

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

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LinnCounty.org

**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Monday, November 15, 2021

11 a.m.

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

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

Minutes -- Discuss and decide on meeting minutes.

Presentation by ECICOG on Middle Cedar Watershed Management Authority FY23 funding request.

Discuss 28E Agreement with the City of Central City for Building Services.

Discuss a funding proposal from the Housing Fund for Linn County on behalf of the Providing Assistance to Community Homeowners (PATCH) Program.

Discuss Linn County Sustainability + Resiliency Advisory Committee rules and operating procedures.

Canvass of votes: Second Tier City/School elections.

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.

Payroll Authorizations

Discuss and decide on Employment Change Roster (payroll authorizations).

Claims -- Discuss and decide on claims.**Correspondence****Appointments****Closed Session**

The Board will enter into a closed session pursuant to Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of real estate.

Adjournment

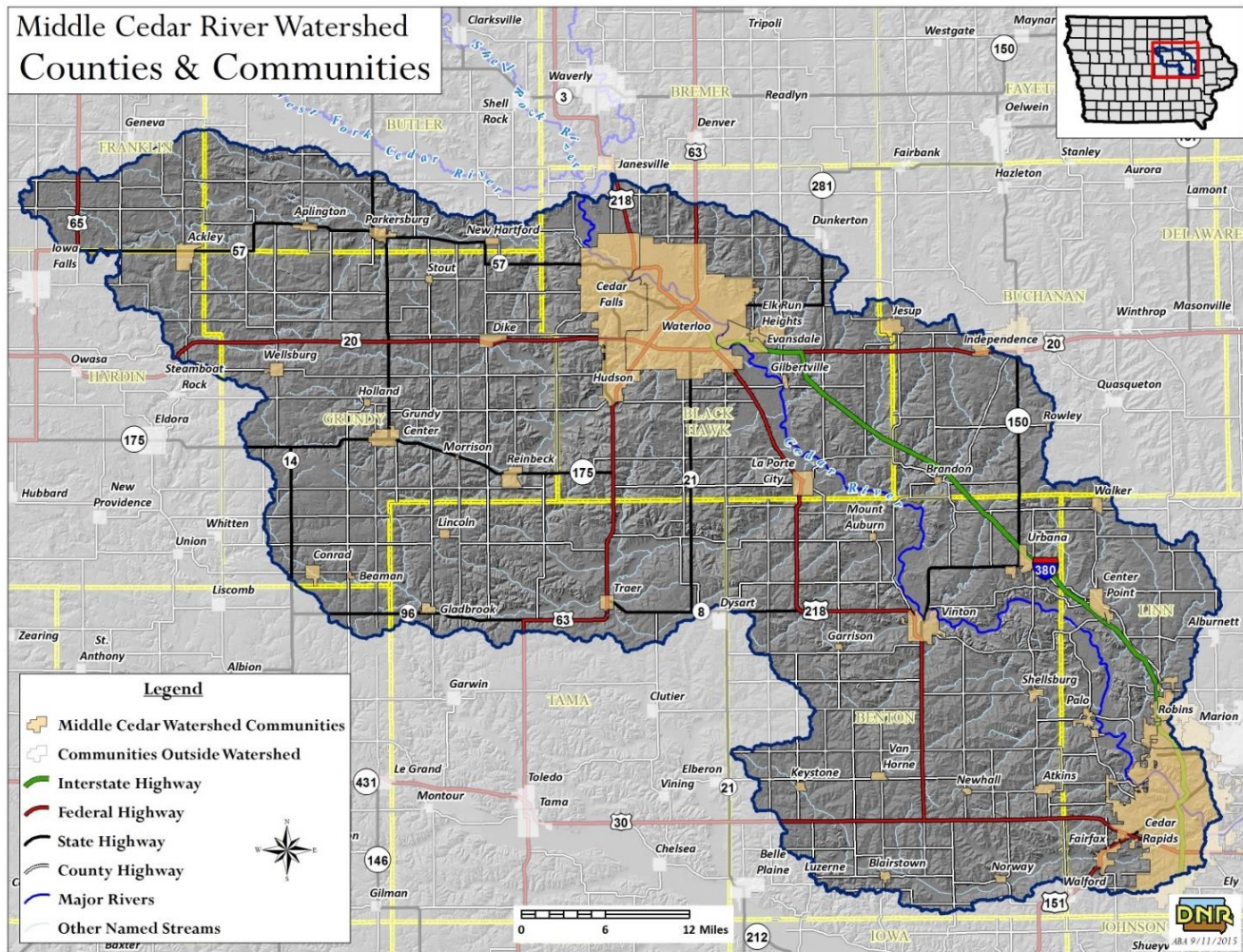
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Middle Cedar Watershed Management Authority

