

RESOLUTION NO. 01-03-23-01
CONSTRUCTION EVALUATION RESOLUTION

Whereas, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

Whereas, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

Whereas, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

Whereas, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2023 and January 31, 2024 and submit an adopted recommendation regarding that application to the DNR; and

Whereas, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix.

Now, therefore, be it resolved by the Board of Supervisors of Johnson County that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

It was moved by Sullivan and seconded by Fixmer-Oraiz the Resolution be adopted this 3rd day of January, 2023.

Roll Call: Green Aye Green-Douglass Aye Fixmer-Oraiz Aye Porter Aye Sullivan Aye

ATTEST:

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Jan. 3, 2023
Date

/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 01-05-23-01

**RESOLUTION APPROVING THE FINAL PLAT AND
SUBDIVIDER'S AGREEMENT OF FLAT TOP FARM SUBDIVISION JOHNSON COUNTY, IOWA**

WHEREAS, the owner has filed application PZC-22-28282 for approval of the final plat of Flat Top Farm Subdivision Johnson County, Iowa; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

1. That said plat be approved.
2. That the Chairperson be directed to sign said plat and Subdivider's Agreement.
3. This Resolution requires the recording of the following documents:

A. Resolution & Documents

Sensitive Areas Exhibit	Easement for Public Highway
Owner's Certificate	Common Access Easement Agreement
Certificate of the Attorney	
Certificate from County Auditor	
Certificate of the Treasurer	
Subdividers Agreement	
Fence Agreement	
Consent of Mortgagee-Hills Bank	
Consent of Mortgagee-U.S. Bank	
Bylaws of Flat Top Farm Subdivision Owners Association	
Articles of Incorporation of Flat Top Farm Subdivision Owners Association	
Declaration of Private Storm Water Detention Easement	
Agreement for Private Storm Water Maintenance	
Resolution Affirming the Stability of the Current Road System	

B. Subdivision Plat (5)

It was moved by Sullivan and seconded by Fixmer-Oraiz the Resolution be adopted this 5th day of January, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Aye Porter Aye Sullivan Aye

ATTEST:

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
1/5/23
Date

/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 02-09-23-01

RESOLUTION APPROVING THE FRINGE AREA POLICY AGREEMENT BETWEEN JOHNSON COUNTY, IOWA AND THE CITY OF SOLON, IOWA

WHEREAS, Chapter 28E of the Iowa Code (2021) enables two or more local governments to enter into agreements to cooperate for their mutual advantage; and

WHEREAS, Iowa Code Section 354.9 gives the City and the County the authority to establish, by agreement, the standards and conditions applied by a city or county for review and approval of a county subdivision, and other development applications to which such an agreement may be addressed; and

WHEREAS, pursuant to these powers, the City and County did enter into a 28E Agreement in September 2008 pertaining to the City / County Fringe Area; and

WHEREAS, it is in the interest of the County and the City to update the applicable policies for orderly growth and development within the City / County Fringe Area and, accordingly, the planning and development staff of both the County and the City have developed a draft new agreement to supersede and replace the September 2008 fringe area agreement; and

WHEREAS, the Solon City Council, following a public meeting on December 7, 2022, has reviewed this draft new fringe area policy agreement and approved said agreement by resolution; and

WHEREAS, the Johnson County Planning and Zoning Commission, following a public meeting on January 9, 2023, has reviewed this draft new fringe area policy agreement, filed its report, and recommended that said agreement be approved; and

WHEREAS, having received the report and recommendation of the Johnson County Planning and Zoning Commission, conducted a public hearing on February 9, 2023, considered the information and objections presented at said hearing, if any, and otherwise informed itself of the particulars of the proposed Fringe Area Policy Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

1. That the Johnson County Board of Supervisors hereby accepts and agrees to the Fringe Area Policy Agreement between Johnson County and the City of Solon as recommended by the Planning and Zoning Commission and attached hereto and included in the online agenda packet for the meeting of the Board of Supervisors held on February 9, 2023, copies of which can be obtained at the Johnson County Planning, Development and Sustainability Office, the Johnson County Auditor's Office, or at www.johnsoncountyiowa.gov.
2. That the Chairperson be authorized and directed to sign said Fringe Area Policy Agreement and arrange for its filing with the Iowa Secretary of State as required by Iowa Code Sec. 28E.5 upon full execution by the parties.

