

BOARD OF SUPERVISORSDistrict 1 | **Stacey Walker**District 2 | **Ben Rogers**District 3 | **Louis J. Zumbach****JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER**

935 2ND ST. SW

CEDAR RAPIDS, IA 52404

PH: 319-892-5000 | FAX: 319-892-5009

LinnCounty.org

**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Wednesday, December 8, 2021

11 a.m.

Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA**Call to Order****Pledge of Allegiance****Public Comment: Five Minute Limit per Speaker**

This comment period is for the public to address topics on today's agenda.

Consent Agenda

Items listed on the consent agenda are routine and will be considered by one motion without individual discussion unless the Board removes an item for separate consideration.

Reports**Resolutions**

Resolution to approve a one-lot final plat for Palmer's Second Addition, case JF21-0019

Contract and Agreements

Approve Change Order Number 2, a decrease to the contract sum in the amount of \$27,055, from Garling Construction, Inc. for the Fillmore Building Reroofing project, and authorize the Chair to sign the change order

Approve and sign an Iowa Department of Transportation (IDOT) Final Contract Construction Voucher for project FM-C057(152) - - 55-57, HMA resurfacing on Front Drive, First Street and Toddville Road in Toddville.

Approve purchase order PO217 for \$57,997.00 to Pritchards Lake Chevrolet for a 2019 Ford T350 Transit Passenger Wagon for Options.

Licenses & Permits**Regular Agenda****Discuss and Decide on Consent Agenda****Minutes**

Discuss and decide on meeting minutes.

Claims

Discuss and decide on claims.

Update on Linn County Mental Health Access Center.

Discuss and authorize support of Linn County Make it OK Assessment tool and implementation plan.

Second Consideration on an ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 107, Unified Development Code. Staff is proposing amendments to Article IV, Section 107-72 Land Division Processes and Requirements related to final plat document and filing requirements, Residential Parcel Splits, Minor Boundary Changes, and Land Preservation Parcel Splits.

Discuss and decide on a resolution approving the appointment of Criminal Division Head-Deputy Assistant County Attorney, Jordan N Schier.

Discuss and decide on a Vacancy Form requesting an Assistant County Attorney-Criminal Division Head for the Linn County Attorney's Office.

Discuss and decide on the acceptance of a competitive quotation of \$11,200.00 from Darnell Construction for the Secondary Road District #1 Shop Salt Shed Derecho Repair project and authorize Chair to sign a Notice to Proceed notifying Darnell Construction to commence work on the project

Public Comment: Five Minute Limit per Speaker

This is an opportunity for the public to address the board on any subject pertaining to board business.

Board Member Reports

Correspondence

Appointments

**1:30
Formal Board Room**

Review of proposed Fiscal Year 2023 budget for Purchasing

Review of proposed Fiscal Year 2023 budget for the Recorder

Other budget discussions if necessary.

Adjournment

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncountyiowa.gov.

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # _____

APPROVING A FINAL PLAT

WHEREAS, a final plat of Palmer's Second Addition (Case #JF21-0019) to Linn County, Iowa, containing one (1) lot, numbered Lot 1, has been filed for approval, a subdivision of real estate located in the NWNW of Section 4, Township 83 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE N88°54'03"E ALONG THE NORTH LINE OF THE NW1/4 OF SAID SECTION 4, 678.40 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N88°54'03"E ALONG SAID NORTH LINE, 925.20 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF COVINGTON ROAD; THENCE S09°42'28"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 414.67 FEET; THENCE S88°54'03"W, 987.28 FEET; THENCE N01° 05'57"W, 410.00 FEET TO THE POINT OF BEGINNING CONTAINING 9.00 ACRES (392,058 SQ.FT.) MORE OR LESS.

WHEREAS, said plat is accompanied by a certificate acknowledging that said subdivision is by, and with the free consent of the proprietors, and is accompanied by a certificate dedicating certain property to the public, as shown on the plat; and

WHEREAS, said plat and its attachments thereto have been found to conform to the requirements of the comprehensive plan and the subdivision ordinance; and the requirements of other ordinances and state laws governing such plats; and

WHEREAS, the following conditions as listed on the Planning and Development Staff Report of July 21, 2021 as last amended on August 16, 2021 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT

1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). All approved entrances shall be brought into conformance with County standards. The parcel shall be limited to one entrance.
2. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION

1. Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. Must meet current septic code requirements if connecting a new building to an existing septic system. Connection cannot be made without permit from LCPH. System may need to be replaced and will need upgrading if it does not meet current code for estimated usage.

