

LINN COUNTY BOARD OF SUPERVISORS-  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, JANUARY 30, 2019 10:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.  
Present: Chairperson Walker, Vice Chairperson Rogers and Supervisor Oleson. Board members voting "AYE" unless otherwise noted.

Chairperson Walker called the meeting to order and led the Pledge of Allegiance.

Motion by Rogers, seconded by Oleson to approve Consent Agenda as follows:

Receive and place on file the Sheriff's Quarterly Report for September 30, 2018 totaling \$1,404,894.50

Receive and place on file the Veteran Affairs Monthly Report for December 2018

Resolution 2019-1-19

AUTHORIZE CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under §331.361, Code of Iowa, to dispose of the interest of Linn County, in real property, and, WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated the portions of right-of-way described as:

LEGAL DESCRIPTION

Part of the Southwest quarter of the Southwest fractional quarter, Section 17, Township 85 North, Range 5 West of the Fifth Principal Meridian, Linn County, Iowa as shown in exhibit "A" attached hereto by this reference made a part hereof and described as follows:

The west 33 feet of the former Bridge Street right-of-way from the northwesterly Boy Scouts Road right-of-way line to the north right-of-way line of the former 4<sup>th</sup> Street;  
All of the former West Street right-of-way lying north of the centerline of the former 2<sup>nd</sup> Street;

All of the former 4<sup>th</sup> Street right-of-way lying west of the centerline of former Bridge Street;

All of the former 3<sup>rd</sup> Street right-of-way lying west of the northwesterly Boy Scouts Road right-of-way;

The former 2<sup>nd</sup> Street right-of-way from the former West Street to the northwesterly Boy Scouts Road right-of-way line, excepting the south half of the former 2<sup>nd</sup> Street right-of-way from the former West Street to the centerline of the unnamed alley;

The unnamed alley right-of-way from the northwesterly Boy Scouts Road right-of-way line to the north right-of-way of former 4<sup>th</sup> Street, excepting the west half of the unnamed alley right-of-way from the northwesterly Boy Scouts Road right-of-way line to the centerline of former 2<sup>nd</sup> Street.

Said area contains 3.72 acres more or less, subject to easements and restrictions of record.

and,

WHEREAS, Ken A Lillig & Kay D Lillig Cotter, owner of real property adjacent to the above described parcel of vacated right-of-way desire to obtain whatever interest Linn County, Iowa may have in the above described parcel of vacated right-of-way, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has pursuant to §331.361, Code of Iowa, conducted a public hearing upon the proposal to convey by quit claim deed whatever interest Linn County, Iowa, 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 whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way shall be conveyed to Ken A Lillig & Kay D Lillig Cotter, owner of real property adjacent to the above described vacated right-of-way, by quit claim deed.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors, Linn County, Iowa, hereby authorize to execute said quit claim deed conveying whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way to Ken A Lillig & Kay D Lillig Cotter.

Resolution 2019-1-20

WHEREAS, there is presented to the Board of Supervisors, Linn County, Iowa, for its approval, a quit claim deed executed and acknowledged by Stacey Walker, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Linn County, Iowa, conveying the interests of Linn County, Iowa, to Ken A Lillig & Kay D Lillig Cotter, and

WHEREAS, said deed conveys the following real estate described as follows:

LEGAL DESCRIPTION

Part of the Southwest quarter of the Southwest fractional quarter, Section 17, Township 85 North, Range 5 West of the Fifth Principal Meridian, Linn County, Iowa as shown in exhibit "A" attached hereto by this reference made a part hereof and described as follows:

The west 33 feet of the former Bridge Street right-of-way from the northwesterly Boy Scouts Road right-of-way line to the north right-of-way line of the former 4<sup>th</sup> Street;  
All of the former West Street right-of-way lying north of the centerline of the former 2<sup>nd</sup> Street;

All of the former 4<sup>th</sup> Street right-of-way lying west of the centerline of former Bridge Street;

All of the former 3<sup>rd</sup> Street right-of-way lying west of the northwesterly Boy Scouts Road right-of-way;