Middle Cedar WMA Financial Support Request for Fiscal Year 2023

The Middle Cedar Watershed covers ~1.5 million acres (~2,400 square miles) in East Central Iowa and spans 10 counties. The watershed consists of mostly agricultural land (~73%) but also includes many small towns and several large metro areas including Cedar Rapids, Waterloo, and Cedar Falls.



The Middle Cedar Watershed Management Authority (MCWMA) was established by 28E Agreement in 2016. Members of the MCWMA work collectively to address water quality and quantity, as well as other water related environmental issues that cross jurisdictional boundaries. The MCWMA is composed of twenty-six cities, counties, and Soil and Water Conservation Districts.

In 2016, the MCWMA (through Benton County) received a grant of \$11.2 million as part of the federally funded Iowa Watershed Approach project. The objective of the grant is to reduce future flood impacts through projects to hold back water and provide a secondary benefit of improving water quality. The funds enabled the

WMA to hire a watershed coordinator, develop a comprehensive Watershed Management Plan, and construct flood control / water quality improvement projects.

The watershed coordinator and project engineers worked with 38 landowners to identify, design and construct 84 agricultural BMPs across 3 counties in 4 years. The total construction cost for these practices was \$7M to cumulatively treat over 5,000 acres of agricultural runoff, create 450 ac-ft of water storage and convert 8.5 acres of cropland into grassed waterway.

The grant funds will expire in June 2022, and the MCWMA needs the financial support of its member entities to seek additional grant funds for watershed projects, and to keep the WMA active into the future.



Do you have flooding concerns in your jurisdiction? Do you have local water quality concerns such as an increase in nitrates in your source drinking water? Being an active participant in the MCWMA can help address these, and other water related issues, including attracting grant dollars. Here are some of the benefits:

- * Working with others in the watershed will more effectively protect public infrastructure as well as homes, businesses, and agricultural production from flooding.
- * Investing in the MCWMA brings expertise to cities and counties in the watershed. The connections made through the MCWMA will assist member governments on projects and provide support for writing grants.
- * Local MCWMA financial support provides a stable and flexible revenue stream and can be leveraged for outside investment in the watershed. Local cash match is a significant benefit in grant applications.
- * The Watershed Management Plan includes information that will support grant applications for projects such as source water protection, flood mitigation and other identified watershed needs.

The MCWMA is requesting local funding to support part-time administrative services to find and connect resources to implement the Watershed Management Plan. The MCWMA Watershed Administrator will:

- Organize and facilitate MCWMA Board meetings
- Maintain communication with the Board, MCWMA member entities, and other partners including maintenance of the MCWMA website
- Develop grant proposals for the MCWMA and assist communities with local grant proposals
- Assist communities & counties with water quality / flooding concerns by linking them to state and federal resources
- Attend City Council, Board of Supervisors, and SWCD commission meetings as needed and requested to support project development, grant applications, and to provide updates on WMA achievements
- Continue to seek resources for the Middle Cedar WMA to carry out the goals of the Watershed Management Plan

The approved contribution formula is based on two measures of stake in the watershed population, and area in acres. The table presents the annual funding request for each MCWMA member beginning in fiscal year 2023 (July 1, 2022). The figures presented are a fund-raising target. If the full amount is not possible, the MCWMA requests that decision makers identify a contribution level that is workable for the local budget.

