

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, October 12, 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

Receive and place on file Revised Treasurer's (Auto Dept.) Report to the County Auditor Receipts and Disbursements for the Month of August 2022

Receive and place on file Treasurer's (Auto Dept.) Report to the County Auditor Receipts and Disbursements for the Month of September 2022

Resolutions

Resolution authorizing the vacation of A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows:
The alley lying between Lots 7 and 8, Lots 5 and 6, Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7 and Second Street lying north of Lot 2 and said alley. Said vacated area = 5,897 sf or 0.14 acres.

Resolution to set a public hearing for October 24, 2022, at 11:00 AM to determine whether Linn County will convey to Heidi L. Sherman, whatever interest Linn County may have in vacated right-of-way along former The alley lying Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7.

Resolution to set a public hearing for October 24, 2022, at 11:00 AM to determine whether Linn County will convey to Lonnie Oliphant, Zonna Bonar and Nina Williams, whatever interest Linn County may have in vacated right-of-way along former The alley lying between Lots 7 and 8, Lots 5 and 6 of said Johnsons First Addition, Block 7.

Resolution to set a public hearing for October 24, 2022, at 11:00 AM to determine whether Linn County will convey to Gary L. Holsinger, whatever interest Linn County may have in vacated right-of-way along former Second Street lying north of Lot 2 and north of the alley between Lot 1 and Lot 2 of said Johnsons First Addition, Block 7.

Contract and Agreements

Award bid and authorize Chair to sign the contracts for Winter Sand for the Secondary Road shop locations:

- o To Martin Marietta Aggregates in the amount of \$12,900.00
- o To Weber Stone Company in the amount of \$15,000.00
- o To Wendling Quarries, Inc., in the amount of \$68,687.50

Approve and authorize the Chair to sign a Lease Termination Agreement effective November 1, 2022 between Linn County and Foundation 2, Inc. for 232 square feet, more or less, of leased office space in the Mental Health Access Center located at 501 13th Street NW, Cedar Rapids

Approve purchase order #PO389 to G Mac Door Hardware to add 4 low energy swing door operators on 4 exterior doors for Linn County Options in the amount of \$8,845.00 paid with American Rescue Plan Act funds.

Award bid and approve purchase order PO392 for CMP Culvert to Contech Engineered Solutions, LLC in the amount of \$5,184.00 for the Secondary Road Department.

Licenses & Permits

Regular Agenda

Discuss and Decide on Consent Agenda

Minutes

Discuss and decide on meeting minutes.

Claims

Discuss and decide on claims.

Third and Final Consideration on an ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 107, Unified Development Code, relating to a moratorium on accepting rezoning applications for the Renewable Energy Overlay District

Third and Final Consideration on an ordinance amending the Code of Ordinances, Linn County, Iowa by amending provisions in Chapter 107, Unified Development Code, relating to: measuring the rear yard setback on triangular lots; amending the distance between animal runs or exercise areas and property lines in some instances for the animal boarding/shelter/kennel use; and adding use categories for Historic Schoolhouses and Recreation Camps, case JA22-0003.

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.

TREASURER'S (AUTO DEPT.) REPORT TO THE COUNTY AUDITOR
 RECEIPTS AND DISBURSEMENTS
 MONTH OF AUGUST 2022
REVISED REPORT



FUND	RECEIPTS		DISBURSEMENTS		PREVIOUS BAL.	GRAND TOTAL
	CASH BOOK	TRANSFERS	TREAS CKS.	TRANSFERS		
AUTO LICENSE	\$ 3,994,605.00		\$ 3,558,820.10		\$ 3,558,820.10	\$ 3,994,605.00
USE TAX	\$ 2,989,250.70		\$ 2,563,684.69		\$ 2,563,684.69	\$ 2,989,250.70
SURCHARGE	\$ 27,885.00		\$ 24,800.00		\$ 24,800.00	\$ 27,885.00
AMATEUR RADIO	\$ 70.00		\$ 60.00		\$ 60.00	\$ 70.00
BLACK OUT	\$ 53,141.00		\$ 47,109.00		\$ 47,109.00	\$ 53,141.00
BREAST CANCER	\$ 20.00		\$ 110.00		\$ 110.00	\$ 20.00
BRONZE STAR	\$ 25.00		\$ 25.00		\$ 25.00	\$ 25.00
CATTLEMAN	\$ 20.00		\$ 200.00		\$ 200.00	\$ 20.00
CHOOSE LIFE	\$ 70.00		\$ 40.00		\$ 40.00	\$ 70.00
ISU	\$ 295.00		\$ 265.00		\$ 265.00	\$ 295.00
U OF I	\$ 1,235.00		\$ 1,069.00		\$ 1,069.00	\$ 1,235.00
UNI	\$ 50.00		\$ 30.00		\$ 30.00	\$ 50.00
OTHER COLLEGE PL	\$ 260.00		\$ 145.00		\$ 145.00	\$ 260.00
PERS PLATE	\$ 2,066.00		\$ 2,094.00		\$ 2,094.00	\$ 2,066.00
DECAL	\$ 10.00		\$ -		\$ -	\$ 10.00
DUCKS UNLTD	\$ 10.00		\$ 58.00		\$ 58.00	\$ 10.00
EDUCATION	\$ 55.00		\$ 10.00		\$ 10.00	\$ 55.00
EMS	\$ -		\$ -		\$ -	\$ -
EV/PHEV	\$ 9,675.37		\$ 7,928.98		\$ 7,928.98	\$ 9,675.37
FALLEN OFFICER	\$ 25.00		\$ 60.00		\$ 60.00	\$ 25.00
FIREFIGHTER	\$ 25.00		\$ 50.00		\$ 50.00	\$ 25.00
FLY OUR COLORS	\$ 825.00		\$ 455.00		\$ 455.00	\$ 825.00
GOD BLESS	\$ 75.00		\$ 135.00		\$ 135.00	\$ 75.00
GOLD STAR FAMILY	\$ -		\$ 5.00		\$ 5.00	\$ -
HERITAGE	\$ -		\$ -		\$ -	\$ -
IOWA AG LITERACY	\$ -		\$ -		\$ -	\$ -
LEGION OF MERIT	\$ -		\$ -		\$ -	\$ -
LOVE R KIDS	\$ -		\$ 30.00		\$ 30.00	\$ -
MCYCLE RIDER	\$ 10.00		\$ 10.00		\$ 10.00	\$ 10.00
NAT'L GUARD	\$ 5.00		\$ 5.00		\$ 5.00	\$ 5.00
DNR	\$ 3,775.00		\$ 3,609.00		\$ 3,609.00	\$ 3,775.00
ORGAN DONOR	\$ 95.00		\$ 15.00		\$ 15.00	\$ 95.00
PEARL HARBOR	\$ -		\$ -		\$ -	\$ -
POW	\$ -		\$ -		\$ -	\$ -
PROFESSIONAL FIRE	\$ 30.00		\$ 10.00		\$ 10.00	\$ 30.00

