

RESOLUTION NO. 01-02-24-01

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, 2024 and January 31, 2025 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 Green and seconded by Sullivan the Resolution be adopted this 2nd day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
January 02, 2024

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

RESOLUTION NO. 01-04-24-01

**RESOLUTION ESTABLISHING A GREENHOUSE GAS REDUCTION GOAL
FOR THE FLEET OF JOHNSON COUNTY LOCAL GOVERNMENT IN IOWA**

WHEREAS, reducing energy use and greenhouse gas (GHG) emissions is imperative to reduce or slow climate change and pollution; and as stated in the recently issued Fifth National Climate Assessment, “future climate change impacts depend on choices made today”; and

WHEREAS, Johnson County previously adopted a resolution of commitment on June 8, 2017, to honor the Paris Climate Agreement goals, including the commitment to “increase our efforts to cut greenhouse gas emissions, support a clean energy economy, stand for health and environmental justice,” and the Johnson County 2018 Comprehensive Plan includes the goal of “Support and advance energy efficiency, resource conservation, and renewable energy programs, policies, and uses” and is currently being updated to further climate action goals; and

WHEREAS, the transportation sector is one of the largest contributors to area GHG emissions, representing 39% of countywide emissions in the most recent (2020) community GHG inventory and 35% of emissions in the most recent (2017) operational GHG inventory, and our operational inventory cites the importance of using “*less* energy and *cleaner* energy...to lead to fewer GHG emissions”; and

WHEREAS, communities in our region such as the City of Iowa City and the City of Cedar Rapids have adopted operational fleet electrification or cleaner fuel goals; and

WHEREAS, Johnson County, whose fleet is still largely dependent on fossil fuels, can further learn from those communities and others; and

WHEREAS, Johnson County will embark on a fleet study to investigate and plan for fleet electrification in pursuit of reducing greenhouse gases and serving as an additional example for the community by reducing fossil fuel dependence; and

WHEREAS, Johnson County has an additional and equally important vested interest in reducing GHG emissions to improve the air quality for Johnson County residents;

NOW, THEREFORE, BE IT RESOLVED by the Johnson County Board of Supervisors that the Board of Supervisors will set an operational fleet GHG emissions reduction target of at least 25% by 2045 from year 2020 levels.

It was moved by Green-Douglass and seconded by Porter the Resolution be adopted this 4th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
January 4, 2024

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

RESOLUTION NO. 01-04-24-02

**RESOLUTION APPROVING THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT OF
SPARTAN HOLLOW PHASE ONE, JOHNSON COUNTY, IOWA**

WHEREAS, the owner has filed application PZC-23-28410 for approval of the final plat of Spartan Hollow Phase One, 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. The County reaffirms the effectiveness and applicability of the Escrow Agreement, recorded at Book 6338 Page 301 in the office of the Johnson County Recorder, as to the Road Agreement Relating to Spartan Hollow Application PZC-20-27962, as may be substituted and restated.
4. This Resolution requires the recording of the following documents:

A. Resolution & Documents

Substituted and Restated Road Agreement Relating to Spartan Hollow Application PZC-20-27962 at Dillons Furrow Road NE

Sensitive Areas Exhibit

City of Solon Resolution No. 23-34

Owner's Certificate

Certificate of the Attorney

Certificate from County Auditor

Certificate of the Treasurer

Subdividers Agreement

Fence Agreement

Easement for Highway Purposes

Consent of Mortgagee

Conservation Easement Agreement

Easement Agreement

Stormwater Maintenance Agreement

Municipal Improvements Agreement

Articles of Incorporation

Bylaws

Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

C. Acquisition Plat (5)

It was moved by Green and seconded by Green-Douglass the Resolution be adopted this 4th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
January 4, 2024

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

RESOLUTION NO. 01-11-24-01

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

WHEREAS, the owner has filed application PZC-23-28447 for approval of the preliminary and final plat of Seebeck 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
Fence Agreement
Consent to Platting by Mortgage Holder
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

It was moved by Green and seconded by Porter the Resolution be adopted this 11th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
January 11, 2024