NATURAL RESOURCES CONSERVATION SERVICE

1. Show approximate location of natural drainage ways and a note restricting building within the natural drainage way should be shown on the final plat. Contact the NRCS office for widths and building restriction requirements.
2. Land disturbance greater than 1 acre in size, not associated with agricultural crop production, will require a NPDES permit granted by the Iowa Department of Natural Resources.

3. Existing drains need to be shown on site plan or agreement for new subsurface drainage is needed.
4. Submit erosion and sediment control plan for review and acceptance.
5. Submit site grading plan showing existing and proposed surface grades.
6. Submit storm water pollution prevention plan for review and acceptance prior to approval of plat and / or any site grading activities.
7. Submit storm water management plan for review and acceptance prior to approval of plat and / or any site grading activities.

LINN COUNTY CONSERVATION DEPARTMENT

No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

No conditions to be met.

LINN COUNTY PLANNING AND DEVELOPMENT - ZONING DIVISION

1. Various revisions to the site plan and final plat.
2. Prior to approval of the final plat, the owner must sign an "Acceptance of Conditions" form. The "Acceptance of Conditions" form states that the owner understands and agrees to comply with the agreed upon conditions as stated in the staff report.
3. This plat lies within the 2-mile jurisdiction of the City of Palo, and as per the 28E Agreement between the City and the County, will require City approval or a waiver of the right to review.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. A note shall be included on Lot 1 on the final plat stating, "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed."
6. The remaining land of each parent parcel will contain less than 35 acres. Either combine the remaining land by deed restriction to total 35 acres or more, or include the remaining land as part of the final plat. If included as a part of the final plat, the lot will be non-buildable until brought into conformance with the Linn County UDC.
7. The proposed subdivision name and proposed names of all roads, streets and lanes shall be submitted for review and approval by the Linn County Auditor's office prior to approval of the final plat.
8. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **AUGUST 16, 2022** as per Article IV, Section 107-72, § (1)(g), and shall be recorded within 1 year of that approval, as per Article IV, Section 107-72, § (2)(f) of the UDC.
9. One original and 3 complete copies of the final plat bound documents that must include the following:
 - i. Owner's certificate and dedication certificate executed in the form provided by the laws of Iowa, dedicating to Linn County title to all property intended for public use, including public roads
 - ii. Title opinion and a consent to plat signed by the mortgage holder if there is a mortgage or encumbrance on the property as well as a release of all streets, easements, or other areas to be conveyed or dedicated to local government units within which the land is located
 - iii. Surveyor's certificate
 - iv. Auditor's certificate
 - v. Resolution of the Planning and Zoning Commission
 - vi. Resolution of the Board of Supervisors
 - vii. Resolution of approval or waiver of review by applicable municipalities

- viii. Treasurer's certificate
 - i. Agricultural Land Use Notification. The landowner shall ensure that such notification shall be attached to the deed and shall become a separate entry on the abstract of title for all the property that is subject of the permit or development as per Article V, Section 107-91, § (h) of the UDC.
 - ii. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
 - iii. Twelve original signed plat drawings
 - iv. A covenant for a secondary road assessment

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat is hereby approved. The Board of Supervisors and County Engineer are hereby authorized to enter approval upon the final plat resolution. The Board of Supervisors' Chairperson is also hereby authorized to sign said plat which executes an acceptance of dedication of property to the public, as shown on said plat.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded by December 8th, 2022 to be valid.

Passed and approved this 8th day of December, 2021

Linn County Board of Supervisors

Chair

Vice Chair

Chair

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

Linn County Engineer

Brad Ketels, Engineer

State of Iowa)
) SS
County of Linn)

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:

___ Aye ___ Nay ___ Abstain ___ Absent

Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, _____,

on this _____ day of _____, 2021.