The former 2<sup>nd</sup> Street right-of-way from the former West Street to the northwesterly Boy Scouts Road right-of-way line, excepting the south half of the former 2<sup>nd</sup> Street right-of-way from the former West Street to the centerline of the unnamed alley;  
The unnamed alley right-of-way from the northwesterly Boy Scouts Road right-of-way line to the north right-of-way of former 4<sup>th</sup> Street, excepting the west half of the unnamed alley right-of-way from the northwesterly Boy Scouts Road right-of-way line to the centerline of former 2<sup>nd</sup> Street.  
Said area contains 3.72 acres more or less, subject to easements and restrictions of record.

and

WHEREAS, said deed was executed by Stacey Walker, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Linn County, Iowa, pursuant to resolution 2019-1-19 adopted by the Board of Supervisors, Linn County, Iowa, on the 30 day of January, 2019.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session, that the above described quit claim deed, dated the 30 day of January, 2019, conveying whatever interest Linn County, Iowa, may have, to Ken A Lillig & Kay D Lillig Cotter, be and the same is hereby approved.

#### Resolution 2019-1-21

A Resolution approving a Residential Parcel Split to be named Monaghan First Addition. The following description is a summary of Resolution No. 2019-1-21 as passed and approved by Linn County Board of Supervisors, effective January 30th, 2019.

Monaghan First Addition (Case # JPS18-0031) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lettered lot A and outlot A, has been filed for approval, a subdivision of real estate located in the NENE of Section 34, Township 86 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: Beginning at the northeast corner of said Section 34; thence S00°34'36"E along the east line of said Section 34, 150.70 feet to a point on the centerline of Red School Road; thence Southwesterly along said centerline on an arc of 212.21 feet of a 572.96 foot radius curve to the right, having a chord length of 211.00 feet, bearing S17°19'55"W; thence continuing along said centerline S27°56'32"W, 993.34 feet to the north line of Plat of Survey #808; thence N77°47'01"W along said north line, 123.50 feet to the west line of the east half of said NE 1/4 NE 1/4; thence N00°43'11"W along said west line, 1197.37 feet to the north line of said NE 1/4 NE 1/4; thence N89°27'37"E along said north line, 662.58 feet to the Point of Beginning; containing 12.38 acres which includes 1.23 acres of road right of way.

The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at [www.linncounty.org](http://www.linncounty.org).

#### Resolution 2019-1-22

##### A RESOLUTION IN SUPPORT OF A US CENSUS COMPLETE COUNT COMMITTEE

WHEREAS, every ten years, in accordance with the Constitution, the United States Census Bureau conducts a count of all persons residing in the 50 states, Puerto Rico, and the island areas of the United States; and,

WHEREAS, population totals from the census determine the number of seats each state has in the United States House of Representatives and help determine how the State of Iowa draws state legislative districts; and,

WHEREAS, the federal government distributes approximately \$675 billion in federal funding each year based in part on census data; and,

WHEREAS, census data helps all levels of government forecast needs and plan programs and services; and,

WHEREAS, responses provided to the US Census Bureau are confidential and protected by federal law, and are not shared with other agencies; and,

WHEREAS, Complete Count committees are volunteer committees that play an integral role in ensuring a complete and accurate count of residents; and,

WHEREAS, Linn County is committed to working with local governments and community organizations to ensure every citizen is counted.

NOW, BE IT THEREFORE RESOLVED the Linn County Board of Supervisors supports Linn County employee participation on a Complete Count Committee and participation in other activities intended to help provide an accurate count of Linn County citizens for the 2020 Census.

#### Resolution 2019-1-23

##### PETITION for SUSPENSION of 2019 PROPERTY TAXES

WHEREAS, the Linn County Board of Supervisors is this day presented with the attached petitions for suspension of taxes and/or special assessments pursuant to Section 427.8 of the Code of Iowa and;

WHEREAS, the properties for which assessments against these Petitioners are made lie within Linn County and;

WHEREAS, these Petitioners are unable to contribute to the public revenue by reason of age, infirmity, or both.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that the attached petitions be approved for the following Petitioners, parcels, and tax years:

PETITIONER	PARCEL #	TAX YEARS	Special #
Wiltsey, George	04044-77003-00000		2019

The Linn County Treasurer is ordered to suspend the collection of taxes assessed against these Petitioners, their polls or estates, for the above parcels for the above tax years as indicated.

