

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

LinnCountyIowa.gov

**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Wednesday, September 7, 2022

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 Residential Parcel Split for ArloAnn Sieck Addition, case JPS22-0014.

Resolution to approve a Residential Parcel Split for Barner Farms First Addition, case JPS22-0005.

Contract and Agreements

Approve and authorize Chair to sign a Motel 6 Rate Agreement contract between Linn County Community Services- Ryan White Program and Motel 6 for the contract period of April 1, 2022 – December 31, 2022 for clients who are in need of short-term temporary housing. Motel 6 is certified in human trafficking prevention and meets required provisions for expending or committing public funds for travel lodging, conferences, meetings, or related events within Iowa.

Approve and authorize Chair to sign a Release of Mortgage of September 14, 2012, made and executed by the East Central Iowa Council of Governments, in association with the Linn County's Multi-Family New Construction Grant, regarding property commonly known as 200,202,204,206 Village Drive, Tiffin, Iowa.

Approve and authorize Chair to sign a Major Site Plan Application for the Linn County Secondary Roads Department Morgan Creek Shop project in the 2300 Block of Covington Rd

Approve and authorize Chair to sign a 36-month copier lease agreement at \$269.93 with Gordon Flesh Company, Inc. amending previously approved lease for \$192.28 per month dated 8/10/22 for the Engineer/Secondary Roads Department.

Approve purchase order #PO349 for \$15,362.20 to Vertiv Corporation for UPS fan replacement for Facilities.

Approve purchase order #PO350 for \$21,046.32 to Vertiv Corporation for UPS battery replacement for Facilities.

Licenses & Permits

Regular Agenda

Discuss and Decide on Consent Agenda

Minutes

Discuss and decide on meeting minutes.

Claims

Discuss and decide on claims.

Proclamation: Suicide Prevention Awareness Month-September 2022

Presentation by Linn County Historical Society in support of its submitted Legacy & Community Activity Grant application.

Presentation by the Linn County Fair Board recapping the 2022 Linn County Fair and providing support for their 2023 Legacy & Community Grant application

Second consideration to create Chapter 105 Article VII Housing Code Ordinance

Second consideration to amend Chapter 105 Article VI. Property Maintenance Ordinance

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

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 RESIDENTIAL PARCEL SPLIT

WHEREAS, a Residential Parcel Split of ArloAnn Sieck Addition (Case # JPS22-0014) 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 NWSW of Section 34, Township 85 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing at the Center of Section 34, said point being also the POINT OF BEGINNING; thence South 88°53'36" West, along the north line of the SW1/4 of Section 34 and the centerline of Grass Grove Road, 267.58 feet; thence South 01 °02'55" East, 393.45 feet; thence North 88°57'05" East, 364.83 feet; thence North 01 °02'55" West, 393.72 feet to a point on the north line of the SE 1/4 of Section 34 on the centerline of aforementioned centerline; thence, along said common line, South 88°57'05" West, 97.25 feet to the POINT OF BEGINNING, containing 3.30 acres, of which, 0.34 acre is public road right-of-way.

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 June 15, 2022, as last amended on July 18, 2022, have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT

1. Dedication of road rights-of-way, County Standard Specifications, Section 5. Forty feet along Greens Grove Road from the centerline of the existing right-of-way.

IOWA DEPARTMENT OF TRANSPORTATION

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

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. Existing sewage disposal system must have one of the following completed: If the property ownership is being transferred and does not qualify for one of the DNR exemptions, a Time of Transfer inspection must be performed by a certified septic contractor. The report must be submitted to this department. If the property is not transferring ownership, the septic must be reviewed by certified septic contractor for compliance with Linn County Code of Ordinances Chapter 10, Article VI Private Sewage Disposal Systems.
2. Existing house must be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 105, Article VI Property Maintenance Regulations. If applicable, correction of certain deficiencies may require permits, inspections, and final approval from the Building Division of Linn County Planning & Development.

NATURAL RESOURCES CONSERVATION SERVICE

No conditions to be met.

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. All side and rear yard setbacks must be met for all structures involved in this proposal.
2. Various revisions to the site plan and final plat.
3. A Land Use Map Amendment to part of GPN 05-34-426-002-00000, currently described as the W ½ NW ¼ SE ¼ 34-85-8, changing its land use designation from RRD3 (Rural Residential 3-Acre Area) to AA (Agricultural Area) to align with the remainder of proposed Lot 1, ArloAnn Sieck Addition, must be recorded as a condition of approval prior to recording of Residential Parcel Split case JPS22-0014.
4. 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.
5. Prior to approval of the final plat, Land Use Map Amendment case
6. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
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. One original and one complete copy 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
 - (ix) 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 Unified Development Code.
 - (x) Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
 - (xi) Ten original signed plat drawings
 - (xii) A covenant for a secondary road assessment
9. Final plat bound copies must be approved by the Linn County Board of Supervisors on or before **JULY 18, 2023** 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 Unified Development Code.

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.

Linn County Board of Supervisors

Resolution # _____

JPS22-0014

September 7, 2022

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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 September 7, 2023, to be valid.