A draft workplan for the \$50,000 annual budget is included on the next page.

MCWMA Member	FY23 Contribution for \$50,000 Budget
Cedar Falls	\$3,701
Cedar Rapids	\$9,324
Evansdale	\$454
Gladbrook	\$89
Gilbertville	\$66
Grundy Center	\$261
Hudson	\$293
Jesup	\$257
LaPorte City	\$226
Raymond	\$86
Vinton	\$506
Waterloo	\$6,584
Benton County	\$8,360
Black Hawk County	\$5,077
Buchanan County	\$1,699
Grundy County	\$6,080
Linn County	\$4,035
Tama County	\$2,903
Totals	\$ 50,000



Draft Middle Cedar WMA Work Plan and Budget Proposal - Fiscal Year 2023 (July 1, 2022 – June 30, 2023)

Tasks & Associated Actions		Anticipated Outcomes	Estimated Hours / Cost
a.	Administration for Middle Cedar WMA Board of Directors		
	Quarterly Board meeting	Meeting third Thursday in July, October, January, and April at 3:00 pm	60 hours = \$4,500
	Represent the MCWMA as requested	Give informational presentations and continue communication with other WMAs and affiliated partners in Iowa	80 hours = \$6,000
b.	Education & Communication		
	Disseminate information to MCWMA Members, watershed stakeholders, and the public	Maintain the Middle Cedar WMA website and Facebook page to promote activities and events	50 hours = \$3,750
	Education Expenses	Print materials (\$200); Fees for events (\$270); website costs (\$30), outreach items (\$500) and/or watershed model for events (\$500)	\$1,500
c.	Practices & Policy/Action Items		
	Complete or contribute to grant applications as opportunities arise	Pursue grant opportunities on behalf of the MCWMA and MCWMA Members & provide information for partner funding opportunities	80 hours = \$6,000
	Plan Implementation	Funds to be used each year for Plan action items and/or cash match for future grant opportunities. Examples include: • Provide construction easement for each site in Edge-of-Field Blitz • Take requests from WMA members for Plan related projects • Use as cash match to attract grant funding – Soil Health Partnership • Build / fund a demonstration project • Technical assistance for best management practices	\$26,000
d.	Measure & Monitoring		
	Compile and disseminate information about the various monitoring efforts in the watershed to Board and the public	Organize opportunities for presentations from Iowa Soybean Association and the Flood Center, and others as appropriate, at MCWMA Board meetings and other events	40 hours = \$4,350
			310 hours = \$22,500
		Non-time estimated expenses	\$1,500
		Watershed Plan Implementation	\$26,000
		Proposed FY23 Total	\$50,000

LINN COUNTY AND CITY OF CENTRAL CITY
AGREEMENT FOR CONSTRUCTION CODE ADMINISTRATION

1. TITLE

Pursuant to Iowa Code Chapter 28E, this Agreement by and between Linn County, Iowa and the City of Central City, Iowa, shall be known as the *Linn County and City of Central City Agreement for Construction Code Administration*.

2. PURPOSE AND SCOPE

2.1. Purpose of Agreement. The purpose of this Agreement is to provide for the administration and enforcement of the Construction Codes of the City of Central City by Linn County to protect the public health, safety and welfare. It is the intent that the same level of service shall be provided to the citizens of Central City as is currently provided to the citizens of the unincorporated areas of Linn County.

2.2. Scope of services. Linn County, through the Building Division of the Planning and Development Department, shall provide services to administer and enforce the Construction Codes of the City of Central City for all projects requiring inspections, plan review and certificates of occupancy as specified in the City's adopted Construction Codes.

3. DEFINITIONS:

As used in this Agreement, the following terms are defined:

Building Division: The Building Division of the Linn County Planning and Development Department.