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

RESOLUTION NO. 01-11-24-02

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED FRINGE AREA POLICY AGREEMENT BETWEEN JOHNSON COUNTY, THE CITY OF SWISHER, AND THE CITY OF CEDAR RAPIDS

WHEREAS, Chapter 28E of the Iowa Code (2023) 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 Cities 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, Johnson County, the City of Swisher, and the City of Cedar Rapids did enter into a 28E Agreement in August 2004 pertaining to the joint City / County Fringe Area; and

WHEREAS, it is in the interest of Johnson County, the City of Swisher, and the City of Cedar Rapids to update the applicable policies for orderly growth and development within the City / County Fringe Area and, accordingly, the staff of the County and the Cities have developed a draft new agreement to supersede and replace the August 2004 fringe area agreement; and

WHEREAS, the Johnson County Planning and Zoning Commission, following a public meeting on January 8, 2024, has reviewed this draft new fringe area policy agreement and filed its report and recommendations with the Board of Supervisors for certain actions thereon; and

WHEREAS, it is necessary to fix a date of meeting of the Board at which it is proposed to take action to enter into the new Fringe Area Policy Agreement with the Cities of Swisher and Cedar Rapids, and to give notice thereof;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Board shall meet on **January 25, 2024 at 9:00 a.m. CT** in Room 203 C, Johnson County Health and Human Services Building, 855 South Dubuque Street, Iowa City, Iowa, at which time and place a hearing will be held and action may be taken to enter into the proposed fringe area policy agreement between Johnson County and the cities of Swisher and Cedar Rapids; and
2. The Johnson County Auditor is hereby directed to publish the official notice of the hearing no less than four (4) and no more than twenty (20) days prior to the same.

It was moved by Fixmer-Oraiz and seconded by Porter the Resolution be adopted this 11th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
January 11, 2024

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

RESOLUTION NO. 01-18-24-01

RESOLUTION SETTING A PUBLIC HEARING ON VARIOUS DEVELOPMENT APPLICATIONS

WHEREAS the Johnson County Planning and Zoning Commission, following a public hearing on January 8, 2024, 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 February 8, 2024, at 5:30 p.m. CT in Room 203 B/C, Johnson County Health & Human Services Building, 855 South Dubuque Street, Iowa City, Iowa, on the following applications:
 - a. Zoning applications filed by Rudy L & Shannon L Velky (PZC-23-28462), and Hugh Everett Weis Estate, as signed by Kasey Brecht (PZC-23-28463).
2. That the Johnson County Auditor be authorized to publish the official notice of the above public hearing.

It was moved by Fixmer-Oraiz and seconded by Green-Douglass the Resolution be adopted this 18th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
1/18/24

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

RESOLUTION NO. 01-18-24-02

RESOLUTION DESIGNATING THE 2024 OFFICIAL COUNTY NEWSPAPERS

WHEREAS, pursuant to Iowa Code §349.3, Johnson County shall select three newspapers to publish the official proceedings for the ensuing year; and

WHEREAS, only newspapers that meet all of the requirements of Iowa Code §618.3 shall be designated for official publication purposes.

NOW, THEREFORE BE IT RESOLVED that Johnson County, Iowa selects and designates the following three newspapers as the Official County Newspapers for calendar year 2024, subject to meeting all requirements as stated in Iowa Code §618.3:

1. Iowa City Press Citizen
2. Solon Economist
3. The Kalona News

It was moved by Green and seconded by Green-Douglass the Resolution be adopted this 18th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
1/18/24

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

RESOLUTION NO. 01-18-24-03

**RESOLUTION AWARDING PROJECT #BRS-C052(128)--60-52 BRIDGE
REPLACEMENT - PPCB**

WHEREAS, the Board of Supervisors, hereafter referred to as “the Board”, believes Project #BRS-C052(128)--60-52 Bridge Replacement - PPCB, hereafter referred to as “the project” is in the best interest of Johnson County, Iowa, and the residents thereof. The project is defined as removal of Johnson County structure #C-21-5, an existing twin span 110'x22' steel stringer bridge, replacement with a 110'x30' single span PPCB bridge, and required approach grading; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Johnson County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Taylor Construction, Inc. in the amount of \$970,101.60 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Johnson County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor’s bond and certificate of insurance, Greg Parker, the County Engineer for Johnson County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