It was moved by Sullivan and seconded by Fixmer-Oraiz the Resolution be adopted this 9th day of February, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Aye Porter Aye Sullivan Aye

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
February 9, 2023

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 02-09-23-02

**RESOLUTION APPROVING THE FINAL PLAT AND
SUBDIVIDER'S AGREEMENT OF LINCOLNS LANDING, JOHNSON COUNTY, IOWA.**

WHEREAS, the owner has filed application PZC-22-28291 for approval of the final plat of Lincolns Landing Johnson County, Iowa; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

1. That said plat be approved.
2. That the Chairperson be directed to sign said plat and Subdivider's Agreement.
3. This Resolution requires the recording of the following documents:

A. Resolution & Documents

Sensitive Areas Exhibit
City of Tiffin Resolution No. 2022-094
Owner's Certificate
Certificate of the Attorney
Certificate from County Auditor
Certificate of the Treasurer
Subdividers Agreement
Consent of Mortgagee
Bank Performance Agreement
Declaration of Private Storm Water Detention Easements and Water Line Easement
Well and Water Line Easement Agreement
Protective Covenants and Restrictions
Articles of Incorporation of Lincolns Landing Homeowners Association
Bylaws of Lincolns Landing Homeowners Association
Agreement for Private Storm Water Management
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

It was moved by Sullivan and seconded by Green the Resolution be adopted this 9th day of February, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Aye Porter Aye Sullivan Aye

ATTEST:

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
February 9, 2023

/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION No. 02-16-23-01

Resolution Setting a Public Hearing on Various Rezoning and Platting Applications and the proposed Windham Village Plan 2022.

WHEREAS the Johnson County Planning and Zoning Commission, following a public hearing on February 13, 2023, has filed its report and recommendations for certain actions;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. A public hearing in accordance with Section 335.6 of the Iowa Code is set for **March 8, 2023, at 5:30 p.m.** in the Board Room, Johnson County Administration Building, 913 South Dubuque Street, Iowa City, Iowa, on the following applications and proposed plan:
 - a. Rezoning application filed by Wayne Barnes (PZC-23-28311); and
 - b. Subdivision applications filed by Wayne Barnes (PZC-23-28312), Joseph & Julie Breza (PZC-23-28314), and Kristen Orr (PZC-22-28290); and
 - c. Proposed Windham Village Plan 2022.
2. That the Johnson County Auditor be authorized to publish the official notice of above public hearing.

It was moved by Green and seconded by Sullivan the Resolution be adopted this 16th day of February, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Aye Porter Aye Sullivan Aye

/s/ Lisa Green-Douglass, Chairperson
Board of Supervisors

Date:2/16/23

ATTEST:

/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION No. 02-23-23-01
**RESOLUTION SETTING PUBLIC HEARING ON PROPOSED PLANS,
SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED TOTAL COST
FOR THE HISTORIC POOR FARM HEALING TRAIL PROJECT AT THE
JOHNSON COUNTY HISTORIC POOR FARM, 4811 MELROSE AVENUE,
IOWA CITY, JOHNSON COUNTY, IOWA**

Whereas, the Historic Poor Farm Healing Trail Project Bid Package to be performed at the Johnson County Historic Poor Farm, 4811 Melrose Avenue, Iowa City, Johnson County, Iowa, is deemed necessary; and

Whereas, the plans, specifications, form of contract, and estimated total cost prepared at the request of the Board of Supervisors of Johnson County by Martin Gardner Architecture, are set forth as the proposed plans, specifications, and form of contract, and estimated total cost in connection with said public improvement, to-wit: Proposed Historic Poor Farm Healing Trail Project at the Johnson County Historic Poor Farm, located in Iowa City, Johnson County, Iowa; and

Whereas, said proposed plans, specifications, and form of contract for, and estimated total cost of said public improvement are available for inspection in the office of the Johnson County Auditor, Johnson County Administration Building, 913 South Dubuque Street, Iowa City, Iowa; and now, therefore, be it

Resolved, That the Board of Supervisors of Johnson County, in accordance with Sections 26.12 and 331.341 of the 2020 Code of Iowa, as amended;

1. Sets a public hearing on the Proposed Plans, Specifications and Form of Contract for, and Estimated Total Cost of the Historic Poor Farm Healing Trail Project at 4811 Melrose Avenue, Iowa City, for Wednesday, the 8th day of March, 2023, at 5:30 P.M., Central Time in the Johnson County Board of Supervisors Boardroom, Johnson County Administration Building, 913 South Dubuque Street, Iowa City, Iowa;
2. Directs the Johnson County Auditor to publish notice of the said public hearing in accordance with the law.