Notary Public State of Iowa

**AIA**[®]**Document G701™ – 2017****Change Order****PROJECT:** *(Name and address)*Fillmore Building Reroof
520 11th Street, NW**CONTRACT INFORMATION:**Contract For: General Construction
Date: March 25, 2020**CHANGE ORDER INFORMATION:**Change Order Number: 002
Date: 11.19.2021**OWNER:** *(Name and address)*Linn County Board of Supervisors
935 2nd Street, SW
Cedar Rapids, IA 52404**ARCHITECT:** *(Name and address)*Design Dynamics, Inc.
119 14th Street, SE
Cedar Rapids, IA 52403**CONTRACTOR:** *(Name and address)*Garling Construction, Inc.
1120 11th Street
Belle Plaine, IA 52208**THE CONTRACT IS CHANGED AS FOLLOWS:***(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

COR 10 Delete the replacement of two concrete sidewalks east of the building. Deduct (\$2,325.00)

COR 11 Delete cost of damages to the building caused by Blackhawk roofing. Deduct (\$24,730.00)

The original Contract Sum was	\$	926,900.00
The net change by previously authorized Change Orders	\$	7,566.14
The Contract Sum prior to this Change Order was	\$	934,466.14
The Contract Sum will be decreased by this Change Order in the amount of	\$	27,055.00
The new Contract Sum including this Change Order will be	\$	907,411.14

The Contract Time will be unchanged by Zero (0) days.

The new date of Substantial Completion will be N/A

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Design Dynamics, Inc.

ARCHITECT *(Firm name)*

SIGNATURE

Robert W Peck, President

PRINTED NAME AND TITLE

DATE

Garling Construction, Inc.

CONTRACTOR *(Firm name)*

SIGNATURE

Troy Pins, President

PRINTED NAME AND TITLE

11-23-21

DATE

Linn County Board of Supervisors

OWNER *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

DATE

Contract 037396Voucher No. 3

Iowa Department of Transportation

CONTRACT CONSTRUCTION PROGRESS VOUCHER

 FM-C057(152)--55-57
 HMA Resurfacing
 LINN COUNTY ENGINEER

PAGE

DATE LAST VOUCHER 03-18-21
MO. DAY YR.THIS VOUCHER 12-6-21
MO. DAY YR.FINAL

DAYS WORKED			RET. %	DATE LAST VOUCHER		THIS VOUCHER			
TO DATE	LAST VOUCH.	AUTH.		MO.	DAY	MO.	DAY	YR.	
14	0.0	15.0	3.000	Contractor No. 34925 L L PELLING CO INC NORTH LIBERTY, IA					
ITEM NO.	QUANTITY AWARDED	QUANTITY AUTHORIZED	UNIT OF MEASURE	FCT.	Compl. Last Voucher	RURAL PARTICIPATING	RURAL NON-PARTICIPATING	URBAN PARTICIPATING	URBAN NON-PARTICIPATING
	ITEM DESCRIPTION								
0010	124.000	124.000	Ton	410		000	000	000	000
	GRANULAR SHLD, TYPE B				TOTAL TO DATE		69	550	
0020	3.410	3.410	Station	441		000	000	000	000
	SHLD CONSTRUCTION, EARTH				TOTAL TO DATE				
0030	750.000	750.000	Sq Yard	441		000	000	000	000
	PATCH, FULL-DEPTH REPAIR				TOTAL TO DATE		3	410	
0040	14.000	14.000	Each	441		000	000	000	000
	PATCH BY COUNT (REPAIR)				TOTAL TO DATE		800	000	
0050	3.410	3.410	Station	441		000	000	000	000
	RMVL OF CURB				TOTAL TO DATE		16	000	
0060	265.000	265.000	Sq Yard	441		000	000	000	000
	PAV'T, SCARIFICATION				TOTAL TO DATE		3	410	
0070	518.000	518.000	Ton	442		000	000	000	000
	HMA INTERLAYER BASE, 3/8"				TOTAL TO DATE		359	000	
0080	886.000	886.000	Ton	442		000	000	000	000
	HMA ST SURF, 1/2", NO FRIC				TOTAL TO DATE		502	000	
0090	53.000	53.000	Ton	442		000	000	000	000
	ASPH BINDER, PG 58-28S				TOTAL TO DATE		919	000	
							54	110	

I certify that the work items shown herein are just and unpaid, and that the requirements of the Iowa Department of Transportation specifications for this project, including all requirements as to maximum hours of labor and minimum wages have been complied with.

SIGNATURES REQUIRED ON LINES 1 & 2 FOR PROGRESS PAYMENT AND LINES 1-3 FOR FINAL PAYMENT AS APPLICABLE.