Passed and approved this 7th day of September 2022

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

Linn County Board of Supervisors

Resolution # _____

JPS22-0014

September 7, 2022

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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 _____, 2022.

Notary Public State of Iowa

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # _____

APPROVING RESIDENTIAL PARCEL SPLIT

WHEREAS, a Residential Parcel Split of Barner Farms First Addition (Case # JPS22-0005) to Linn County, Iowa, containing one (1) lot, numbered lot 1 has been filed for approval, a subdivision of real estate located in Section 27, Township 84 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

A part of Parcel A & 8 Plat of Survey #2603 in the Northwest Quarter (NW $\frac{3}{4}$) of the Northeast Quarter (NE $\frac{3}{4}$) of Section 27, Township 84 North, Range 5 West of the Fifth Principal Meridian, Linn County, Iowa further described as follows: Commencing at the Northeast Corner of the NW $\frac{3}{4}$ NE $\frac{1}{4}$ said Section 27; Thence S01'43'02"E 747.65 feet along the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 27 to the north right of way of State Highway 151; Thence S72'20'49"W 156.68 feet along the north right of way line of State Highway 151 to the point of beginning; Thence S72'20'49"W 374.91 feet along the north right of way line of said Highway 151; Thence S 17' 48'00"E 37 .00 feet along the north right of way of Highway 151; Thence S72" 1 0' 30"W 186.44 feet along the north right of way line of said Highway 151; Thence S73'04'13"E 27.98 feet along the north right of way line of said Highway 151; Thence N14'39'17"W 326.86 feet; Thence N71'31 '36"E 208.69 feet; Thence S82'22'23"E 264.70 feet; Thence N79'24'05"E 159.65 feet; Thence S05' 30' 40"E 1 63.20 feet to the point of beginning. Containing 3.47 acres and subject to easements and restrictions of record. For the purpose of this description the east line of the NW $\frac{1}{4}$ NE $\frac{3}{4}$ of said Section 27 is assumed to bear S01'43'02"E.

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 March 16, 2022 as last amended on April 18, 2022 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT

1. Not within Linn County jurisdiction. No conditions to be met.

IOWA DEPARTMENT OF TRANSPORTATION

No conditions to be met.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. Existing sewage disposal system must have one of the following completed: If the property ownership is being transferred and does not qualify for one of the DNR exemptions, a Time of Transfer inspection must be performed by a certified septic contractor. The report must be submitted to this department. If the property is not transferring ownership, the septic must be reviewed by certified septic contractor for compliance with Linn County Code of Ordinances Chapter 10, Article VI Private Sewage Disposal Systems.

Linn County Board of Supervisors

Resolution # _____

JPS22-0005

September 7, 2022

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2. Existing house must be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 105, Article VI Property Maintenance Regulations. If applicable, correction of certain deficiencies may require permits, inspections, and final approval from the Building Division of Linn County Planning & Development.

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. Wet soils may adversely impact possible home and septic site(s). Clarify plans for subsurface drainage with USDA Natural Resources Conservation Service (NRCS).

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. All side and rear yard setbacks must be met for all structures involved in this proposal.
2. Various revisions to the site plan and final plat.
3. 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.
4. This plat lies within the 2-mile jurisdiction of the City of Springville, and as per the 28E Agreement between the City and the County, will require City approval or a waiver of the right to review.
5. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
6. 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.
7. One original and 1 complete copy 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
 - (ix) 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 Unified Development Code.
 - (x) Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
 - (xi) Ten original signed plat drawings
 - (xii) A covenant for a secondary road assessment

Linn County Board of Supervisors

Resolution # _____

JPS22-0005

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8. Final plat bound copies must be approved by the Linn County Board of Supervisors on or before **APRIL 18, 2023** 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 Unified Development Code.

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 September 7, 2023, to be valid.

Passed and approved this 7th day of September 2022

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

Linn County Board of Supervisors

Resolution # _____

JPS22-0005

September 7, 2022

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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 _____, 2022.

Notary Public State of Iowa



10807 Laurel St., Suite 100
Rancho Cucamonga, CA 91730
Office: (909) 525-4040
Direct: (909) 525-4408
Fax: (909) 525-4041

LINN COUNTY COMMUNITY SERVICES

RATE AGREEMENT

In special consideration for **LINN COUNTY COMMUNITY SERVICES** selecting **The Motel 6**, as its preferred hotels, we offer the following rates:

NEGOTIATED RATES

\$49.99 Single

\$49.99 Double

Rooms shall be provided by the Hotel to **LINN COUNTY COMMUNITY SERVICES** based upon such rooms being available at the Hotel. All room rates are net, non-commissionable and are quoted exclusive of appropriate state and local taxes. The above contracted rates are valid only when calling the hotel directly at **319-366-2475**. These rates do not apply in the event that **LINN COUNTY COMMUNITY SERVICES** books an event at the hotel or if **LINN COUNTY COMMUNITY SERVICES** books more than 10 rooms in one night. In such case, **LINN COUNTY COMMUNITY SERVICES** will be required to enter into a separate Group Sales Agreement for such event.