PURPLE HEART	\$	35.00		\$	45.00		\$	45.00	\$	35.00		
PWD		30.00		\$	65.00		\$	65.00	\$	30.00		
USAF AIRFORCE	\$	20.00		\$	50.00		\$	50.00	\$	20.00		
USAF ARMY	\$	30.00		\$	55.00		\$	55.00	\$	30.00		
USAF COAST GUARD	\$	-		\$	-		\$	-	\$	-		
USAF MARINES	\$	-		\$	5.00		\$	5.00	\$	-		
USAF NAVY	\$	15.00		\$	10.00		\$	10.00	\$	15.00		
SHARE THE ROAD	\$	140.00		\$	70.00		\$	70.00	\$	140.00		
SHRINERS	\$	25.00		\$	10.00		\$	10.00	\$	25.00		
SILVER STAR	\$	5.00		\$	-		\$	-	\$	5.00		
VETERANS	\$	560.00		\$	350.00		\$	350.00	\$	560.00		
VETS CROSS/MEDAL	\$	-		\$	-		\$	-	\$	-		
ANATOMICAL FEES	\$	600.86		\$	525.48		\$	525.48	\$	600.86		
ADMIN FEES	\$	30.00		\$	-		\$	-	\$	30.00		
MAIL PROCESSING	\$	23,141.50		\$	21,181.00		\$	21,181.00	\$	23,141.50		
NSF FEES	\$	383.00		\$	400.00		\$	400.00	\$	383.00		
AUTO TRANSFERS							\$	(131,000.00)	\$	(131,000.00)		
TOTAL	\$	7,108,623.43	\$	-	\$	6,233,599.25	\$	-	\$	6,102,599.25	\$	6,977,623.43

LINN COUNTY TREASURER

Sharon Seery

RECEIVED
OCT - 6 2022
LINN COUNTY AUDITOR

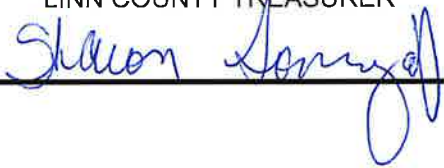
TREASURER'S (AUTO DEPT.) REPORT TO THE COUNTY AUDITOR
RECEIPTS AND DISBURSEMENTS
MONTH OF SEPTEMBER 2022