It was moved by Green and seconded by Fixmer-Oraiz the Resolution be adopted this 23rd day of February, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Absent Porter Aye Sullivan Aye

/s/Rod Sullivan, Vice Chairperson
Board of Supervisors
Signed on 2/23/23

ATTEST:
/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 02-23-23-02
AUTHORIZING WEIGHT EMBARGOES ON SECONDARY ROADS

Whereas, the recent weather conditions have caused soft subgrade and surface conditions to develop on some Secondary Roads; and

Whereas, it is deemed to be in the best public interest and welfare to preserve the road system in the best possible condition; and

Whereas, Sections 321.471, 321.472, and 321.473 of the Code of Iowa provide local authorities the right to restrict the weight of vehicles;

Therefore, be it resolved that an embargo be authorized where necessary on the Secondary Roads System for Johnson County. The County Engineer is authorized beginning on February 23, 2023 to restrict gross loads on certain sections of the road system showing extreme distress at this time. He shall be authorized to restrict all traffic to an 8-ton gross load if necessary and to place temporary signs to comply with Section 321.472.

It was moved by Fixmer-Oraiz and seconded by Green the Resolution be adopted this 23rd day of February, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Absent Porter Aye Sullivan Aye

/s/Rod Sullivan, Vice Chairperson
Board of Supervisors
Signed on 2/23/23

ATTEST:
/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO.02-23-23-03
DESIGNATING FUNDS TO BE TRANSFERRED FROM THE GENERAL BASIC
FUND TO THE DEBT SERVICE FUND IN THE FISCAL YEAR 2023 BUDGET

Whereas, budgeted revenues in the Debt Service Fund are intended for the payment of County debt principal and interest obligations; and

Whereas, an insufficient amount of Fiscal Year 2023 property tax revenues in the Debt Service Fund have been collected to date and interest costs exceeded what was estimated and budgeted for in the current fiscal year, and scheduled debt payments are due on June 1, 2023. This creates the likely event of a shortage of cash during the current fiscal year; and

Whereas, there is sufficient unassigned cash in the General Basic Fund to satisfy the anticipated shortfall of cash and tax revenues in the Debt Service Fund to satisfy the current fiscal year debt obligations; and

Therefore be it resolved that up to \$500,000 be transferred from the General Basic Fund to the Debt Service Fund during Fiscal Year 2023, and authorize the Johnson County Auditor to transfer up to \$500,000 to the Debt Service Fund from the General Basic Fund during Fiscal Year 2023 as tax revenues are available and adequate cash flows are appropriate.

It was moved by Green and seconded by Fixmer-Oraiz the Resolution be adopted this 23rd day of February, 2023.

Roll Call: Fixmer-Oraiz **Aye** Green **Aye** Green-Douglass **Absent** Porter **Aye** Sullivan **Aye**

/s/Rod Sullivan, Vice Chairperson
Board of Supervisors
Signed on 2/23/23

ATTEST:
/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-08-23-01

**RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND
SUBDIVIDER'S AGREEMENT OF THE GROVE, JOHNSON COUNTY, IOWA.**

WHEREAS, the owner has filed application PZC-22-28290 for approval of the preliminary and final plat of The Grove, Johnson County, Iowa; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

1. That said plat be approved.
2. That the Chairperson be directed to sign said plat and Subdivider's Agreement.
3. This Resolution requires the recording of the following documents:

A. Resolution & Documents

Sensitive Areas Exhibit
City of Solon Resolution No. 2-44
Owner's Certificate
Certificate of the Attorney
Certificate from County Auditor
Certificate of the Treasurer
Subdividers Agreement
Consent of Mortgagee
Access Easement
Utility Easement
Right of Way Dedication
Protective Covenants and Restrictions
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

C. Acquisition Plat (5)

It was moved by Sullivan and seconded by Green the Resolution be adopted this 8th day of March, 2023.