TERM OF AGREEMENT

The term of this agreement shall be from **2022-07-01 until 2022-12-31**. At the expiration of this term, the Hotel will charge **LINN COUNTY COMMUNITY SERVICES's** members the Hotel's prevailing rates, unless this Agreement is extended and negotiated by the parties. The above volume rates are based upon the following anticipated production: **100 Total Room Nights A Year**. The Hotel will evaluate the actual usage of **LINN COUNTY COMMUNITY SERVICES** every 90 days. If **LINN COUNTY COMMUNITY SERVICES** has not met the anticipated production, or if it appears that **LINN COUNTY COMMUNITY SERVICES** will not meet the anticipated production before the end of the Term, The Hotel may terminate this Agreement upon notice and the parties may then negotiate a new rate going forward based upon actual production.

CHECK IN/CHECK OUT

Our check-in time is 3:00pm, checkout is 11:00am. All guests arriving before 3:00pm will be accommodated, as rooms become available. All guests registering must be 18 years of age (19-21 years of age required at some locations) and must present photo identification upon check-in.

RESERVATIONS

Regular individual reservations will be made directly by an authorized representative of **LINN COUNTY COMMUNITY SERVICES** or its authorized consultants to our Reservations Department. To ensure you of the negotiated rate, it is mandatory that **LINN COUNTY COMMUNITY SERVICES's** reservations are identified as such at all times. Please call **319-366-2475** to make reservations or e-mail **m6cedarrapids@ipihotels.com**.

DISTURBANCES:

Client agrees that its use of guest rooms or grounds will not create any unreasonable disturbances to other guests or employees such as excessive noise, smoking, offensive smells or harassment. Should client not adhere they will be required to leave and vacate the hotel and its grounds.

TRACKING

Tracking will be coordinated by the properties corporate offices; Callers must request the **LINN COUNTY COMMUNITY SERVICES** rate or provide your Corporate Account Number at time of booking.

METHOD OF PAYMENT

Unless otherwise specified by **LINN COUNTY COMMUNITY SERVICES**, will be responsible **Direct Bill** for their room, tax, and incidental charges **each week**. If members are responsible for their room and/or incidental charges, he/she must present a credit card or a one-night room charge deposit at check in. If alternate credit arrangements are needed, all arrangements must be made with the Hotel's credit manager prior to the guest's arrival.

CANCELLATION

Cancellation of any reservations must be made prior to **48 hours** to arrival. If a reservation is not canceled pursuant to this section, the individual's credit card will be charged for that room.

LIABILITY

Only to the extent permitted by the laws of Iowa and the Iowa Constitution, Linn County Community Services will be liable for any damages caused by such guests to the hotel, and **Linn County Community Services** will to the extent permitted by the laws of Iowa indemnify and hold the Hotel harmless for any damages, expenses or liability that arises from **Linn County Community Services** guests on the Hotel property. **Linn County Community Services** does not waive any defenses available under **Section 670 of the Code of Iowa**.

FORCE MAJEURE

The performance of this Agreement is subject to any circumstances making it illegal or impossible to provide or use the Hotel facilities, including Acts of God, war, government regulations, disaster, strikes, civil disorder or curtailment of transportation facilities. This Agreement may be terminated for any one of the above reasons by written notice from the Hotel.

ENTIRE AGREEMENT

This Agreement and any Exhibits hereto constitutes the entire agreement between the parties and supersedes any previous communications, representations or agreements, whether written or oral. Any changes to this Agreement must be made in writing and signed by authorized representative of each party.

NO ASSIGNMENT

LINN COUNTY COMMUNITY SERVICES may not assign or transfer this Agreement or any part thereof without the written consent of the Hotel. Any attempted assignment or transfer by **LINN COUNTY COMMUNITY SERVICES** without such consent may, at the option of the Hotel, be deemed to be a cancellation of this Agreement by **LINN COUNTY COMMUNITY SERVICES**

If you are in agreement with the foregoing information, please sign and return at your earliest convenience.

Accepted and approved by:

Submitted by:

Richard Cole
National Director of Sales and Marketing
Income Property Investments
10807 Laurel Street, Suite 100
Rancho Cucamonga, CA 91730

Chair, Board of Supervisors

LINN COUNTY COMMUNITY SERVICES
1240 26th Ave Ct SW, Cedar Rapids, IA, USA 52404
Cedar Rapids, IA 52404

Date: _____

Date: _____

Prepared by and Return to: Robyn Jacobson, East Central Iowa Council of Governments, 700 16th Street NE, Suite 301, Cedar Rapids, Iowa 52402. Phone (319) 365-9941.

RELEASE OF MORTGAGE

Know All People by These Presents: That the undersigned, County of Linn of the Mortgage hereinafter described, do hereby acknowledge that a certain Mortgage bearing date of the 27th day of January, 2011, made and executed by the **East Central Iowa Council of Governments**, in association with the Linn County's Multi-Family New Construction Grant, for the following described property in the City of Tiffin, County of JOHNSON, State of Iowa.