FUND	RECEIPTS		DISBURSEMENTS		PREVIOUS BAL.	GRAND TOTAL
	CASH BOOK	TRANSFERS	TREAS CKS.	TRANSFERS		
AUTO LICENSE	\$ 3,722,505.00		\$ 3,994,605.00		\$ 3,994,605.00	\$ 3,722,505.00
USE TAX	\$ 2,740,355.68		\$ 2,989,250.70		\$ 2,989,250.70	\$ 2,740,355.68
SURCHARGE	\$ 24,620.00		\$ 27,885.00		\$ 27,885.00	\$ 24,620.00
AMATEUR RADIO	\$ 65.00		\$ 70.00		\$ 70.00	\$ 65.00
BLACK OUT	\$ 52,005.00		\$ 53,141.00		\$ 53,141.00	\$ 52,005.00
BREAST CANCER	\$ 85.00		\$ 20.00		\$ 20.00	\$ 85.00
BRONZE STAR	\$ 20.00		\$ 25.00		\$ 25.00	\$ 20.00
CATTLEMAN	\$ 100.00		\$ 20.00		\$ 20.00	\$ 100.00
CHOOSE LIFE	\$ 25.00		\$ 70.00		\$ 70.00	\$ 25.00
ISU	\$ 287.00		\$ 295.00		\$ 295.00	\$ 287.00
U OF I	\$ 1,272.00		\$ 1,235.00		\$ 1,235.00	\$ 1,272.00
UNI	\$ 61.00		\$ 50.00		\$ 50.00	\$ 61.00
OTHER COLLEGE PL	\$ 250.00		\$ 260.00		\$ 260.00	\$ 250.00
PERS PLATE	\$ 1,696.00		\$ 2,066.00		\$ 2,066.00	\$ 1,696.00
DECAL	\$ 20.00		\$ 10.00		\$ 10.00	\$ 20.00
DUCKS UNLTD	\$ 75.00		\$ 10.00		\$ 10.00	\$ 75.00
EDUCATION	\$ 35.00		\$ 55.00		\$ 55.00	\$ 35.00
EMS	\$ -		\$ -		\$ -	\$ -
EV/PHEV	\$ 10,165.40		\$ 9,675.37		\$ 9,675.37	\$ 10,165.40
FALLEN OFFICER	\$ 105.00		\$ 25.00		\$ 25.00	\$ 105.00
FIREFIGHTER	\$ 25.00		\$ 25.00		\$ 25.00	\$ 25.00
FLY OUR COLORS	\$ 736.00		\$ 825.00		\$ 825.00	\$ 736.00
GOD BLESS	\$ 80.00		\$ 75.00		\$ 75.00	\$ 80.00
GOLD STAR FAMILY	\$ -		\$ -		\$ -	\$ -
HERITAGE	\$ -		\$ -		\$ -	\$ -
IOWA AG LITARCHY	\$ 15.00		\$ -		\$ -	\$ 15.00
LEGION OF MERIT	\$ -		\$ -		\$ -	\$ -
LOVE R KIDS	\$ 35.00		\$ -		\$ -	\$ 35.00
MCYCLE RIDER	\$ 10.00		\$ 10.00		\$ 10.00	\$ 10.00
NAT'L GUARD	\$ 5.00		\$ 5.00		\$ 5.00	\$ 5.00
DNR	\$ 3,865.00		\$ 3,775.00		\$ 3,775.00	\$ 3,865.00
ORGAN DONOR	\$ 35.00		\$ 95.00		\$ 95.00	\$ 35.00
PEARL HARBOR	\$ -		\$ -		\$ -	\$ -
POW	\$ -		\$ -		\$ -	\$ -
PROF FIRE	\$ 25.00		\$ 30.00		\$ 30.00	\$ 25.00

PURPLE HEART	\$ 45.00		\$ 35.00		\$ 35.00	\$ 45.00
PWD	\$ 5.00		\$ 30.00		\$ 30.00	\$ 5.00
USAF AIRFORCE	\$ 20.00		\$ 20.00		\$ 20.00	\$ 20.00
USAF ARMY	\$ 35.00		\$ 30.00		\$ 30.00	\$ 35.00
USAF COAST GUARD	\$ -		\$ -		\$ -	\$ -
USAF MARINES	\$ 10.00		\$ -		\$ -	\$ 10.00
USAF NAVY	\$ 15.00		\$ 15.00		\$ 15.00	\$ 15.00
SHARE THE ROAD	\$ 190.00		\$ 140.00		\$ 140.00	\$ 190.00
SHRINERS	\$ 5.00		\$ 25.00		\$ 25.00	\$ 5.00
SILVER STAR	\$ 5.00		\$ 5.00		\$ 5.00	\$ 5.00
VETERANS	\$ 445.00		\$ 560.00		\$ 560.00	\$ 445.00
VETS CROSS/MEDAL	\$ 5.00		\$ -		\$ -	\$ 5.00
ANATOMICAL FEES	\$ 583.98		\$ 600.86		\$ 600.86	\$ 583.98
ADMIN FEES	\$ 15.00		\$ 30.00		\$ 30.00	\$ 15.00
MAIL PROCESSING	\$ 21,985.00		\$ 23,141.50		\$ 23,141.50	\$ 21,985.00
NSF FEES	\$ 436.50		\$ 383.00		\$ 383.00	\$ 436.50
AUTO TRANSFERS					\$ (131,000.00)	\$ (131,000.00)
TOTAL	\$ 6,582,378.56	\$ -	\$ 7,108,623.43	\$ -	\$ 6,977,623.43	\$ 6,451,378.56

LINN COUNTY TREASURER



RECEIVED
OCT - 6 2022
LINN COUNTY AUDITOR

Prepared By: Linn County Secondary Road Dept., 1888 County Home Rd, Marion, IA 52302 (319) 892-6400
Return To: Linn County Auditor's Office, 935 2nd St. SW, Cedar Rapids, IA 52404 (319) 892-5300

RESOLUTION # _____

VACATE EXCESS ROAD RIGHT-OF-WAY

WHEREAS, the Linn County Board of Supervisors desire to vacate a portion of excess road right-of-way, more particularly described as follows.

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows:

The alley lying between Lots 7 and 8, Lots 5 and 6, Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7 and Second Street lying north of Lot 2 and said alley.

Said vacated area = 5,897 sf or 0.14 acres.