Resolution 2019-1-24

Resolution providing for the levy of taxes

WHEREAS, pursuant to the provisions of Chapters 331 and 403 of the Code of Iowa, the Board of Supervisors (the "Board") of Linn County, Iowa, has proposed to enter into a General Obligation Urban Renewal Lease Purchase Agreement (the "Lease Purchase Agreement") in a principal amount not to exceed \$31,500,000, for the purpose of paying the cost, to that extent, of a project consisting of the acquisition, construction, improving, furnishing and equipping of a building to house the Linn County Public Health and Linn County Child and Youth Development Services (the "Dr. Percy and Lileah Harris Building Project") and has published notice and held a hearing on entering into the Lease Purchase Agreement; and

WHEREAS, the County intends to issue General Obligation Certificates of Participation related to the Lease Purchase Agreement (the "Certificates of Participation") in the future, and anticipates that principal and interest will come due on the Certificates of Participation before June 30, 2020, and it is now necessary to make provision for the levy of a debt service property tax to be collected in the fiscal year that will begin July 1, 2019 for the payment of such principal and interest;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Linn County, Iowa, as follows: Section 1. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Certificates of Participation, there is hereby ordered levied on all the taxable property in the County a direct annual tax for collection in the fiscal year beginning July 1, 2019, sufficient to produce the sum of \$2,150,000.

Section 2. A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Certificates of Participation and for no other purpose.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Authorize and approve Chair to sign a Quit Claim Deed to Ken A Lillig & Kay D Lillig Cotter whatever interest Linn County may have in vacated right-of-way along former 2<sup>nd</sup> Street, 3<sup>rd</sup> Street, 4<sup>th</sup> Street, West Street, Bridge Street and an unnamed alley in Waubeek.

Authorize and approve Chair to sign a National Register Nomination Evaluation Report Form for Coggon Commercial Historic District.

Authorize Chair to sign Iowa Certified Local Government 2018 Annual Report for the Linn County Historic Preservation Commission.

Authorize Chair to electronically sign Amendment 6 of Contract #5889HC08 between the Iowa Department of Public Health and Linn County Community Services/Ryan White Program authorizing an additional \$73,425.00 in funding for contract year April 1, 2018 - March 31, 2019, increasing the contract total to \$713,978.00.

Approve and authorize Chair to sign an acceptance of proposal from Design Dynamics, Inc. for architectural services to conduct a space needs study for Elections Services in an amount not to exceed \$2,200.

Award bid and authorize Chair to sign contract documents for Calcium Chloride dust control to Binns & Stevens in the amount of \$169,100.00 for the Secondary Road Department.

Heidi Steffen, Marketing Mgr., gave a presentation on behalf of the Linn County Fair Association. Jennifer Dunn stated that they are also working to create more partnerships and are planning a United Way Day.

Supervisor Rogers stated that the Board will take their funding request of \$65,000.00 into consideration.

Les Beck, Planning & Development, presented a request to hire a Planning Intern to assist with a staffing gap while re-advertising for a division manager position.

Page 4  
January 30, 2019

Motion by Rogers, seconded by Oleson to approve Vacancy Form requesting a Planning Intern for Planning and Development.

Motion by Rogers, seconded by Oleson to approve Claims #70606821-#70606883 in the amt. of \$1,861,013.99 and ACH in the amt. of \$308,927.96.

Board Member Reports: Supervisor Oleson reported on funding possibilities for the Fairfax/151 roundabout and the C Ave./County Home Rd. roundabout.

Chairperson Walker offered comments responding to inquiries regarding the decision that was made to keep the county offices open today in spite of the weather. He stated that he will be visiting the Capitol on Monday and Tuesday to explore legislative interests. In addition, he will be meeting with Iowa Legal Aide.

Motion by Rogers, seconded by Oleson to appoint Brent Oleson as liaison to the Conservation Dept. and reappoint Susan Corrigan to ECICOG's Revolving Loan Fund Committee, term ending Dec. 31, 2019.

Chairperson Walker noted that the 1:30 p.m. budget meeting that was scheduled for today will be rescheduled.

Adjournment at 10:25 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor  
BY: Tammy Stewart, Auditor's Office

Approved by:

STACEY WALKER, Chairperson  
Board of Supervisors