1. DATE _____ PROJECT ENGINEER CERTIFICATION

2. DATE _____ CHAIRMAN OF BOARD OF SUPERVISORS APPROVAL
☐ IDOT is not involved in this Farm to Market project.

3. DATE _____ DISTRICT CONSTRUCTION/LOCAL SYSTEMS ENGINEER OR OFFICE DIRECTOR APPROVAL
☐ Project records reviewed. ☐ Project records not reviewed. Recommend payment
 Project approved for payment. based on the project engineers certification.

CLAIMANT'S CERTIFICATION (Required for Final Payment Only)

I, _____ the _____
 for _____ (contractor) certify that the work items shown herein are just and unpaid, and that the requirements of the Iowa Department of Transportation specifications for this project, including all requirements as to maximum hours of labor and minimum wages have been complied with.

DATE

SIGNED CLAIMANT (CONTRACTOR)

Contract 037396Iowa Department of Transportation
CONTRACT CONSTRUCTION PROGRESS VOUCHERFM-C057(152)--55-57
HMA Resurfacing
LINN COUNTY ENGINEER

PAGE 1

Voucher No. 3DATE LAST VOUCHER 03-18-21
MO. DAY YR.THIS VOUCHER 12-6-21
MO. DAY YR.

DAYS WORKED			RET. %
TO DATE	LAST VOUCH.	AUTH.	
<u>14</u>	<u>0.0</u>	<u>15.0</u>	<u>3.000</u>

Contractor No. 34925 L L PELLING CO INC NORTH LIBERTY, IA

ITEM NO.	QUANTITY AWARDED	QUANTITY AUTHORIZED	UNIT OF MEASURE	FCT.	Compl. Last Voucher	RURAL PARTICIPATING	RURAL NON-PARTICIPATING	URBAN PARTICIPATING	URBAN NON-PARTICIPATING
ITEM DESCRIPTION					TOTAL TO DATE				
0100	41.000	41.000	Ton	442	Compl. Last Voucher	000	000	000	000
ASPH BINDER, PG 58-34E					TOTAL TO DATE		40660		
0110	8.000	8.000	Sq Yard	410	Compl. Last Voucher	000	000	000	000
RMVL OF SIDEWALK					TOTAL TO DATE		7540		
0120	341.000	341.000	Linr Ft	410	Compl. Last Voucher	000	000	000	000
CURB+GUTTER, PCC					TOTAL TO DATE		341000		
0130	100.580	100.580	Station	442	Compl. Last Voucher	000	000	000	000
PAINTED PAV'T MARK, DURABLE					TOTAL TO DATE		106380		
0140	6900.000	6900.000	Lump Sum	401	Compl. Last Voucher	000	000	000	000
TRAFFIC CONTROL					TOTAL TO DATE		11000		
0150	25.000	25.000	Each	401	Compl. Last Voucher	000	000	000	000
FLAGGER					TOTAL TO DATE		33500		
0160	22800.000	22800.000	Lump Sum	401	Compl. Last Voucher	000	2280000	000	000
MOBILIZATION					TOTAL TO DATE		11000		
8001	300.000	300.000		401	Compl. Last Voucher	000	000	000	000
SUBBASE (PATCHES)					TOTAL TO DATE		266000		
8002	2.000	2.000		401	Compl. Last Voucher	000	000	000	000
PILOT CARS					TOTAL TO DATE		2500		

I certify that the work items shown herein are just and unpaid, and that the requirements of the Iowa Department of Transportation specifications for this project, including all requirements as to maximum hours of labor and minimum wages have been complied with.

SIGNATURES REQUIRED ON LINES 1 & 2 FOR PROGRESS PAYMENT AND LINES 1-3 FOR FINAL PAYMENT AS APPLICABLE.

- DATE _____ PROJECT ENGINEER CERTIFICATION
- DATE _____ CHAIRMAN OF BOARD OF SUPERVISORS APPROVAL
☐ IDOT is not involved in this Farm to Market project.
- DATE _____ DISTRICT CONSTRUCTION/LOCAL SYSTEMS ENGINEER OR OFFICE DIRECTOR APPROVAL
☐ Project records reviewed. ☐ Project records not reviewed. Recommend payment based on the project engineers certification.
Project approved for payment.

CLAIMANT'S CERTIFICATION (Required for Final Payment Only)

I, _____ the _____
for _____ (contractor) certify that the work items shown herein are just and unpaid, and that the requirements of the Iowa Department of Transportation specifications for this project, including all requirements as to maximum hours of labor and minimum wages have been complied with.