WHEREAS, pursuant to Chapter 306.12 and 306.13 of the Code of Iowa, notice was published in the Cedar Rapids Gazette, a copy of said notice being attached hereto, and

WHEREAS, all adjoining land owners, all utility companies and the Iowa Department of Transportation have been notified by certified mail pursuant to Chapter 306.12 of said vacation and the hearing thereon, and

WHEREAS, the Linn County Board of Supervisors pursuant to the aforesaid notice held a hearing on the proposed vacation of the aforementioned right-of-way, and

WHEREAS, it being deemed in the best interest of Linn County to vacate said right-of-way, and

WHEREAS, this vacation is subject to easements of record at time of the public hearing including a utility easement, and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Linn County Board of Supervisors this date met in lawful session to vacate as described below:

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows:

The alley lying between Lots 7 and 8, Lots 5 and 6, Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7 and Second Street lying north of Lot 2 and said alley.

Said vacated area = 5,897 sf or 0.14 acres.

in Linn County, Iowa, be and the same is hereby vacated, and shall no longer be deemed public road right-of-way.

Dated at Cedar Rapids, Linn County, Iowa on this _____ day of _____, 2022.

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

Chairperson

Vice Chairperson

Supervisor

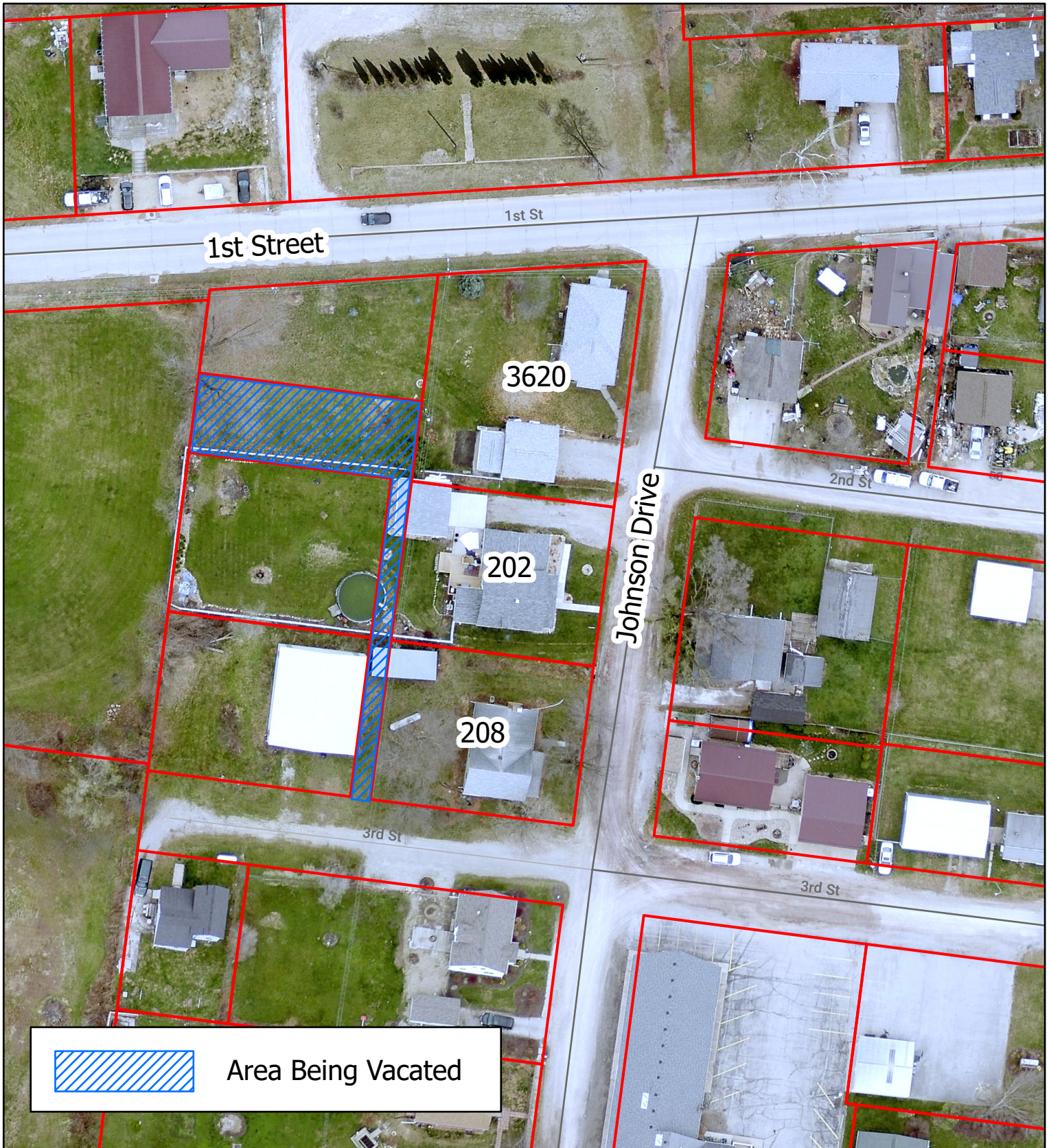
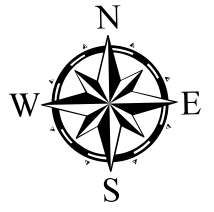
ATTEST:

Linn County Auditor



Toddville Road Vacation

Linn County Secondary Road Department



Prepared By: Linn County Secondary Road Dept., 1888 County Home Rd, Marion, IA 52302 (319) 892-6400
Return To: Linn County Auditor Office, 935 2nd St SW, Cedar Rapids, IA 52404 (319)892-5300

RESOLUTION #_____

SET PUBLIC HEARING FOR CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under authority of §331.361, Code of Iowa, to dispose of the interest of Linn County, Iowa, in real property, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated portions of right-of-way described as:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows:

The alley lying Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7.