LEGAL DESCRIPTION:

The East 65.00 feet of Lot 4 of The Villages of Tiffin - Phase One and parts of Lots 1, 2 and A of Wombacher's Subdivision of the Northeast Quarter of Section 33, Township 80 North, Range 7 West of the 5th P.M., in the City of Tiffin, Johnson County, Iowa, and more particularly described as follows:

Beginning at the Northwest Corner of Lot 4 of The Villages of Tiffin - Phase One in the City of Tiffin, Johnson County, Iowa;
Thence North 01°32'56" West, 472.51 feet;
Thence North 88°27'04" East, 60.00 feet;
Thence South 01°32'56" East, 158.45 feet;
Thence South 63°06'39" East, 60.16 feet;
Thence North 51°42'48" East, 221.26 feet;
Thence South 66° 17' 55" East, 209.77 feet
Thence North 89°05'48" East, 113.83 feet;
Thence South 01°32'56" East, 326.99 feet to the Easterly Extension of the North Line of said Lot 4;
Thence South 88°27'04" West, 298.05 feet along said Extension;
Thence South 01°32'56" East, 180.00 feet to the Easterly Extension of the South Line of said Lot 4;
Thence South 88°27'04" West, 80.00 feet along said Extension and along said South Line to the West Line of the East 65.00 feet of said Lot 4;
Thence North 01°32'56" West, 180.00 feet along said West Line to the North Line of said Lot 4;
Thence South 88°27'04" West, 215.71 feet along said North Line to the Point of Beginning;

Containing 5.26 Acres, subject to easements and restrictions of record.

More commonly known as:

200, 202, 204, 206 Village Drive, Tiffin, Iowa 52340

SAME AS MORTGAGE.

The mortgage was made to **COUNTY OF LINN, IOWA** and Recorded in the records of the office of the Recorder of the County of JOHNSON, State of **Iowa**, Instrument Number book **4978** page **797-804** on the **14th** day of **September, 2012**, is redeemed, paid off, satisfied and discharged in full.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context. Dated this **7th** day of **September, 2022**.

COUNTY OF LINN, IOWA

By: _____

Ben Rogers, Chair Linn County Board

STATE OF IOWA)
) ss:
LINN COUNTY

On this **7th** day of **September, 2022**, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ***Ben Rogers, Chair of the Linn County Board of Supervisors*** to me personally known, who being by me duly sworn, that said instrument was signed and sealed on behalf of said authority of the bank; and that the said Chief Financial Officer, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Notary

My commission expires on _____



Zoning Division

Major Site Plan Application

Page 1 of 3

Owner Information:		Applicant Information:	
Owner	Linn County, IA	Applicant	Martin Gardner Architecture
Address	935 2nd Street SW	Address	700 11th St, Unit 200
	Cedar Rapids, IA 52404		Marion, IA 52302
Phone	319.892.5000	Phone	319.377.7604
Email	ben.rogers@linncountyiowa.gov	Email	sarahc@martingardnerarch.com
Surveying Co: Anderson Bogert		E-Mail slueth@anderson-bogert.com	
Engineer: Anderson Bogert		Phone 319.213.5112	
Property Information: 2300 Block of Covington Road			
Property Address Palo, IA 52324			
or Address Range (block)			
Brief legal(s) Part of the NW1/4 of Section 4, Township 83 N, Range 8 W of the 5th PM, Linn County, IA			
(Sec./Twp./Range)			
GPN(s) 130422600200000			
Rural Land Use Map Designation Part of CCSG with Palo, Non-Metro Service Area, AG Use			
Current Zoning AG		Total Acres 9.0	
Submittal Requirements:			
See attached pages for additional submittal requirements.			
The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Linn County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the office of Linn County Planning and Development to conduct a site visit and photograph the subject property.			
This development is subject to and shall be required, as a condition of final development approval, to comply with all Unified Development Code policies, requirements, and standards that are in effect at the time of final development approval.			
Owner _____		Applicant <u>Sarah M Coleman</u>	
Date _____		Date <u>9.2.2022</u>	
Case # _____		Date Received	
Receipt# _____			

Section 107-71 Site Plans

Development applications for some uses require minor site plans to be submitted, other development applications require major site plans to be submitted. The specific uses and which site plan is required are listed in subsections 1 (a) and (b) of this Section.

3. **Major site plan requirements.** Whenever this Ordinance requires submission of a major site plan the applicant shall submit six (6) copies of a site plan prepared by an engineer, landscape architect, architect or similar licensed professional. A major site plan shall meet the following specifications and show the data listed:

a. Application information:

1. Names of all property owners
2. Address of property including street, city and zip code
3. Existing and requested zoning classification, use of property, number of employees if applicable

b. Specifications.