Roll Call: Fixmer-Oraiz **Absent**, Green **Aye**, Green-Douglass **Aye**, Porter **Aye**, Sullivan **Aye**

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 03/08/23

ATTEST:

/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-08-23-02

RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVIDER'S AGREEMENT OF BARNES SECOND SUBDIVISION, JOHNSON COUNTY, IOWA.

WHEREAS, the owner has filed application PZC-23-28312 for approval of the preliminary and final plat of Barnes Second Subdivision Johnson County, Iowa; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

1. That said plat be approved.
2. That the Chairperson be directed to sign said plat and Subdivider's Agreement.
3. This Resolution requires the recording of the following documents:

A. Resolution & Documents

Owner's Certificate

Certificate of the Attorney

Certificate from County Auditor

Certificate of the Treasurer

Subdividers Agreement

Covenant for Fences

Easement for Public Highway

Agreement to Not Occupy House and to Demolish or Remove House

Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

It was moved by Sullivan and seconded by Green the Resolution be adopted this 8th day of March, 2023.

Roll Call: Fixmer-Oraiz *Absent*, Green *Aye*, Green-Douglass *Aye*, Porter *Aye*, Sullivan *Aye*

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 03/08/23

ATTEST:

/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-08-23-03
RESOLUTION APPROVING THE PRELIMINARY PLAT OF BREZA FIRST
SUBDIVISION JOHNSON COUNTY, IOWA.

WHEREAS, the applicant has filed application PZC-23-28314 for approval of a preliminary plat Breza First Subdivision, and

WHEREAS, the County Zoning Commission having studied said application recommends that the plat be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

1. That said plat be approved.
2. That the Chairperson be directed to sign said plat.

It was moved by Green and seconded by Sullivan the Resolution be adopted this 8th day of March, 2023.

Roll Call: Fixmer-Oraiz **Absent**, Green **Aye**, Green-Douglass **Aye**, Porter **Aye**, Sullivan **Aye**

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 03/08/23

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION No. 03-08-23-04

RESOLUTION ADOPTING THE WINDHAM VILLAGE PLAN 2022

WHEREAS, the Board of Supervisors finds that adopting a Village Plan for the community of Windham is intended to further the planning efforts and objectives set forth in the Johnson County 2018 Comprehensive Plan, specifically regarding future growth and preservation in the area of the county known as Windham; and

WHEREAS, the proposed Windham Village Plan 2022 would establish a vision statement and goals related to quality of life, land use and growth, and infrastructure and services; and also establish an official boundary for the village which will be added to the Future Land Use Map contained within the Johnson County 2018 Comprehensive Plan; and

WHEREAS, the Board of Supervisors finds that it is in the public interest to adopt said Windham Village Plan 2022 to ensure safe and orderly growth in the village; and

WHEREAS, the Johnson County Planning and Zoning Commission, having studied the proposed Windham Village Plan 2022 and conducted a public hearing thereon on November 14, 2022, by a majority vote recommended that the Windham Village Plan 2022 be approved with the alternative boundary included with the public hearing draft dated October 24, 2022 and included in the online agenda packet for the meeting of the Planning & Zoning Commission held on November 14, 2022;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA, that the Windham Village Plan 2022 attached hereto and included in the online agenda packet for the meeting of the Board of Supervisors held on December 8, 2022, copies of which can be obtained at the Johnson County Planning, Development and Sustainability Office, Johnson County Auditor's Office, or at www.johnsoncountyiowa.gov, is hereby adopted, subject to adding a 4th bullet under the Land Use and Growth section of the Windham goals contained on page 8 of the public hearing draft which reads, "Discourage rezoning to the MH-Heavy Industrial, ML-Light Industrial, and SWDRR-Solid Waste Disposal and Resource Reclamation districts".

BE IT FURTHER RESOLVED that the boundary of the Windham Village Plan 2022 shall be the alternative boundary shown on the final page of the of the Windham Village Plan 2022 Public Hearing Draft (included in the online agenda packet for the meeting of the Board of Supervisors held on December 8, 2022); and comprising approximately 155 acres located in the E ½ of the NW ¼, a portion of the W ½ of the NE ¼, a portion of the NE ¼ of the SW ¼, a portion of the NW ¼ of the SE ¼, and a portion of the SE ¼ of the NE ¼, all in section 34, township 79N, range 8W.

BE IT FURTHER RESOLVED that this Windham Village Plan 2022 shall become effective upon adoption of this Resolution.