Said vacated area = 787 sf or 0.02 acres.

and

WHEREAS Heidi L. Sherman, owner of real property adjacent to the above-described parcel of vacated right-of-way desire to obtain whatever interest Linn County may have in the above-described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that a public hearing shall be held for the purpose of determining whether Linn County, Iowa, will convey to Heidi L. Sherman, whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way.

BE IT FURTHER RESOLVED that said hearing shall be held on the 24th day of October 2022, at 11o'clock, in the formal Board Room on the lower level of the Jean Oxley Linn County Public Service Center, 935 2nd St SW, Cedar Rapids, Iowa, for the above stated purpose and that notice of the time and place of said public hearing shall be published in accordance with §331.305, Code of Iowa.

Dated at Cedar Rapids, Linn County, Iowa, this ____ day of_____, 20_____.

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

Chairperson

Vice Chairperson

Supervisor

ATTEST:

Linn County Auditor

STATE OF IOWA)
COUNTY OF LINN) SS

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

Linn County Auditor

Subscribed and sworn to before me by the aforesaid on this ____ day of _____, 20____.

Notary Public, State of Iowa

Prepared By: Linn County Secondary Road Dept., 1888 County Home Rd, Marion, IA 52302 (319) 892-6400
Return To: Linn County Auditor Office, 935 2nd St SW, Cedar Rapids, IA 52404 (319)892-5300

RESOLUTION # _____

SET PUBLIC HEARING FOR CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under authority of §331.361, Code of Iowa, to dispose of the interest of Linn County, Iowa, in real property, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated portions of right-of-way described as:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows:

The alley lying between Lots 7 and 8, Lots 5 and 6 of said Johnsons First Addition, Block 7.

Said vacated area = 787 sf or 0.02 acres.

and

WHEREAS, Lonnie Oliphant, Zonna Bonar and Nina Williams, owner of real property adjacent to the above-described parcel of vacated right-of-way desire to obtain whatever interest Linn County may have in the above-described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that a public hearing shall be held for the purpose of determining whether Linn County, Iowa, will convey to Lonnie Oliphant, Zonna Bonar and Nina Williams, whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way.

BE IT FURTHER RESOLVED that said hearing shall be held on the 24th day of October 2022, at 11 o'clock, in the formal Board Room on the lower level of the Jean Oxley Linn County Public Service Center, 935 2nd St SW, Cedar Rapids, Iowa, for the above stated purpose and that notice of the time and place of said public hearing shall be published in accordance with §331.305, Code of Iowa.

Dated at Cedar Rapids, Linn County, Iowa, this ____ day of _____, 20____.

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

Chairperson

Vice Chairperson

Supervisor

ATTEST:

Linn County Auditor

STATE OF IOWA)
COUNTY OF LINN) SS

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

Linn County Auditor

Subscribed and sworn to before me by the aforesaid on this ____ day of _____, 20____.

Notary Public, State of Iowa

Prepared By: Linn County Secondary Road Dept., 1888 County Home Rd, Marion, IA 52302 (319) 892-6400
Return To: Linn County Auditor Office, 935 2nd St SW, Cedar Rapids, IA 52404 (319)892-5300

RESOLUTION #_____

SET PUBLIC HEARING FOR CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under authority of §331.361, Code of Iowa, to dispose of the interest of Linn County, Iowa, in real property, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated portions of right-of-way described as:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows:

Second Street lying north of Lot 2 and north of the alley between Lot 1 and Lot 2 of said Johnsons First Addition, Block 7.

Said vacated area = 4,323 sf or 0.10 acres.

and

WHEREAS Gary L. Holsinger, owner of real property adjacent to the above-described parcel of vacated right-of-way desire to obtain whatever interest Linn County may have in the above-described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that a public hearing shall be held for the purpose of determining whether Linn County, Iowa, will convey to Gary L. Holsinger, whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way.

BE IT FURTHER RESOLVED that said hearing shall be held on the 24th day of October 2022, at 11 o'clock, in the formal Board Room on the lower level of the Jean Oxley Linn County Public Service Center, 935 2nd St SW, Cedar Rapids, Iowa, for the above stated purpose and that notice of the time and place of said public hearing shall be published in accordance with §331.305, Code of Iowa.

Dated at Cedar Rapids, Linn County, Iowa, this ____ day of _____, 20____.

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

Chairperson

Vice Chairperson

Supervisor

ATTEST:

Linn County Auditor

STATE OF IOWA)
COUNTY OF LINN) SS

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

Linn County Auditor

Subscribed and sworn to before me by the aforesaid on this ____ day of _____, 20____.