1. Paper sized 11" by 17"; additional larger format copies may be submitted in addition to the 11" by 17" format
2. Drawn to scale of not less than one inch equals fifty feet (1" = 50'), unless otherwise approved by the Zoning Administrator

c. All existing and proposed site conditions shall be shown including:

1. Existing and proposed contour lines at intervals no greater than five feet (5'), referred to USGS datum
2. Location and dimensions of lot boundaries
3. Flood hazard areas as designated on FEMA flood hazard boundary maps
4. Watercourses and wetlands
5. Any unique natural features including wooded areas
6. Location and dimensions of all existing and proposed structures. The structure must be labeled (e.g. existing warehouse, dwelling) and use must be labeled as well (e.g. storage of contractor's equipment, single-family residence.) Each structure must delineate its square footage and dimensions to existing and/or proposed lot lines. Structures include:
 - i. Buildings
 - ii. Wells
 - iii. Fences
 - iv. Septic tank and septic field locations
 - v. Retaining walls
 - vi. Utility poles
 - vii. Walkways
 - viii. Signs
7. Location, dimensions and uses of each existing platted street, highway, railroad, or utility easement
8. Identification of parks and other public open space within or adjacent to the proposed development
9. All existing storm and sanitary sewer lines, water lines, gas lines, culverts, or other underground installations within the proposed development or immediately adjacent, with pipe size (if available) and locations shown

10. The boundary of the area proposed for platting or division, shown as a dark line, with length of boundary lines and approximate location of the property in reference to known section lines
11. Layout, lot numbers, and scaled dimensions of each lot in each block of any proposed subdivision
12. Names, locations and dimensions of all proposed streets, roadways, alleys and pedestrian ways
13. Other property lines, proposed right-of-way lines, building setback lines
14. Location, dimensions and uses of each proposed street, highway, railroad, drainage, or utility easement
15. Location and dimensions of existing and proposed parks, playgrounds, churches, school sites, or special uses of land to be considered for dedication to public use or to be reserved by deed or covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservations
16. Existing and proposed parking spaces with dimensions and class (including handicapped) with a notation of the number of spaces required and the number provided. Proposed parking drive areas with proposed direction of traffic flow.
17. Access to all public or private streets and radius of curvature of ingress and egress drives
18. Circulation patterns of traffic
19. Location, intensity, height, spacing, efficiency, and shielding of all exterior lighting
20. Locations of outside refuse collection areas, and the type of screen to be provided to enclose the container from the public view.

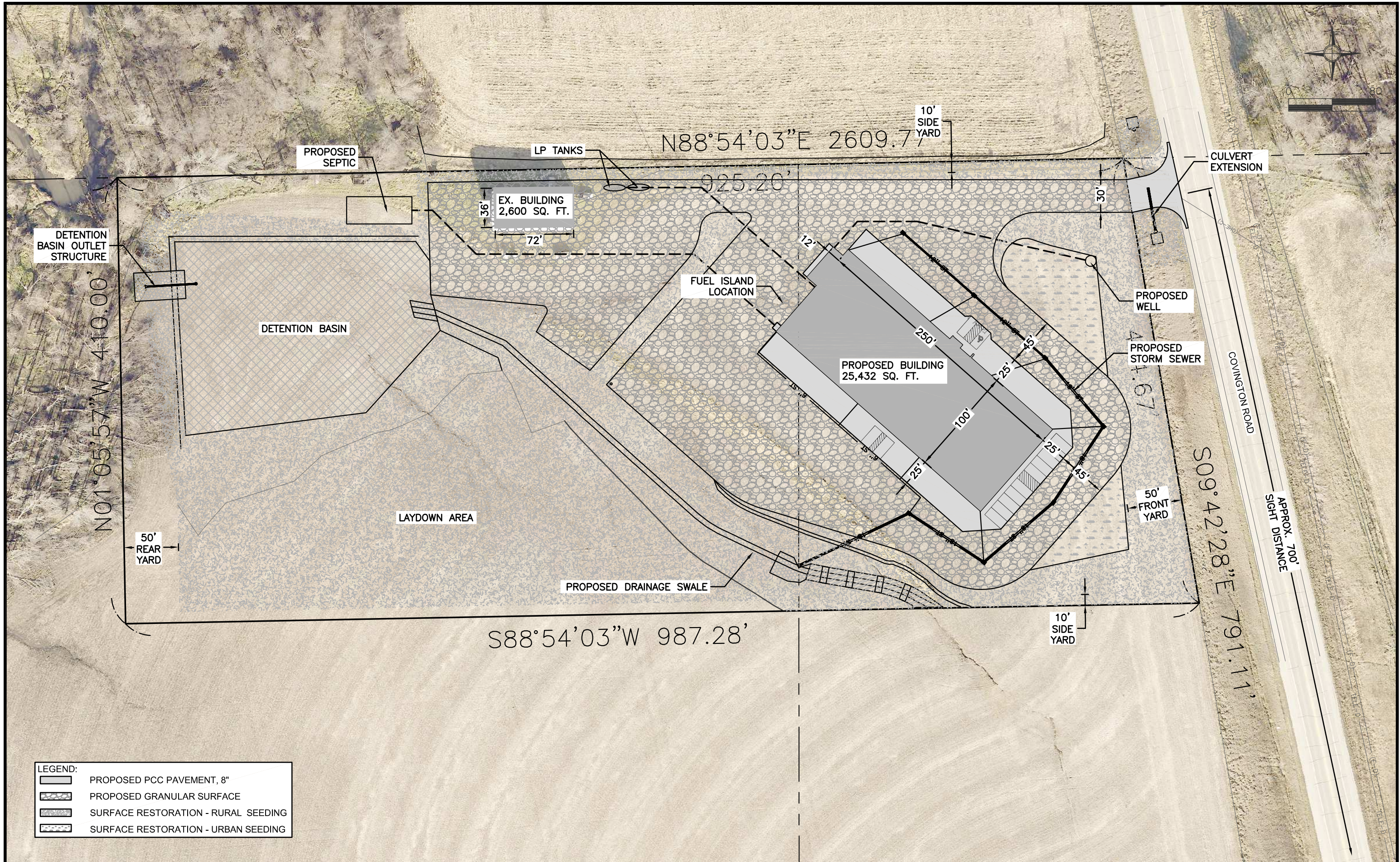
d. The following information shall also be noted on the plan:

1. A vicinity map clearly identifying the subject property and showing the location of the subject property in relationship to surrounding properties, roads, streams and public facilities. The vicinity map shall extend for a distance of two (2) miles and shall identify any incorporated city boundaries.
2. Date site plan was prepared or date when surveyed
3. North arrow and scale of drawings
4. Title block including the name, address, phone number and profession of the person preparing the site plan or plat, and the architect's, engineer's or surveyor's professional seal, the date, and the date of all revisions. Title blocks shall meet requirements of state law.
5. Name, address, phone number and signed consent of all property owners
6. Ownership, land-use, and zoning of all adjoining properties within five-hundred feet (500') of the proposed development, and when adjoining properties are part of a recorded subdivision, the name of that subdivision
7. Type of water supply and sewage disposal and if storm sewer is available

e. Other information deemed necessary by the Planning and Zoning Commission or Board of Supervisors

- f. Review of major site plans.** Unless specified otherwise in this Ordinance for land division applications, a major site plan may be approved by the Zoning Administrator upon concurrence of all the appropriate County departments or other appropriate agencies as indicated on a site plan review form.

DCN371T: \ACAD\222008\DWG\Major Site Plan - Linn County submittal.dwg 8-31-22 07:56:52 AM



LEGEND:			
	PROPOSED PCC PAVEMENT, 8"		
	PROPOSED GRANULAR SURFACE		
	SURFACE RESTORATION - RURAL SEEDING		
	SURFACE RESTORATION - URBAN SEEDING		

NO.	REVISION DESCRIPTION	APPROVED	DATE

CLIENT: LINN COUNTY SECONDARY ROADS
1888 COUNTY HOME ROAD
MARION, IA 52302
PHONE: (319) 892-6400



DRAWN BY: DCN
DATE: 08/31/2022
PROJECT NO. 222008
APPROVED BY: JSL
SCALE: SEE SHEET

LINN COUNTY SECONDARY ROADS
MORGAN CREEK SHOP

SITE PLAN

SHEET NO.

LINN COUNTY



PROCLAMATION

Suicide Prevention Awareness Month-September 2022

WHEREAS, September is known globally as "Suicide Prevention Awareness Month," Linn County encourages prominent visibility of mental health concerns and suicide prevention services in our community to destigmatize the conversation and connect people with appropriate support services; and

WHEREAS, according to the American Foundation for Suicide Prevention, suicide is the second leading cause of death among individuals between the ages of 10 and 34 in the US; and

WHEREAS, every suicide directly impacts a minimum of 100 additional people, including family, friends, co-workers, neighbors, and community members; and

WHEREAS, each business, school, government agency, health care provider, organization, and citizen share the burden of suicide prevention and has a responsibility to promote mental wellness; and

WHEREAS, we encourage all citizens to take the time to understand the importance of suicide prevention education and recognize that taking care of ourselves and others includes taking care of mental health.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Linn County Board of Supervisors, do hereby proclaim September 2022 as **Suicide Prevention Awareness Month** and urge citizens and agencies to recognize the importance of suicide prevention as it continues to change and save lives.

Linn County Board of Supervisors



Chairperson

Prepared by Luke Maloney
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100
(319) 892-5144
Return to Becky Shoop, Auditor's Office

ORDINANCE NO. 8 – – 2022

AN ORDINANCE AMENDING CHAPTER 105 OF THE CODE OF ORDINANCES, LINN COUNTY, IOWA BY ADDING THERETO A NEW ARTICLE VII CREATING A COUNTY HOUSING CODE

BE IT ORDAINED by the Board of Supervisors of Linn County, Iowa as follows:

SECTION 1. SECTION ADDED. Chapter 105 – BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances, Linn County, Iowa, is hereby amended by adding thereto a new Article VII, HOUSING, hereby created to read as follows:

ARTICLE VII. – HOUSING

Sec. 105-101. – International Property Maintenance Code adopted.