DATE _____

SIGNED CLAIMANT (CONTRACTOR)

CERTIFICATION FOR HOURS AND LABOR APPLIES ONLY TO FEDERAL PARTICIPATING PROJECT.

Contract 037396

Iowa Department of Transportation

CONTRACT CONSTRUCTION PROGRESS VOUCHER

FM-C057(152)--55-57
HMA Resurfacing
LINN COUNTY ENGINEER

PAGE :

Voucher No. 3DATE LAST VOUCHER 03-18-21
MO. DAY YR.THIS VOUCHER 12-6-21
MO. DAY YR.

DAYS WORKED			RET. %
TO DATE	LAST VOUCH.	AUTH.	
<u>14</u>	<u>0.0</u>	<u>15.0</u>	<u>3.000</u>

Contractor No. 34925 L L PELLING CO INC NORTH LIBERTY, IA

ITEM NO.	QUANTITY AWARDED	QUANTITY AUTHORIZED	UNIT OF MEASURE	FCT.		RURAL PARTICIPATING		RURAL NON-PARTICIPATING		URBAN PARTICIPATING		URBAN NON-PARTICIPATING	
	ITEM DESCRIPTION												
8999	1.000	1.000	Lump Sum	401	Compl. Last Voucher		000		000		000		000
	STOCKPILED MATERIALS				TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								
					Compl. Last Voucher								
					TOTAL TO DATE								

I certify that the work items shown herein are just and unpaid, and that the requirements of the Iowa Department of Transportation specifications for this project, including all requirements as to maximum hours of labor and minimum wages have been complied with.

SIGNATURES REQUIRED ON LINES 1 & 2 FOR PROGRESS PAYMENT AND LINES 1-3 FOR FINAL PAYMENT AS APPLICABLE.

- DATE _____ PROJECT ENGINEER CERTIFICATION
- DATE _____ CHAIRMAN OF BOARD OF SUPERVISORS APPROVAL
☐ IDOT is not involved in this Farm to Market project.
- DATE _____ DISTRICT CONSTRUCTION/LOCAL SYSTEMS ENGINEER OR OFFICE DIRECTOR APPROVAL
☐ Project records reviewed. ☐ Project records not reviewed. Recommend payment based on the project engineers certification.
☐ Project approved for payment.

CLAIMANT'S CERTIFICATION (Required for Final Payment Only)

I, _____ the _____
for _____ (contractor) certify that the work items shown herein are just and unpaid, and that the requirements of the Iowa Department of Transportation specifications for this project, including all requirements as to maximum hours of labor and minimum wages have been complied with.

DATE _____ SIGNED CLAIMANT (CONTRACTOR)

CERTIFICATION FOR HOURS AND LABOR APPLIES ONLY TO FEDERAL PARTICIPATING PROJECT.

Prepared by Jessie Black
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100
(319) 892-5130
Return to Becky Shoop, Auditor's Office

LINN COUNTY ORDINANCE # _____
AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA
BY AMENDING PROVISIONS IN CHAPTER 107

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa:

SECTION 1. SEE ATTACHMENT A

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

SECTION 3. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Public hearing and first consideration on the 6th day of December, 2021

Second consideration on the 8th day of December, 2021

Third and final passage on the 15th day of December, 2021

Published in the Gazette on the _____ day of December, 2021

LINN COUNTY BOARD OF SUPERVISORS

Chairperson

Supervisor

Supervisor

ATTEST:

Joel D. Miller, Linn County Auditor

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, _____, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on _____, 2021 and published as provided by law on _____, 2021.

Linn County Auditor

Subscribed and sworn to me this _____ day of _____, 2021.

Notary Public, State of Iowa

ATTACHMENT A

Text that is being deleted is shown as ~~striketrough~~; new or replacement language will be displayed as underlined text.