Notary Public, State of Iowa

Linn County Secondary Road Department
2022-2023 Winter Sand
Results 2022

				Martin Marietta Aggregates 1636 Marietta Rd Ely, IA 52227 greg.hulbert@martinmarietta.com			Weber Stone Co 12791 Stone City Road Anamosa, IA 52205 mike@weberstone.com			Wendling Quarries, Inc. 605 N Mentzer Rd Robins, IA 52328 doug@wendlingquarries.com		
Dist	Shop Name	Material	Tons	Matl Price per Ton	Haul Price per Ton	Total	Matl Price per Ton	Haul Price per Ton	Total	Matl Price per Ton	Haul Price per Ton	Total
1	Morgan Creek Shop	Concrete Sand	500	\$ 12.90	\$ 4.90	\$ 8,900.00	\$ -	\$ -	\$ -	\$ 13.50	\$ 2.50	\$ 8,000.00
1	Toddville Shop	Concrete Sand	750	\$ -	\$ -	\$ -	\$ 15.00	\$ 6.00	\$ 15,750.00	\$ 13.50	\$ 4.00	\$ 13,125.00
2	Mt Vernon Shop	Concrete Sand	750	\$ 12.90	\$ 3.90	\$ 9,675.00	\$ 15.00	\$ 6.00	\$ 15,750.00	\$ 13.50	\$ 2.60	\$ 12,075.00
2	Walford Rd Shop	Concrete Sand	250	\$ 12.90	\$ 4.90	\$ 3,225.00	\$ -	\$ -	\$ -	\$ 13.50	\$ 4.30	\$ 4,450.00
3	Drexler Shop	Concrete Sand	750	\$ -	\$ -	\$ -	\$ 15.00	\$ 5.00	\$ 15,000.00	\$ 13.50	\$ 7.35	\$ 15,637.50
3	Whittier Shop	Concrete Sand	250	\$ -	\$ -	\$ -	\$ 15.00	\$ 5.00	\$ 5,000.00	\$ 13.50	\$ 5.75	\$ 4,812.50
4	Alice Shop	Concrete Sand	1,000	\$ -	\$ -	\$ -	\$ 15.00	\$ 7.00	\$ 22,000.00	\$ 13.50	\$ 5.25	\$ 18,750.00
Const	Main Shop	Concrete Sand	1,500	\$ 12.90	\$ 4.90	\$ 26,700.00	\$ 15.00	\$ 5.00	\$ 30,000.00	\$ 13.50	\$ 2.50	\$ 24,000.00
TOTAL			5,750			\$ 48,500.00			\$ 103,500.00			\$ 100,850.00
Awarded Contracts				\$ 12,900.00			\$ 15,000.00			\$ 68,687.50		

Mt Vernon Shop will not be hauled due to proximity of the quarry. County will haul.

Walford Rd Shop will not be hauled due to proximity of the quarry. County will haul.

LEASE TERMINATION AGREEMENT OFFICE SPACE

THIS LEASE TERMINATION AGREEMENT is made and entered into this _____ day of _____ 2022, by and between Linn County, Iowa ("Landlord") whose address for the purpose of this Lease is 935 2nd Street SW, Cedar Rapids, Iowa 52404, and Foundation 2, Inc. ("Tenant") whose address for the purpose of this Lease is 1714 Johnson Avenue NW, Cedar Rapids, IA 52405.

WHEREAS, Landlord and tenant are parties to that certain Lease Agreement ("Lease") dated June 22, 2022, for certain space located at 501 13th Street NW, Cedar Rapids, Iowa, shown more specifically on the attached Exhibit "A"; and

WHEREAS, the parties now desire to provide for the termination of the Lease, and the return of the leased premises to the Landlord prior to the end the Lease, in accordance with Section 12 of the Lease.

NOW, THEREFORE, in consideration of the mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. **TERMINATION.** The parties agree that in lieu of the original Lease end date of June 30, 2023, the Lease will terminate on November 1, 2022.

2. **LEASE TERMINATION FEE.** In consideration of the Tenant's willingness to terminate the lease early for the Landlord's convenience, there is no lease termination fee.

3. **MUTUAL RELEASE.** Upon satisfaction by Tenant of its obligations set forth in the Lease, Landlord releases, discharges, and waives any claims known against Tenant, its successors, heirs, administrators, executors, and assigns, arising out of or in any way connected with the Lease through the date of the execution of this Termination Agreement.

4. **UTILITIES AND SERVICES.** The Tenant is responsible to pay for and cancel any telephone and/or internet utilities in its name at the leased premises.

5. **SURRENDER OF PREMISES AT END OF TERM - REMOVAL OF FIXTURES.** Tenant agrees that upon the termination of this Lease, it will surrender, yield up, and deliver the leased premises in good and clean condition, except for the effects of ordinary wear and tear and depreciation arising from lapse of time, or damage without fault or liability of Tenant.

6. **PROVISIONS TO BIND AND BENEFIT SUCCESSOR, ASSIGNS, ETC.** Each and every covenant and agreement herein contained shall extend to and be binding upon the respective successors, heirs, administrators, executors, and assigns of the parties hereto.

7. **FINAL AGREEMENT.** This Agreement shall constitute the final agreement and understanding of the parties on the subject matter hereof. The Agreement may be modified only by a further written agreement signed by the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this Lease on the day and year first above written.