<i>Building Official:</i>	The Linn County Building Official who is the designated authority charged with the administration and enforcement of the Linn County <i>Construction Codes</i> .
<i>City:</i>	The City of Central City, Iowa.
<i>Construction Codes:</i>	The current version of Chapter 105, Buildings and Building Regulations: Article I (In General), Article II (Construction Regulations), Article III (Electrical Installations), Article IV (Mechanical Systems), and Article V (Plumbing); and the current version of Chapter 12, Fire Prevention and Protection; of the Linn County Code of Ordinances as adopted by Linn County, Iowa including amendments and recodifications in effect at the time of permit application.
<i>County:</i>	The County of Linn, Iowa.
<i>Inspectors:</i>	The Combination Building Inspectors employed with the Linn County Building Division under the direction of the Linn County Building Official.
<i>Permit:</i>	Permits issued in accordance with the referenced <i>Construction Codes</i> for work within the city limits of the City. The provisions of this Agreement are determined to supersede and fulfill the requirements of Chapter 155, Building Permits, for the City.

4. PROCEDURES AND FEES

4.1. Place of application. Permit applications shall be made with Linn County Planning and Development either online at bsaonline.com or in person at 935 2nd Street Southwest, Cedar Rapids, IA, in accordance with the County's procedures and requirements. When zoning approval is required, the County shall prepare a zoning site plan for city review. Upon approval, the City shall provide the County with a copy of the approved zoning site plan or zoning permit, and floodplain permit as applicable.

4.2. Permit issuance. The County shall issue permits in accordance with its procedures and requirements. Permits will be issued when the construction drawings have been reviewed by the Building Official or designee for compliance with the *Construction Codes*.

4.3. Fees. Permit and inspection fees shall be the same for City Permits as for County Permits and shall be determined in accordance with the Linn County Building Regulations Fee Schedule in effect at the time of this Agreement or as amended by Resolution of the Linn County Board of Supervisors. Fees are due and payable to Linn County Planning and Development at the time of application.

4.4. Fees for Saturday inspections. Saturday inspection fees will be charged to the individual requesting the inspection at one-and-one-half times the hourly rate based upon the current hourly wage rate of the personnel required, plus overhead costs for fringe benefits, office administration and transportation, with a (3) hour minimum charge, subject to change based on current fee and pay grade schedule. The County reserves the right to request an increase in charges if the current rate does not fully cover the County's costs. Saturday inspections must be requested at least 24 hours prior to the close of business on Friday.

4.5 Construction Codes incorporated by reference. The City hereby incorporates by reference into the *Code of Ordinances of the City of Central City, Iowa* the *Construction Codes* as defined in this Agreement, including future amendments and recodifications.

5. INSPECTIONS

5.1. Types of inspections. The County shall provide inspections in accordance with the adopted *Construction Codes*. Inspections shall include footings; setbacks; electrical service; gas piping; rough inspections for framing, electrical, mechanical, and plumbing work; final inspections; and all other inspections required by the *Construction Codes*.

5.2. Requests for inspections. Inspection requests shall be made by the permit applicant or an authorized representative. Requests may be made online or by telephone to the Linn County Building Division between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Twenty-four hour notice is required prior to an inspection.

5.3. Inspection times. Inspections will be conducted by the County Inspectors approximately between the hours of 9:30 a.m. and 3:30 p.m., Monday through Friday. The County reserves the right to modify this inspection schedule to accommodate the Inspectors' schedules.

6. ENFORCEMENT

6.1. Administration of Construction Codes by County. Administration and enforcement of the *Construction Codes* shall be by the County in accordance with the administrative provisions of the *Construction Codes*.

6.2. Prosecution of violations by City. Prosecution of violations of the *Construction Codes* cited by the County in the enforcement of the *Construction Codes* shall be by the City.

7. ZONING & FLOODPLAIN MANAGEMENT

7.1. Zoning approval by City. Enforcement of the City zoning ordinance shall be by the City. The City shall provide copies of an approved zoning site plan / zoning permit for each new building or addition that increases the building footprint, or for any change in use or occupancy of any existing building.

7.2. Setback inspection. County Inspectors shall confirm that the location of new buildings or additions meet the minimum setbacks shown on the approved site plan during the footing inspection.