It was moved by Sullivan and seconded by Green-Douglass the Resolution be adopted this 8th day of March, 2023.

Roll Call: Fixmer-Oraiz **Absent**, Green **Aye**, Green-Douglass **Aye**, Porter **Aye**, Sullivan **Aye**

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 3/8/23

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-08-23-05

RESOLUTION APPROVING PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED TOTAL COST FOR, AND REQUESTING BIDS FOR THE HISTORIC POOR FARM HEALING TRAIL PROJECT AT THE JOHNSON COUNTY HISTORIC POOR FARM, 4811 MELROSE AVENUE, IOWA CITY, JOHNSON COUNTY, IOWA

Whereas, a public hearing was conducted on the 8th day of March, 2023 concerning proposed plans, specifications, and form of contract for, and estimated total cost of the said public improvement, to-wit: Historic Poor Farm Healing Trail, located at 4811 Melrose Avenue, in Iowa City, Johnson County, Iowa; and

Whereas, the Johnson County Board of Supervisors has given due consideration to said proposed plans, specifications, and form of contract for, and estimated total cost of said public improvement along with objections and evidence for or against the same as reflected by the record of the Public Hearing; and, now, therefore be it

Resolved, That the Historic Poor Farm Healing Trail Project, located at 4811 Melrose Avenue, in Iowa City, Johnson County, Iowa, is in the best interest of Johnson County; and be it further

Resolved, That the estimated total cost of the Historic Poor Farm Healing Trail Project, located at 4811 Melrose Avenue in Iowa City, Johnson County, Johnson County, Iowa, is \$466,000; and be it further

Resolved, That the proposed plans, specifications, and form of contract for, and estimated total cost of said project, are hereby approved as the plans, specifications, and form of contract for, and estimated total cost of said public improvement construction project; and be it further

Resolved, That sealed bids for Historic Poor Farm Healing Trail Project, located at 4811 Melrose Avenue, Iowa City, Johnson County, Iowa, will be solicited for receipt by the Johnson County Auditor, Johnson County Administration Building, 913 South Dubuque Street, Iowa City, Iowa, until 2:00 PM Central Time, Thursday, April 6, 2023. The Auditor is authorized to publish the Notice to Bidders pursuant to the *Iowa Code*; and be it further

Resolved, That the bid security to accompany each bid for the construction of the Historic Poor Farm Healing Trail Project, located at 4811 Melrose Avenue, Iowa City, Johnson County shall be in the amount of five percent (5%) of the amount of the bid, pursuant to Iowa Code Section 26.8; and be it further

Resolved, That pursuant to Iowa Code Section 26.11, Ilsa DeWald, Local Foods Coordinator, is hereby delegated the duty of opening bids for this project, announcing the results, and reporting the results of the bidding along with her recommendations to the Board of Supervisors at its next regular meeting.

It was moved by Sullivan and seconded by Porter the Resolution be adopted this 8th day of March, 2023.

Roll Call: Fixmer-Oraiz **Absent**, Green **Aye**, Green-Douglass **Aye**, Porter **Aye**, Sullivan **Aye**

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 03/08/23

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-16-23-01

**RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING
ORDINANCE 10-20-22-01 IN LIGHT OF THE SURVEYOR PROVIDING A
CORRECTED LEGAL DESCRIPTION FOR THE AREA TO BE REZONED**

WHEREAS, the Johnson County Board of Supervisors adopted Ordinance 10-20-22-01 changing the classification of certain property from A-Agricultural to R-Residential, with an effective date of November 3, 2022; and

WHEREAS, the legal description contained in Ordinance 10-20-22-01 does not accurately identify the boundary line of the property; and

WHEREAS, the property owner and neighboring property owner have executed a boundary line adjustment and the land surveyor has provided a corrected legal description of the property boundaries.

NOW, THEREFORE BE IT RESOLVED as follows:

1. A public hearing in accordance with Section 335.6 of the Iowa Code is set for **March 30, 2023, at 9:00 a.m. CT** in the Board Room, Johnson County Administration Building, 913 South Dubuque Street, Iowa City, Iowa, on an Ordinance amending Ordinance 10-20-22-01 by repealing and replacing the paragraph containing the legal description of the property to be rezoned (in light of a corrected legal description provided by the applicant's surveyor.)
2. The Johnson County Auditor is authorized to publish the official notice of above public hearing.