LINN COUNTY, IOWA

FOUNDATION 2, INC.

Ben Rogers, Chairperson
Linn County Board of Supervisors

Emily Blomme, Executive Director

State of Iowa
County of Linn

Signed before me on this _____ day of _____ 2022, by Ben Rogers, to me personally known, who being by me duly sworn, did say that he is the Chairperson of the Board of Supervisors, Linn County, Iowa.

Notary Public, State of Iowa

My commission expires: _____

State of Iowa
County of Linn

Signed before me on this _____ day of _____ 2022, by Emily Blomme, to me personally known, who being by me duly sworn, did say that she is the Executive Director of Foundation 2, Inc.

Notary Public, State of Iowa

My commission expires: _____

文淵堂、寶鼎堂

Purchase Order

#: PO392

10/10/2022

935 2ND ST. SW
CEDAR RAPIDS, IA 52404
PH: 319-892-5000
LinnCountyIowa.Gov



Vendor

CONTECH ENGINEERED
SOLUTIONS LLC
PO BOX 936362
ATLANTA GA 31193-6362
United States

TOTAL

\$5,184.00

Receive By:

Note: Sales Tax Exempt ID Number 42-6004338

Order Instructions: Please enter our order for the following, subject to the instructions, terms and conditions named herein. **Important** This order expressly limits acceptance to the terms stated herein, and any additional or different terms proposed by the seller are rejected unless assented to in writing. No chemicals accepted without material safety data sheet (MSDS). All orders are FOB Destination unless specifically stated otherwise.

Department	Department Contact	Contact Telephone	Terms
61-ENGINEER	JERAD KELLEY	(319) 892-6430	

Quantity	Units	Item	Description	Rate	Amount
60	FT	CULVERT - CORRUGATED METAL(FT)	CULVERT - CMP - 48" X 60' AS PER QUOTE	\$86.40	\$5,184.00

Memo: CMP CULVERT - 48" X 60'

Total

\$5,184.00

Bill To

Linn County Engineer
1888 County Home Road
Marion, IA 52302

Ship To

SECONDARY ROAD MAIN SHOP
1944 COUNTY HOME RD
MARION IA
United States



PO392

LINN COUNTY SECONDARY ROAD DEPARTMENT
1888 COUNTY HOME ROAD
MARION, IA 52302

CMP Culvert
10/7/2022

Contech Engineered Solutions PO Box 92 Low Moor, IA 52757 kagreve79@hotmail.com (563) 357-6694	ILLOWA Culvert & Supply Co PO Box 43 Low Moor, IA 52757 jeffgreve@hotmail.com (800) 499-9293	Logan Contractors 2805 Stoner Ct North Liberty, IA 52317 justina@logancontractors.com (319) 626-2005	Metal Culverts, Inc. PO Box 330 Jefferson City, MO 65102 sales@metalculverts.com (573) 636-7312	Northern Iowa Const Products PO Box 631 Cedar Falls, IA 50613 niemannkp@hotmail.com (319) 290-4821
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No.	Product	Diam	Qty	UOM	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	CMP Culvert	48"	60	LF	\$86.40	\$5,184.00	\$97.65	\$5,859.00	NO BID		\$102.90	\$6,174.00	\$96.25	\$5,775.00
	TOTAL					\$5,184.00		\$5,859.00		\$0.00		\$6,174.00		\$5,775.00

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

ORDINANCE NO. 10 – – 2022

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA BY AMENDING
PROVISIONS IN CHAPTER 107, ARTICLE VII RELATING TO THE ENACTMENT OF A
MORATORIUM ON ACCEPTING REZONING APPLICATIONS FOR THE RENEWABLE ENERGY
OVERLAY DISTRICT

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

SECTION 1. SUBSECTION ADDED. Chapter 107, Article VII of The Code of Ordinances, Linn County, Iowa, is hereby amended by adding thereto a new subsection 107-149(h), hereby created to read as follows:

(h) *Moratorium.*

(1) The county shall not approve any request to rezone property to the Renewable Energy Overlay District for a period or periods as described in Sections 107-149(h)(2) while the Board of Supervisors reviews and possibly revises language in this chapter related to utility-scale solar and wind installations.

(2) This subsection 107-149(h) shall be repealed automatically on:

- a. December 31, 2022, unless extended before that date by Resolution of the Board of Supervisors until no later than March 31, 2023.
- b. March 31, 2023, unless extended before that date by Resolution of the Board of Supervisors until no later than June 30, 2023.
- c. June 30, 2023, unless extended before that date by Resolution of the Board of Supervisors until no later than October 12, 2023.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with 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. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

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

Public hearing on _____ day of _____ 2022.

First consideration on the _____ day of _____ 2022.

Second consideration on the _____ day of _____ 2022.