It was moved by Fixmer-Oraiz and seconded by Green-Douglass the Resolution be adopted this 18th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
1/18/24

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

RESOLUTION NO. 01-18-24-04
RESOLUTION APPROVING DEPUTY POSITIONS IN THE OFFICE OF THE JOHNSON
COUNTY ATTORNEY

WHEREAS Iowa Code section 331.323(2)(g) authorizes the Board of Supervisors to establish the number of deputies, assistants, and clerks for the offices of auditor, treasurer, recorder, sheriff, and county attorney; and

AND WHEREAS Iowa Code section 331.903(1) authorizes the County Attorney, with approval of the Board of Supervisors, to appoint one or more deputies;

AND WHEREAS the County Attorney desires to appoint a Criminal Deputy, Civil Deputy, and Juvenile Deputy within the County Attorney's Office;

AND WHEREAS it will benefit the county to have the above-listed deputies assist with the duties of the County Attorney;

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

1. Establishment of the positions of Criminal Deputy County Attorney, Civil Deputy County Attorney, and Juvenile Deputy County Attorney, all in the Johnson County Attorney's Office, is hereby approved; and
2. The County Attorney is authorized to appoint the above-described Deputy County Attorneys effective February 1, 2024; and
3. The County Attorney's appointments of (a) Jude T. Pannell to the position of Criminal Deputy County Attorney, (b) Ryan A. Maas to the position of Civil Deputy County Attorney, and (c) Emily A. Voss to the position of Juvenile Deputy County Attorney are hereby approved; and
4. The County Auditor is hereby authorized to process and disburse compensation as set by the County Attorney to said deputies.

On motion by Green-Douglass and seconded by Fixmer-Oraiz, passed and approved this 18th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
1/18/24

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

RESOLUTION NO. 01-25-24-01

**RESOLUTION APPROVING THE FRINGE AREA POLICY AGREEMENT BETWEEN
JOHNSON COUNTY, IOWA, THE CITY OF SWISHER, IOWA, AND THE CITY OF CEDAR
RAPIDS, IOWA**

WHEREAS, Chapter 28E of the Iowa Code (2023) 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 Cities 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, Johnson County, the City of Swisher, and the City of Cedar Rapids did enter into a 28E Agreement in August 2004 pertaining to the joint City / County Fringe Area; and

WHEREAS, it is in the interest of Johnson County, the City of Swisher, and the City of Cedar Rapids to update the applicable policies for orderly growth and development within the City / County Fringe Area and, accordingly, the staff of the County and the Cities have developed a draft new agreement to supersede and replace the August 2004 fringe area agreement; and

WHEREAS, the Johnson County Planning and Zoning Commission, following a public meeting on January 8, 2024, 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 January 25, 2024, 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, the City of Swisher, and the City of Cedar Rapids 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 January 25, 2024, 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 Green-Douglass and seconded by Green the Resolution be adopted this 25th day of January, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
January 25, 2024

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

RESOLUTION NO. 02-01-24-01

RESOLUTION FOR CEASEFIRE IN THE PALESTINIAN WEST BANK, GAZA, THE STATE OF ISRAEL, AND THE MIDDLE EAST

WHEREAS, we, the Johnson County Board of Supervisors recognize, celebrate, and defend the human rights of every person; and

WHEREAS, the Johnson County Board of Supervisors acknowledges the events in Israel and the Palestinian Occupied Territories, now spilling into the greater Middle East, since 7 October 2023 as well as prior to that date; and

WHEREAS, disbursements of United States foreign aid, a portion of which is funded by Johnson County residents' taxes, are governed by domestic and international law; and

WHEREAS, an immediate ceasefire, return of those unlawfully detained and recommitment to a political, not martial, solution is the only durable and feasible path out of the present crisis.

THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS THAT Johnson County calls for:

1. An immediate and permanent ceasefire in the Palestinian West Bank, Gaza, the State of Israel, and the Middle East, including but not limited to Hamas and Israel, and those regional militias and states that sponsor said militias; and
2. Express Congressional authorization of any military action in the region, including Babel-Mandeb (the Gate of Grief); and
3. Direct Congressional oversight of all military aid from the United States Government, especially the consistent application of humanitarian restrictions upon such aid; and,
4. The timely and safe return of all unlawfully detained by any party; and,
5. The immediate and unconditional provision of humanitarian aid to Palestinians in Gaza; and,
6. A multinational strategy for the rebuilding of Gaza and the safe return of all displaced Palestinians; and,
7. The protection of our First Amendment rights to protest, to criticize government, while affirming the criticism of the governments of Israel and Palestine is not inherently anti-Semitic or anti-Arab; and,
8. A commitment to fight antisemitism, Islamophobia, and bigotry toward Palestinians, Arabs, and Israelis in all forms.

BE IT FURTHER RESOLVED THAT the Auditor is authorized and directed to publish this resolution in the usual manner but also to cause a copy of this resolution to be delivered to:

1. Johnson County's delegation to the Iowa House and Iowa Senate;
2. The Speaker of the Iowa House of Representatives;
3. The President of the Iowa Senate;
4. Johnson County's U.S. Congressional Representative; and
5. Iowa's U.S. Senators; and
6. The Speaker of the House of Representatives; and
7. The President of the Senate; and
8. The President of the United States.

It was moved by Green-Douglass and seconded by Porter the Resolution be adopted this 1st day of February, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
February 1, 2024

/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 02-01-24-02

**RESOLUTION APPROVING THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT
OF RAPID CREEK ESTATES PART TWO, JOHNSON COUNTY, IOWA**

WHEREAS, the owner has filed application PZC-23-28355 for approval of the final plat of Rapid Creek Estates Part Two, Johnson County, Iowa; and

WHEREAS Planning, Development, and Sustainability staff have reviewed the application for conformance with the Unified Development Ordinance, and find the application appears to be in substantial conformance with the preliminary plat;

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
Owner's Certificate
Certificate of the Attorney
Certificate from County Auditor
Certificate of the Treasurer
Subdividers Agreement
Consent to Platting by Mortgage Holder
Access Easement Agreement
Conservation Easement Agreement
Resolution Affirming the Stability of the Road System

B. Subdivision Plat (5)

It was moved by Green and seconded by Green-Douglass the Resolution be adopted this 1st day of February, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
February 1, 2024

/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 02-08-24-01

**FY24 APPROPRIATION CHANGES TO SECONDARY ROADS (DEPT. 49) AND
AMERICAN RESCUE PLAN ACT (DEPT. 35)**

WHEREAS, the appropriations for the American Rescue Plan Act (ARPA) Department, are not sufficient to meet payments for impending expenditure obligations, and

WHEREAS, the Secondary Roads Department has available funds in its budget; and

WHEREAS, pursuant to section 331.434(6) of the Code of Iowa, a department appropriation may be decreased without a public hearing if the decrease is not more than the greater of \$5,000 or ten percent of the department's total budget; and

THEREFORE, BE IT RESOLVED by the Johnson County Board of Supervisors, that the American Rescue Plan Act (ARPA) (Dept. 35), Roads & Transportation Service Area, is herewith appropriated an additional \$50,000 and a total appropriation of \$50,000 for Fiscal Year 2023-2024. The appropriation for Secondary Roads (Dept. 49), Roads & Transportation Service Area, is decreased \$50,000 for a total appropriation of \$13,376,547 for fiscal year 2023-2024. The relevant county service area is Roads & Transportation, which remains unchanged.