It was moved by Porter and seconded by Sullivan the Resolution be adopted this 16th day of March, 2023.

Roll Call: Fixmer-Oraiz **Absent**, Green **Aye**, Green-Douglass **Aye**, Porter **Aye**, Sullivan **Aye**

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 3/16/23

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO.03-16-23-02

**RESOLUTION TO APPROVE THE SECONDARY ROADS BUDGET,
MARCH 16, 2023**

Whereas, the Secondary Road Department is required to have their budget approved by the Board of Supervisors on or before March 31st and entered into the Iowa Department of Transportation (TPMS) system prior to April 15th.

Now Therefore, be it Resolved by the Johnson County Board of Supervisors that:

1. The Johnson County Board of Supervisors approve the Secondary Roads department FY2024 budget.

It was moved by Porter and seconded by Green the Resolution be adopted this 16th day of March, 2023.

Roll Call: Fixmer-Oraiz **Absent**, Green **Aye**, Green-Douglass **Aye**, Porter **Aye**, Sullivan **Aye**

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 3/16/23

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-16-23-03

**RESOLUTION SUPPORTING THE IOWA CITY COMMUNITY SCHOOL
DISTRICT'S PRESCHOOL CAMPAIGN**

WHEREAS, the Iowa City Community School District (ICCSA) is embarking on a plan to expand preschool and wrap-around services for students across the Iowa City Community School District, as summarized in presentation materials shared with the Board of Supervisors by ICCSD representatives at the Supervisors' work session on February 8, 2023; and

WHEREAS, strong early childhood programs lead to stronger communities, and are associated with improved cognitive development and health, reductions in child abuse and neglect, youth violence and emergency department visits.

WHEREAS, the ICCSD has asked Johnson County and the other municipalities it services for financial support of such preschool expansion, commensurate with the projected number of students from each area.

NOW, THEREFORE, BE IT RESOLVED by the Johnson County Board of Supervisors that Johnson County hereby supports the Iowa City Community School District's expanded preschool project and, as the project moves forward, the Board will consider how best to provide and/or structure the financial support requested; and

BE IT FURTHER RESOLVED that the Board of Supervisors' Chairperson, and Vice Chairperson or other designee as alternate, are hereby authorized and directed to serve as liaisons with the ICCSD on behalf of the Board of Supervisors for purposes of this preschool expansion project and will make regular reports to the Board on its progress. Said liaison(s) will notify the Board Chairperson when it is appropriate to put the discussion and consideration of financing for the ICCSD's preschool expansion project on the Board's agenda for further action.

It was moved by Porter and seconded by Sullivan the Resolution be adopted this 16th day of March, 2023.

Roll Call: Fixmer-Oraiz **Absent**, Green **Aye**, Green-Douglass **Aye**, Porter **Aye**, Sullivan **Aye**

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 3/16/23

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-23-23-01

Resolution Setting a Public Hearing on Various Rezoning Applications

WHEREAS the Johnson County Planning and Zoning Commission, following a public hearing on March 13, 2023, has filed its report and recommendations for certain actions;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. A public hearing in accordance with Section 335.6 of the Iowa Code is set for **April 13, 2023, at 5:30 p.m.** in the Board Room, Johnson County Administration Building, 913 South Dubuque Street, Iowa City, Iowa, on the following application:
 - a. Rezoning application filed by Brad Amendt (PZC-23-28329).
2. That the Johnson County Auditor be authorized to publish the official notice of above public hearing.

It was moved by Green and seconded by Fixmer-Oraiz, the Resolution be adopted this 23rd day of March, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Aye Porter Aye Sullivan Aye

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 3/23/2023

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-23-23-02

RESOLUTION OF SUPPORT FOR BROADBAND INTERVENTION ZONE STATUS FOR CERTAIN COMMUNITIES IN JOHNSON COUNTY, IOWA

WHEREAS the term “Broadband” is minimally defined as “the transmission of wide bandwidth data to a particular address location at 100 megabits per second download and 20 megabits per second upload service or faster”; and

WHEREAS Johnson County has a goal for each premise in the county to have access to 100 megabits per second upload and download service; and

WHEREAS Johnson County, Iowa (“Johnson County”) has identified addressing Broadband deficiencies as a matter of public interest as evidenced by commissioning and receiving a countywide Broadband Study (“JC Broadband Study”) to determine current Broadband access gaps, areas where providers are likely to extend services, and where gaps will persist due to barriers limiting future Broadband investments; and