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

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

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

ORDINANCE NO. 10 – – 2022

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA BY MODIFYING PROVISIONS IN CHAPTER 107, ARTICLE V RELATING TO REAR YARD SETBACKS ON TRIANGULAR SHAPED LOTS; MODIFYING PROVISIONS IN CHAPTER 107 ARTICLE VI RELATING TO THE DISTANCE BETWEEN ANIMAL RUNS OR EXERCISE AREAS AND ADJOINING PROPERTY LINES, AND STANDARDS FOR CAMPGROUNDS, TRAVEL TRAILER PARKS, AND RECREATION CAMPS; MODIFYING ZONING DISTRICT USE TABLE 107-147-1 IN CHAPTER 107, ARTICLE VII; AND ADDING DEFINITIONS FOR HISTORIC SCHOOLHOUSE AND RECREATION CAMP IN CHAPTER 107, ARTICLE IX

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

SECTION 1. SECTION MODIFIED. Chapter 107, Article V, Section 107-94(h)(6) of, the Code of Ordinances, Linn County, Iowa, is hereby repealed and replaced with the following:

- (6) *Rear yards on triangular shaped lots.* Rear setbacks on triangular shaped lots shall be determined by using the rear setback distance for the zoning district drawn along each leg of the triangle and then connected by a straight line.

SECTION 2. SUBSECTION ADDED. Chapter 107, Article V, Section 107-94 of the Code of Ordinances, Linn County, Iowa, is hereby amended by adding thereto a new subsection 107-94(h)(7), hereby created to read as follows:

- (7) *Exceptions to yard setback requirements.* A required yard setback shall be kept open except for the following:

- a. Fences or freestanding walls.
- b. Ordinary projections from buildings not to exceed 24 inches including roof overhang.
- c. For commercial and industrial buildings, up to 20 percent of the required front yard area may be covered by arcades, canopies, roofs, solar power systems, or similar architectural features.

SECTION 3. SECTION MODIFIED. Chapter 107, Article VI, Section 107-115(b)(4) of the Code of Ordinances, Linn County, Iowa, is hereby amended to read as follows:

- (4) *Exercise areas.* All animal runs or exercise areas shall be located at least 100 feet from any adjoining property line. The setback may be reduced up to 50 percent through an administrative exception approved by the zoning administrator provided the animal run or exercise area is separated from the property line in question by a building along the entire length of the animal run or exercise area. Outdoor animal runs or exercise areas are prohibited within the VM Village Mixed-Use District.

SECTION 4. SECTION MODIFIED. Chapter 107, Article VI, Section 107-115(n), of the Code of Ordinances, Linn County, Iowa, is hereby amended to read as follows:

- (n) *Recreation and entertainment, outdoor, campground, travel trailer park, recreation camp.* Campgrounds, travel trailer parks, and recreation camps shall meet the following standards:
 - (1) *Major site plan required.* A major site plan shall be submitted and reviewed prior to the approval of a campground, travel trailer park, or recreation camp. Site plans shall indicate all proposed recreation areas, sanitary facilities, storage areas, parking, circulation, signs, landscaping, and other information needed to assess the impacts of the operation on surrounding properties and the road network.
 - (2) *Parking.* Parking and loading shall meet the standards in Section 107-93(e).
 - (3) *Caretaker or attendant required.* A responsible attendant or caretaker shall oversee every recreational camping area at all times and the duties of said attendant or caretaker shall be to maintain any applicable records and keep the facilities and the equipment in a clean, orderly, and sanitary condition.
 - (4) *Mobile homes prohibited.* No mobile homes shall be allowed in campgrounds.
 - (5) *Vehicles.* No unlicensed or inoperable vehicles or vehicle parts shall be stored on the site.

(6) *Year-round residential use prohibited.* Residential use of camping vehicles or buildings associated with recreation camps, except as permitted for a campground owner or caretaker, shall be prohibited from November 1 to April 1.

(7) *Setbacks for campgrounds and travel trailer parks:*

- a. Recreational camping vehicles and accessory structures shall be separated from each other and from other structures by at least ten feet.
- b. Recreational camping vehicles shall be set back at least 25 feet from any road right-of-way and at least ten feet from other park boundary lines.

(8) *Severe weather plan.* The applicant shall provide a severe weather plan.

SECTION 5. SECTION MODIFIED. Chapter 107, Article VII, Table 107-147-1 of the Code of Ordinances, Linn County, Iowa, is hereby amended to read as follows:

Table 107-147-1 Use Table

Institutional and Civic Uses		STD	AG	RR 1/2/3	VR	VM	USR		USR- MF	HC	GC	I	CNR	MH
Community Services	Public safety facility		P	P	P	P	P		P	P	P	P	C	
	Historic schoolhouse		P/A	P/A	P/A	P/A	P/A		P/A	P/A	P/A	P/A	P/A	

Retail, Service and Commercial Uses		STD	AG	RR 1/2/3	VR	VM	USR	USR- MF	HC	GC	I	CNR	MH
Recreation and Entertainment, Outdoor	Campground or travel trailer parks, recreation camp	107- 115(n)	C									C	

SECTION 6. SECTION ADDED. Chapter 107, Article IX, Section 180 of The Code of Ordinances, Linn County, Iowa, is hereby amended by adding thereto new definitions, hereby created to read as follows:

Historic schoolhouse means a building that was used as a school as documented in state and/or county historic records, and which may be eligible for listing on the National Register of Historic Places.

Recreation camp means premises and facilities used occasionally or periodically where seasonal accommodations are provided for members or groups or associations for outdoor educational or recreational activities.

SECTION 7. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8. 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 9. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

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

Public hearing on _____ day of _____ 2022.

First consideration on the _____ day of _____ 2022.

Second consideration on the _____ day of _____ 2022.

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

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