Except as hereinafter modified, that certain code known as the International Property Maintenance Code, 2021 edition, First Printing, as published by the International Code Council, Inc., which code is hereby specifically incorporated by reference, shall be known as the "county housing code." The provisions of said housing code shall be controlling in regulating the conditions and maintenance of all non-owner occupied residential structures and premises, and in ensuring that structures are safe, sanitary, and fit for occupation and use within the unincorporated limits of the county.

Sec. 105-102. – Modification of the International Property Maintenance Code, 2021 edition.

Certain sections and/or portions of sections of the International Property Maintenance Code, 2021 edition, hereinafter IPMC, are hereby modified, repealed, replaced, added, or deleted as set forth below.

- (1) Modify Section 101.1, Title by inserting "County of Linn, Iowa" as the Name of Jurisdiction.
- (2) Repeal Section 104.1, Fees in its entirety, and replace it with the following:

Section 104.1. Fees. The fees for activities and services performed by the county in carrying out its responsibilities under this code shall be in accordance with the property maintenance/housing fee schedule as set by resolution of the board of supervisors.

- (3) Add a new Subsection 105.6.1, hereby created to read as follows:

105.6.1 Certificate of Inspected Housing. Whenever the housing official has inspected, or caused to be inspected any dwelling unit, and has determined that the dwelling unit is in compliance with the county housing code, the housing official or the housing official's designee shall issue a certificate of inspected housing to the owner or authorized agent of the dwelling unit.

- (4) Repeal Section 107, Means of Appeal in its entirety and replace it with the following:

SECTION 107. MEANS OF APPEAL

107.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code, there shall be a property maintenance/housing board of appeals consisting of five members, none of whom are employees of the county. The county building board of appeals, as established in Section 105.17 of the Code of Ordinances, Linn County, Iowa, shall serve as the property maintenance/housing board of appeals, and shall hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code. The board of appeals shall also make recommendations, upon request, to the board of supervisors relating to enforcement activities on specific cases.

107.2 Applications for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been interpreted incorrectly, the provisions of this code do not fully apply, or the requirements of this code are satisfied adequately by other means. The board shall have no authority to waive the requirements of this code.

107.3 Appeal Fee. A nominal fee for an appeal to the property maintenance/housing board of appeals shall be in accordance with the property maintenance/housing fee schedule as established by resolution by the board of supervisors.

- (5) Repeal Section 109.4, Violation Penalties in its entirety, and replace it with the following:

Section 109.4. Violation Penalties. Any person who violates a provision of this code, or who fails to comply therewith, or with any of the requirements thereof, shall be subject to penalties in accordance with the Code of Ordinances, Linn County, Iowa, Chapter 1, Article II.

- (6) Modify Section 202, General Definitions, by adding thereto new definitions, hereby created to read as follows:

CODE OFFICIAL. The Linn County Building Official, as appointed by the Board of Supervisors, who is charged with the administration and enforcement of this code, or any duly authorized representative.

LANDLORD OR AUTHORIZED AGENT. The property owner or authorized representative, registered with the county, engaging in the rental or leasing of a residential structure.

PERMITTED RENTAL UNIT. A non-owner occupied residential structure registered with the county, in compliance with the housing code.

- (7) Delete Section 302.4, Weeds.
- (8) Modify Section 304.14, Insect screens by inserting April 15 as the first date and October 15 as the second date.
- (9) Modify Section 602.3, Heat supply by inserting January 1 as the first date and December 31 as the second date.
- (10) Modify Section 602.4, Occupiable WorkSpaces by inserting September 1 as the first date and May 31 the second date.
- (11) Modify Section 704.6.1, Single and multiple-station smoke alarms, Where Required by deleting Exceptions 1, 2, and 3.

Sec. 105-103. – Limitations of regulations.

The county housing code shall not apply within the corporate limits of any incorporated city, unless a city specifically adopts the county housing code into its code of ordinances in accordance with a 28E agreement, for the administration and enforcement of said code, that is approved by a city and the county, and is recorded in the Linn County, Iowa Recorder's Office.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby 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. The ordinance shall become effective upon its passage and publication pursuant to Iowa Code § 331.302(8).

LINN COUNTY BOARD OF SUPERVISORS

Ben Rogers, Chair

Louis J. Zumbach, Vice Chair

Stacey Walker, Supervisor

ATTEST:

Joel Miller, County Auditor

I, Linn County Auditor, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors.

Joel Miller, County Auditor

State of Iowa
County of Linn

This instrument was acknowledged before me on the _____ day of _____, 2022,
by Joel Miller as Linn County Auditor.

Notary Public, State of Iowa

First reading on the _____ day of _____ 2022.

Second reading on the _____ day of _____ 2022.

Third reading and final passage on the _____ day of _____ 2022.

Published in *The Gazette* on the _____ day of _____ 2022.