WHEREAS the JC Broadband Study contained analysis of a Market Assessment of provider-reported Broadband services and speeds, responses by key stakeholders at meetings, FCC mapping data, State of Iowa Broadband grant eligibility maps, and provider input to verify the existence of Underserved Locations and Unserved Locations (“Locations”), as defined by the State of Iowa Office of the Chief Information Officer (“OCIO”) in its Invitation to Qualify for Broadband Intervention Zoned application (“ITQ Application”);

WHEREAS the ITQ Application defines “Communities” as “a gathering of individuals representing households, schools, and/or businesses in a particular area in the State of Iowa with a shared interest in eliminating Unserved or Underserved Locations within a Geographic Area of Concern”, with increased priority given to Communities demonstrating support from its leaders; and

WHEREAS Johnson County has identified three separate Communities of Underserved and Unserved Locations within Johnson County that are resulting in economic, education, and health access disparities described in the JC Broadband Study for consideration by the OCIO for designation as a Geographic Area of Concern; and

WHEREAS these Communities have unique degrees of historically disadvantaged populations for which special emphasis should be afforded under relevant federal programs; and

WHEREAS these Communities are served by or have locations of Johnson County schools, hospitals, and correctional institutions.

THEREFORE BE IT RESOLVED by the Johnson County Board of Supervisors (“Board”) that:

1. The Board supports submitting Invitation to Qualify applications to qualify the following Communities to each be designated as a Geographic Area of Concern by the State of Iowa OCIO, as a matter of public interest:
 - a. SW Kansas Avenue Community
 - b. Rural Hills and Lone Tree Areas
 - c. Rural Area Between Iowa City and West Branch; and
2. Conclusions detailed in the JC Broadband Study prescribe that Broadband-related impediments exist within these Communities to directly engage in work, education, and health care that resulted from or were made apparent or exacerbated by the COVID-19 public health emergency due to lack of broadband access, as evidenced by provider-reported service and speed availability at their Location, and also in Location maps provided by the OCIO; and
3. The JC Broadband Study reports that the lack of Broadband investments in Johnson County to serve these Communities is primarily due to lack of adequate population density per square mile and challenging topography, which together increase the cost per subscriber to construct and operate Broadband service beyond any subscription revenue that could be collected; and
4. These Communities’ members’ engagement in employment, search for employment, and/or development of the requisite skills and knowledge to become employed are impeded by lack of Broadband investments in these areas of Johnson County, as identified by key stakeholders and reported in the JC Broadband Study; and
5. Broadband investments in these Communities, once designated as Geographic Areas of Concern, will help facilitate educational activities at Underserved and Unserved Locations as part of a person’s participation in school, academic programs, or social-emotional development programs for students or youths, improve internship opportunities, increase professional development program participation, and provide other educational experiences not otherwise afforded to the people at these Locations; and
6. Broadband investments in these Communities, once designated as a Geographic Area of Concern, will help facilitate health monitoring services to monitor an individual’s health, including with respect to either physical or behavioral health; and
7. The Board, as being direct representatives of those at Underserved and Unserved Locations within Johnson County, hereby supports these Johnson County

Communities, as geographically defined in ITQ Applications to be filed, for future Broadband investment as proposed Geographic Areas of Concern; and

8. Johnson County endeavors in a non-binding, streamlined manner and in good faith to provide or coordinate efforts to directly support construction of Broadband infrastructure projects that accelerate Broadband investment, and which may include but are not limited to:
 - a. Use of public Rights of Way (“ROW”) where applicable.
 - b. Streamlined ROW permitting for Broadband investments serving groups of Locations.
 - c. Increased County staff time and support to coordinate with providers on grant and other funding opportunities.
 - d. Fostering private economic development investments and partnerships, including in-kind use of multiple Community members’ facilities (such as putting communication infrastructure on private property).

It was moved by Fixmer-Oraiz and seconded by Porter, the Resolution be adopted this 23rd day of March, 2023.

Roll Call: Fixmer-Oraiz Aye Green Aye Green-Douglass Aye Porter Aye Sullivan Aye

/s/Lisa Green-Douglass, Chairperson
Board of Supervisors
Signed on 03/23/23

ATTEST:
/s/Travis Weipert, Auditor
Johnson County, Iowa