PROPOSED AMENDMENTS:

ARTICLE IV, DEVELOPMENT REVIEW PROCESSES AND REQUIREMENTS, SECTION 107-72 LAND DIVISION PROCESSES AND REQUIREMENTS:

1. **Subsection (2)(f)(11):**

11. *Final plat filing requirements.* ~~Four~~ Two copies of the final plat, together with copies of forms and certificates as specified in subsection (2)g of this section, shall be submitted to the planning and development department in bound form, ~~together with an additional two unbound copies of the final plat.~~

2. **Subsection (2)(g)(1):**

1. *Filing document requirements.* Required filings with the county recorder shall include all of the following documents:
- (i) Owner's certificate and dedication certificate executed in the form provided by state law, dedicating to the county the title to all property intended for public use, including public roads.
 - (ii) Title opinion and a consent to plat signed by the mortgage holder if there is a mortgage or encumbrance on the property as well as a release of all streets, easements, or other areas to be conveyed or dedicated to local government units within which the land is located.
 - (iii) Surveyor's certificate.
 - (iv) Auditor's certificate.
 - (v) Resolution of the planning and zoning commission.
 - (vi) Resolution of the board of supervisors.
 - (vii) Resolution of approval or waiver of review by applicable municipalities.
 - (viii) Treasurer's certificate.
 - (ix) Agricultural land use notification.
 - (x) Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument.
 - (xi) ~~Twelve~~ Ten original signed plat drawings.
 - (xii) Covenant for a secondary road assessment.

3. **Subsection (4)(b)(4):**

- (4) *Residential parcel split.*

4. If the remaining land is less than 35 net acres or does not otherwise meet zoning requirements, the remaining land shall be included in the minor subdivision for the residential parcel split and shall be noted as follows: "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed."

4. **Subsection (5):**

(5) *Minor boundary change.*

- a. *Purpose.* The purpose of this subsection is to prescribe uniform procedures for review of an adjustment to a common boundary between no more than two adjacent parcels or tracts of land.
- b. *Conditions.*
 1. A minor boundary change shall not create any additional parcels or tracts, and shall not result in the creation of any additional buildable parcels or tracts. A parcel or tract is considered non-buildable if it cannot comply with the provisions of this chapter, including but not limited to the provisions for nonconforming lots and legal lots of record in section 107-49.
 2. No new violations of this chapter shall be created by the action.
 3. Such division of land shall not be in conflict with any other state or lawful municipal regulations regarding division of land.
 4. The plat of survey parcel(s) shall be considered non-buildable until such time as it comes into compliance with this chapter, and a note shall be filed on the plat of survey indicating this.
- c. *Application.* An application for a minor boundary change shall be submitted on a form as established by the zoning administrator, along with an application filing fee as established by the board of supervisors. In addition, all of the following shall be submitted with the application and required fee:
 1. A review copy of the plat of survey, including the plat of survey number, describing the areas to be conveyed between the adjacent property owners;
 2. ~~Deed restrictions combining any areas conveyed to the receiving parcel or tract;~~
 3. Any proposed or required easement agreement;
 4. An accompanying sketch plan that demonstrates all site and structure requirements for the zoning district in which the parcels of land are located can be maintained.
- d. *Review and approval.* Review of applications for minor boundary changes shall be by the zoning administrator or designee, who shall notify the surveyor of approval or of any required changes. The auditor's office shall receive a copy of the notification.
- e. *Recording of plat of survey.* The surveyor shall submit the plat of survey to the auditor's office following the zoning administrator's review, along with the required fees and documentation established by that office. The plat of survey shall be recorded in accordance with the provisions set forth in I.C.A. § 355.10.
- f. *Recording of ~~deed restrictions or~~ easement agreements.* Upon notification that the plat of survey has been recorded, the planning and development department shall record any ~~deed restriction or~~ easement agreement submitted with the application.

- g. *Not subject to MLS or LESA requirements.* Minor boundary changes are not subject to the minimum levels of service requirements in section 107-69; nor are they subject to the land evaluation and site assessment requirements of section 107-70.

5. **Subsection (8)(b)(5):**

(8) *Land preservation parcel split.*

5. The deed restriction attached to the land preservation parcel shall be recorded with the plat. The deed restriction will describe the limitations for future development of the land preservation parcel and will include, at a minimum, the following provisions:
- (i) Other than as stipulated below, no new principal, conditional or accessory uses (including farm dwelling) shall be permitted on the land preservation parcel under the terms of the deed restriction as long as the restriction remains in place.
 - (ii) Subject to applicable zoning and building permit requirements, the deed restriction shall allow, on the land preservation parcel, the construction, reconstruction, alteration, or enlargement of accessory buildings or structures (such as agricultural buildings) associated with the use of the land preservation parcel.
 - (iii) If, in the future, the land preservation parcel subject to the deed restriction meets the county's development requirements in effect at the time development is proposed, the deed restriction may be removed through approval of such proposed development through appropriate platting and zoning applications, including the recordation of a document affirming that the conditions for development approval have been met and the restrictions no longer have force and effect.
 - ~~(iv) The deed restriction shall automatically "sunset" upon the completion of annexation of the land preservation parcel into an incorporated city. Annexation shall be completed when all annexation documents have been recorded in the office of the county recorder.~~

