renewal Agreement effective July 1, 2026 through June 30, 2027.

Approve and authorize the Chairperson to sign a three-year subscription extension for the Dayforce software platform in the amount of \$816,042.60.

Approve and authorize the Chairperson to sign a proposal between Linn County and Baker Group to furnish integration of the new Niagara system into the Harris Building's existing automation system in the amount of \$60,591.

Approve and authorize the Chairperson to sign a proposal between Linn County and Baker Group for installation of Access Control doors for the Court House Remodel in the amount of \$14,140.10.

Approve and authorize the Chairperson to sign a proposal from Unzeitig Construction for the installation of three resistant Lexan security windows at the Mental Health Access Center (MHAC) in the amount of \$22,825.

Supervisor Meisheid read a letter Recognizing Thomas Klug as the Linn County Veteran of the Month for May 2026.

Motion by Meisheid, seconded by Scheetz to approve said letter.

Pramod Dwivedi, Public Health Dir., discussed Second Consideration on an ordinance amending the Code of Ordinances, Linn County, Iowa, by amending provisions in Chapter 10, pertaining to Air Quality. No oral or written objections have been received. He reiterated that in light of the state law that changed in 2023, Linn County's ordinance has to be the same as the state law.

Discussion continued regarding the Air Quality Division of Public Health and the ramifications if this ordinance amendment does not pass.

Supervisors Meisheid and Scheetz expressed their dislike of having to lower standards in Linn County's ordinance to match state law noting that this does not mean they are rolling over in any way. They need to approve the amendments to the ordinance to protect employees and the local control they have. They hate the policy and the law, but it is still the law, and they are supportive of the changes but not the policy itself. Meisheid added that this is completely unrelated to any form of a natural gas plant.

Supervisor Running-Marquardt echoed comments she made in prior meetings about voting no and how complying with these changes is extremely difficult. She does not feel this involves a unanimous vote and she is not playing politics. This is a terrible thing they have to do and she cannot be supportive.

Motion by Scheetz, seconded by Meisheid to approve Second Consideration on an ordinance amending the Code of Ordinances, Linn County, Iowa, by amending provisions in Chapter 10, pertaining to Air Quality.

VOTE: Scheetz & Meisheid – Aye Running-Marquardt - Nay

Todd Taylor, Auditor, presented a Vacancy Form request for a temporary Account Technician for the Auditor's Office. This position will be funded with existing FY27 money. His office has newer staff (less than a year) and an upcoming medical leave for an employee. These factors highlight the need to bring in a temporary person for a short period of time.

Motion by Running-Marquardt, seconded by Scheetz to approve a Vacancy Form request for a temporary Account Technician for the Auditor's Office.

Mike Tertinger, Planning & Development, presented a Resolution setting a public hearing for June 8, 2026, at 10 a.m. on a proposed amendment to the Linn County Rural Land Use Map to change the plan designation for approximately 68.45 acres generally located in the 6800 and 6900 block of Tower Terrace Road, Cedar Rapids, from Metro Urban Service Area (MUSA) to Rural Residential Development 2-Acre Area (RRD2) for a land use map amendment.

Motion by Running-Marquardt, seconded by Scheetz to adopt Resolution 2026-5-75

A RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSAL TO ADOPT

A LAND USE MAP AMENDMENT TO CHANGE THE PLAN DESIGNATION FROM METRO URBAN SERVICE AREA (MUSA) TO RURAL RESIDENTIAL DEVELOPMENT 2-ACRE AREA (RRD2)

WHEREAS, the Linn County Planning and Development Department presented the Linn County Board of Supervisors with a proposal to adopt a Land Use Map Amendment to change the plan designation from Metro Urban Service Area (MUSA) to Rural Residential Development 2-Acre Area (RRD2); and, WHEREAS, the Linn County Board of Supervisors hereby finds that it is desirable to hold a public hearing to consider the proposal to adopt a Land Use Map Amendment to change the plan designation from Metro Urban Service Area (MUSA) to Rural Residential Development 2-Acre Area (RRD2), and that Linn County should publish a notice thereof as required by law.

BE IT THEREFORE RESOLVED that the Linn County Board of Supervisors will hold a public hearing on the proposal to adopt a Land Use Map Amendment to change the plan designation from Metro Urban Service Area (MUSA) to Rural Residential Development 2-Acre Area (RRD2) on June 8, 2026 at 10:00 am in the Formal Board Room of the Linn County Public Service Center located at 935 2nd Street SW, Cedar Rapids, Iowa, at which time any interested person may provide public comment on the proposed ordinance, and after hearing any and all public comments, the Board may proceed with the approval of the proposed ordinance.

BE IT FURTHER RESOLVED that the Board of Supervisors directs the publication of a notice of public hearing in accordance with Iowa Code Section 331.305.

Tertinger also presented a Resolution setting a public hearing for June 8, 2026, at 10 a.m. on a proposed 23-lot preliminary plat of Otter Creek Reserve First Addition for approximately 68.45-acre parcel generally located in the 6800 and 6900 block of Tower Terrace Road, Cedar Rapids. There is a concurrent preliminary plat case that is going with the land use amendment. There will likely be a rezoning and final plat coming in June or July as a proposed residential subdivision is in the works, but this is the first step of the process.

Motion by Running-Marquardt, seconded by Scheetz to adopt Resolution 2026-5-76

A RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSAL TO ADOPT

A 23 LOT PRELIMINARY PLAT OF OTTER CREEK RESERVE FIRST ADDITION

WHEREAS, the Linn County Planning and Development Department presented the Linn County Board of Supervisors with a proposal to consider a 23 Lot Preliminary Plat Of Otter Creek Reserve First Addition; and,

WHEREAS, the Linn County Board of Supervisors hereby finds that it is desirable to hold a public hearing to consider the proposal to consider a 23 Lot Preliminary Plat Of Otter Creek Reserve First Addition, and that Linn County should publish a notice thereof as required by law.

BE IT THEREFORE RESOLVED that the Linn County Board of Supervisors will hold a public hearing on the proposal to consider a 23 Lot Preliminary Plat Of Otter Creek Reserve First Addition on June 8, 2026 at 10:00 am in the Formal Board Room of the Linn County Public Service Center located at 935 2nd Street

SW, Cedar Rapids, Iowa, at which time any interested person may provide public comment on the proposed ordinance, and after hearing any and all public comments, the Board may proceed with the approval of the proposed ordinance.

BE IT FURTHER RESOLVED that the Board of Supervisors directs the publication of a notice of public hearing in accordance with Iowa Code Section 331.305.

Adjournment at 10:24 a.m.

Respectfully submitted,

TODD E. TAYLOR, Linn County Auditor

By: Amanda Brown, Deputy Auditor

Approved by:

KIRSTEN RUNNING-MARQUARDT, Chairperson
Board of Supervisors