7.3. Information provided by City. The City shall provide to the Building Division copies of City maps or other information showing streets, addresses, zoning districts, property owners, and other pertinent information.

7.4 Enforcement of floodplain regulations by City. Enforcement of floodplain regulations shall be by the City in accordance with its adopted regulations. A copy of approved floodplain development permits, as required by the City's floodplain regulations, shall be provided to the County.

8. RECORDS

8.1. Records maintenance. The County shall maintain records of Permits, beginning with the effective date of this Agreement, for a period of five years from the issuance date, unless this agreement is terminated sooner.

8.2. Permit activity reports. The County shall provide, if requested, quarterly reports to the City of permit activity in the City. The reports shall include the number and type of permits issued, and the valuation of the projects. Other information may be included in the reports as mutually agreed.

9. HOLD HARMLESS

The City of Central City shall hold harmless, indemnify, and defend all claims and suits for liability against Linn County and any of its employees arising as a result of any services performed by Linn County under this Agreement.

10. APPEALS

10.1. Appeals of determinations. Appeals of decisions or determinations of the Building Official relative to the application and interpretation of the *Construction Codes* shall be heard by the City's Building Board of Appeals.

10.2. Written reports and determinations. The Building Official shall provide a written report to the Building Board of Appeals in advance of the hearing; the City shall provide written findings and decisions regarding the disposition of any appeal to the Building Official.

11. AMENDMENTS

Any portion of this Agreement may be amended at any time, as mutually agreed, by Resolution of the County Board of Supervisors and Resolution of the City Council.

12. DURATION OF AGREEMENT; TERMINATION

12.1. Continuation and termination of Agreement. This Agreement shall continue until terminated by either the County or the City. Either the County or the City may terminate this Agreement at any time by providing written notice at least three months prior to the termination date. Written notice shall be a certified copy of a resolution by the County Board of Supervisors or the City Council.

12.2. County not obligated after termination date. The County shall not be obligated to perform inspections after the termination date for permits that are applied for or issued prior to the termination date.

12.3 Partial refund of Linn County permit and inspection fees after termination date. Upon termination, Linn County permit and inspection fees will be refunded to the permit holder on a prorated basis as shown below:

- 100% for permit applications for which no plan review has been started and for which no permit has been issued;
- 70% for permits for which plan review has been started, or for permits that have been issued but for which no on-site inspection has been performed;
- Upon request, refunds will be issued on a pro-rated basis as determined by the Building Official for permits that have been issued and have received one or more on-site inspections, but have not been finalized.

13. EFFECTIVE DATE

The effective date of this agreement is December 1, 2021.

City of Central City, Iowa

County of Linn, Iowa

Adam Griggs, Mayor
City of Central City

Stacy Walker, Chair
Linn County Board of Supervisors

Date

Date

Attest:

Shelley Annis, City Administrator

Joel D. Miller, Linn County Auditor

LINN COUNTY SUSTAINABILITY + RESILIENCY ADVISORY COMMITTEE

RULES AND OPERATING PROCEDURES

Section I. Creation, Name and Authority

The Linn County Board of Supervisors hereby creates an organization known as the Linn County Sustainability + Resiliency Advisory Committee, hereinafter referred to as the Advisory Committee.

Section II. Purpose

The purpose of the Advisory Committee is to complete an annual greenhouse gas inventory for Linn County, with support from the Linn County Office of Sustainability, and the International Council for Local Environmental Initiatives (ICLEI), to help review and monitor progress toward the goals and objectives of Linn County's climate resolutions.

Section III. Duties

Advisory Committee members:

- A. Will engage with material and information provided by Linn County staff, and will come to meetings prepared to ask questions, share perspectives, and create a space comfortable for dialogue and learning.
- B. Will care for transparency, understanding of decisions, and the importance of the goals and objectives of Linn County's climate resolutions.
- C. May connect with individuals or organizations for further engagement or feedback.
- D. May attend events outside of official meetings to help represent the planning process.
- E. May need to or wish to conduct self-guided learning or research online.