RESOLUTION # _____

WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Jerry Vander Sanden, Linn County Attorney, has submitted to the Board of Supervisors, Linn County, Iowa, for approval of Jordan N. Schier, for appointment as Criminal Division Head – Deputy Assistant County Attorney, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Jordan N. Schier, to be qualified to serve as Criminal Division Head – Deputy Assistant County Attorney and that the appointment of Jordan N. Schier will not exceed the number of deputies 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 Jordan N. Schier, Criminal Division Head – Deputy Assistant County Attorney by Jerry Vander Sanden, Linn County Attorney, effective January 1, 2022, is hereby approved.

Dated at Cedar Rapids, Linn County, Iowa, this _____ day of _____, 2021.

LINN COUNTY BOARD OF SUPERVISORS

AYE:

NAY:

ABSTAIN:

CHAIRPERSON

SUPERVISOR

SUPERVISOR

ATTEST:

JOEL D. MILLER, Linn County Auditor

STATE OF IOWA)
) ss:
COUNTY OF LINN)

I, JOEL D. MILLER, County Auditor of Linn County, Iowa, hereby certifies that at a regular meeting of the said Board, the foregoing was duly adopted by a vote of _____ aye, _____ nay and _____ abstained from voting.

JOEL D. MILLER

Subscribed and sworn to before me by the aforesaid on this _____ day of _____, 2021.

NOTARY PUBLIC – State of Iowa

LINN COUNTY HUMAN RESOURCES DEPARTMENT
JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER
935 2ND ST. SW
CEDAR RAPIDS, IA 52404
PH: 319-892-5120 | FAX: 319-892-5129

LinnCounty.org



VACANCY FORM

SELECT ONE:

☒ NEW POSITION

☐ REPLACEMENT

REPLACES: _____

SELECT ONE:

☒ NEW JOB CLASSIFICATION

☐ EXISTING JOB CLASSIFICATION

JOB TITLE: Assistant County Attorney - Criminal Division Head

DEPARTMENT: Linn County Attorney's Office

SHIFT/HOURS: 8am-5pm

VACANCY DATE: January 1, 2022

NUMBER OF POSITIONS: 1

REASON TO ADD NEW POSITION (if

applicable): ☐ BUDGET OFFER

☐ GRANT FUNDING

☒ OTHER: _____

NEW POSITION FUNDING SOURCE(S):

We have money left in our budget, due to vacancies, to fund

this position for the remainder of the current fiscal year FY22

POST TO INSIDE: ☒ YES ☐ NO

ADVERTISE: ☒ YES ☐ NO

IF NO, GIVE EXPLANATION (i.e. not filling due to operational needs): _____

POSITION TYPE:

☒ FULL-TIME

☐ PART-TIME _____ # of hours/week

☐ TEMPORARY/SEASONAL

☐ ON-CALL/SUBSTITUTE

☐ GRANT-FUNDED

BARGAINING UNIT: ☐ Clerical ☐ Maintenance ☐ Para Professional ☐ Professional

☐ Attorneys ☐ Conservation ☐ Sergeants ☐ PPME

☒ NON-BARGAINING UNIT (Management and Confidential Employees)

APPROVED BY: _____

DEPARTMENT HEAD (original signature required)

DATE

By signing above, I acknowledge my understanding of the following about external job postings: Failure to make a good faith effort to begin the interview process within one month of receiving candidates' applications will result in HR charging the cost of advertising back to the department.

FOR HUMAN RESOURCES DEPARTMENT USE ONLY:

PAY GRADE: _____

STARTING SALARY: _____

HR DIRECTOR COMMENTS: New job description attached

FINANCE/BUDGET DIRECTOR COMMENTS: offer will be submitted for future funding

APPROVED BY: _____

HUMAN RESOURCES DIRECTOR

DATE

APPROVED BY: _____

FINANCE/BUDGET DIRECTOR

DATE

APPROVED BY: _____

CHAIRPERSON/BOARD OF SUPERVISORS

DATE