Prepared by Luke Maloney
Linn County Planning & Development
935 2nd Street S.W., Cedar Rapids, Iowa 52404-2100
(319) 892-5144
Return to Becky Shoop, Auditor's Office

ORDINANCE NO. 8 – – 2022

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA
BY AMENDING AND ADDING PROVISIONS IN CHAPTER 105
RELATING TO THE PROPERTY MAINTENANCE CODE**

BE IT ORDAINED by the Board of Supervisors of Linn County, Iowa as follows:

SECTION 1. SECTION MODIFIED. Chapter 105, Article VI, Section 105-86 of the Code of Ordinances, Linn County, Iowa, is hereby amended to read as follows:

Sec. 105-86. – International Property Maintenance Code adopted.

Except as hereinafter modified, that certain code known as the International Property Maintenance Code, 2021 edition, First Printing, as published by the International Code Council, Inc., which code is hereby specifically incorporated by reference, shall be known as the "county property maintenance code." The provisions of said property maintenance code shall be controlling in regulating the conditions and maintenance of all structures and premises, and in ensuring that structures are safe, sanitary, and fit for occupation and use within the unincorporated limits of the county.

SECTION 2. SECTION MODIFIED. Chapter 105, Article VI, Section 105-87 of the Code of Ordinances, Linn County, Iowa, is hereby amended to read as follows:

Sec. 105-87. – Modification of the International Property Maintenance Code, 2021 edition.

Certain sections and/or portions of sections of the International Property Maintenance Code, 2021 edition, hereinafter IPMC, are hereby modified, repealed, replaced, or deleted as set forth below.

- (1) Modify Section 101.1, Title by inserting "County of Linn, Iowa" as the Name of Jurisdiction.

- (2) Repeal Section 104.1, Fees in its entirety, and replace it with the following:

Section 104.1. Fees. The fees for activities and services performed by the county in carrying out its responsibilities under this code shall be in accordance with the property maintenance/housing fee schedule as set by resolution of the board of supervisors.

- (3) Repeal Section 107, Means of Appeal in its entirety and replace it with the following:

SECTION 107. MEANS OF APPEAL

107.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code, there shall be a board of appeals consisting of five members, none of whom are employees of the county. The county building board of appeals, as established in this code, and in Section 105.17 of the Code of Ordinances, Linn County, Iowa, shall hear and decide appeals of orders, decisions, or determinations made by the code official regarding the application and interpretation of this code. The board of appeals shall also make recommendations, upon request, to the board of supervisors relating to enforcement activities on specific cases.

107.2 Applications for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been interpreted incorrectly, the provisions of this code do not fully apply, or the requirements of this code are satisfied adequately by other means. The board shall have no authority to waive the requirements of this code.

107.3 Appeal Fee. A nominal fee for an appeal to the building board of appeals shall be in accordance with the property maintenance/housing fee schedule as established by resolution by the board of supervisors.

- (4) Repeal Section 109.4, Violation Penalties in its entirety, and replace it with the following:

Section 109.4. Violation Penalties. Any person who violates a provision of this code, or who fails to comply therewith, or with any of the requirements thereof, shall be subject to penalties in accordance with the Code of Ordinances, Linn County, Iowa, Chapter 1, Article II.

- (5) Modify Section 202, General Definitions, by repealing the definition for code official, and replacing it with the following definition:

CODE OFFICIAL. The Linn County Building Official, as appointed by the board of supervisors, who is charged with the administration and enforcement of this code, or any duly authorized representative.

- (6) Delete Section 302.4, Weeds.
- (7) Modify Section 304.14, Insect screens by inserting April 15 as the first date and October 15 as the second date.
- (8) Modify Section 602.3, Heat supply by inserting January 1 as the first date and December 31 as the second date.
- (9) Modify Section 602.4, Occupiable WorkSpaces by inserting September 1 as the first date and May 31 the second date.
- (10) Modify Section 704.6.1, Single and multiple-station smoke alarms, Where Required by deleting Exceptions 1, 2, and 3.

SECTION 3. SUBSECTION MODIFIED. Chapter 105, Article VI, Section 105-88 of the Code of Ordinances, Linn County, Iowa, is hereby modified to read as follows:

The county property maintenance code shall not apply within the corporate limits of any incorporated city, unless a city specifically adopts the county property maintenance code into its code of ordinances in accordance with a 28E agreement for the administration and enforcement said code that is approved by a city and the county and is recorded in the Linn County, Iowa Recorder's Office.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. 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 6. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. EFFECTIVE DATE. The ordinance shall become effective upon its passage and publication pursuant to Iowa Code § 331.302(8).

LINN COUNTY BOARD OF SUPERVISORS

Ben Rogers, Chair

Louis J. Zumbach, Vice Chair

Stacey Walker, Supervisor

ATTEST:

Joel Miller, County Auditor

I, Linn County Auditor, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors.

Joel Miller, County Auditor

State of Iowa
County of Linn

This instrument was acknowledged before me on the _____ day of _____, 2022,
by Joel Miller as Linn County Auditor.

Notary Public, State of Iowa

First reading on the _____ day of _____ 2022.

Second reading on the _____ day of _____ 2022.

Third reading and final passage on the _____ day of _____ 2022.

Published in *The Gazette* on the _____ day of _____ 2022.