Section IV. Membership

- A. The Advisory Committee will consist of no more than fifteen (15) members appointed by the Linn County Board of Supervisors.
- B. The Advisory Committee shall include at least one member:
 - 1. From each county supervisor district
 - 2. From each climate-vulnerable community listed in Linn County's climate resolution(s).
- C. The Advisory Committee should aim to be a diverse representation of community stakeholders and include representatives from the following groups:
 - a. Energy industry workers/leaders

- b. Food-insecure residents
 - c. Public transit riders
 - d. Sustainable business/industry leaders
 - e. Sustainability-focused nonprofits
 - f. Conservation organizations
 - g. Small businesses
- D. Advisory Committee members shall be residents within the geographic boundaries of Linn County.
 - E. No Linn County official or employee, nor any official or employee of any city within the geographic boundaries of Linn County, shall be appointed to the Advisory Committee.
 - F. Advisory Committee members shall serve without pay, but may receive reimbursement for actual expenses incurred in the performance of their official duties.

Section V. Terms of Membership

- A. Terms will be 12 months with the opportunity to extend up to two terms (i.e. a member can serve up to 3 years.)
- B. In the event of a vacancy, the Board of Supervisors shall appoint a successor to serve for the remainder of the unexpired term.
- C. If at any time the Board of Supervisors finds that a member is not performing his/her duties, or is impairing the ability of the Advisory Committee to perform its duties, that member may be removed by a majority vote of the Board of Supervisors.

Section VI. Offices, Duties, and Terms of Office

- A. The first regularly scheduled Advisory Committee meeting following each January 1 shall be an organizational meeting at which the members shall, among other regular business, elect the following officers:
 - 1. Two Co-Chairs
 - 2. Secretary
- B. Each member elected as Co-Chair or Secretary shall serve for one (1) year, or until he/she is re-elected, or until a successor is elected.
- C. The Co-Chairs shall preside at all meetings, assign duties to members, appoint subcommittees, and call meetings and establish the agenda for meetings in consultation with the Secretary and the staff member appointed pursuant to Section VI.F.

- D. The Secretary shall, during the absence of both Co-Chairs and the Vice Chair, have and exercise all of the duties and powers of a Co-Chair.
- E. In the event that both Co-Chairs and the Secretary expect to be absent from an Advisory Committee meeting, the Co-Chairs shall appoint another member to serve as Chair pro tem. In the event no Chair pro tem is appointed, any member may call the meeting to order and the members present shall elect one of the members in attendance to serve as Chair pro tem.
- F. A staff member from the Office of Sustainability shall assist with the duties of Secretary. The duties include providing the records of all meetings of the Advisory Committee including meeting agendas, minutes and other documents as deemed necessary. The staff member appointed to perform these duties shall not be a voting member of the Advisory Committee. Linn County shall provide the Advisory Committee with other technical or administrative assistance in furtherance of its purpose and/or duties.

Section VII. Subcommittees

- A. The Advisory Committee may establish and appoint subcommittees in furtherance of the purpose and/or duties listed in Section II and Section III.
- B. At the request of the Linn County Board of Supervisors, the Co-Chairs shall appoint an Advisory Committee member or members to serve on joint committees with representatives of other committees or organizations.

Section VIII. Meetings

- A. Meetings shall be scheduled either on a regular monthly basis, or as necessary, but at least once every six months, to perform the duties established for the Public Review Board in Section III.
- B. Special meetings may be called by either Co-Chair or at the request of eight (8) or more members.
- C. An agenda shall be prepared for each Advisory Committee meeting.
- D. A quorum is required for the consideration of business. A minimum of eight (8) members of the Public Review Board shall constitute a quorum.
- E. Affirmative votes by a majority of the members present and voting at any meeting at which a quorum exists shall be necessary to adopt any measure.
- F. Minutes shall be recorded and kept for all meetings.

Section IX. Adoption and Amendments

These rules and operating procedures are effective upon the approval of the majority vote of the Linn County Board of Supervisors.

These rules and operating procedures may be amended by an affirmative vote of at least two-thirds of the members of the Linn County Board of Supervisors.