It was moved by Green and seconded by Green-Douglass the Resolution be adopted this 8th day of February, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
February 8, 2024

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

RESOLUTION NO. 02-15-24-01

**RESOLUTION SUSPENDING COLLECTION OF THE 2024 PROPERTY TAXES FOR
JOHNSON COUNTY PARCEL NO. 1020129004, OWNED BY ALLAELDIN OSMAN**

WHEREAS: Iowa Code Section 427.9 provides for the suspension of taxes if a person presents evidence to the Board of Supervisors from the State Department of Human Services that shows the person's eligibility for tax suspension on parcels owned or possessed by them; and

WHEREAS: Allaeldin Osman has presented such evidence to the Board of Supervisors that they are eligible for suspension of taxes on Parcel No. 1020129004 pursuant to Iowa Code Section 427.9; and

WHEREAS: Johnson County has verified with the Iowa Department of Human Services that collection of the 2024 property taxes against property owned by Allaeldin Osman, located at 756 Westside Drive, Iowa City, Iowa and designated in the County records as Parcel No. 1020129004, in the amount of \$2,437.00, including interest, is to be suspended.

NOW THEREFORE BE IT RESOLVED by the Johnson County Board of Supervisors that:

1. The request for a suspension of the collection of taxes and interest on Parcel No. 1020129004 is hereby approved;
2. Collection of all property taxes assessed against Parcel No. 1020129004 remaining unpaid shall be suspended for such time as Allaeldin Osman remains the owner of said property and receives assistance as described in Iowa Code Section 427.9;
3. The County Treasurer is hereby directed to make entry on the records accordingly and suspend collection of the above-stated taxes, thereby establishing a lien on said property as required by law, with future collection to include statutory interest; and
4. That this resolution shall take effect immediately.

It was moved by Green and seconded by Green-Douglass, the Resolution be adopted this 15th day of February, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
February 15, 2024

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

RESOLUTION NO. 02-22-24-01

**RESOLUTION APPROVING THE FINAL PLAT AND
SUBDIVIDER'S AGREEMENT OF CHALHOUB THIRD SUBDIVISION,
JOHNSON COUNTY, IOWA**

WHEREAS, the owner has filed application PZC-22-28297 for approval of the final plat of Chalhoub Third Subdivision, Johnson County, Iowa; and

WHEREAS Planning, Development, and Sustainability staff have reviewed the application for conformance with the Unified Development Ordinance, and find the application appears to be in substantial conformance with the preliminary plat;

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

Letter from Shueyville Mayor
Owner's Certificate
Certificate of the Attorney
Certificate from County Auditor
Treasurer's Certificate
Subdividers Agreement
Mortgagee's Consent to Platting
Common Access Easement Agreement
Access and Drainage Easement Agreement
Agreement for Private Stormwater Maintenance
Articles of Incorporation
Restrictive Covenants
Bylaws
Resolution Affirming the Stability of the Road System

B. Subdivision Plat (5)

It was moved by Porter and seconded by Green, the Resolution be adopted this 22nd day of February, 2024.

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

ATTEST:

/s/ Rod Sullivan, Chairperson
Board of Supervisors

/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 02-22-24-02

**RESOLUTION SETTING A PUBLIC HEARING ON
VARIOUS DEVELOPMENT APPLICATIONS**

WHEREAS the Johnson County Planning and Zoning Commission, following a public hearing on February 12, 2024, 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 14, 2024, at 5:30 p.m. CT** in Room 203 B/C, Johnson County Health & Human Services Building, 855 South Dubuque Street, Iowa City, Iowa, on the following applications:
 - a. Zoning application filed by Andrew Boutte (PZC-23-28461).
 - b. Platting applications filed by Rudy L. & Shannon L. Velky (PZC-23-28464), John E. & Cynthia R. Scott (PZC-23-28448), and Scott Rohret (PZC-23-28351).
2. That the Johnson County Auditor be authorized to publish the official notice of the above public hearing.

It was moved by Fixmer-Oraiz and seconded by Green the Resolution be adopted this 22nd day of February, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors

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

RESOLUTION NO. 02-22-24-03

**FY24 APPROPRIATION CHANGES TO CENTRAL SERVICES (DEPT. 18)
AND INSURANCE (DEPT. 22)**

WHEREAS, the appropriations for the Insurance Department are not sufficient to meet payments for impending expenditure obligations, and

WHEREAS, the Central Services Department has available funds in its budget; and

WHEREAS, pursuant to section 331.434(6) of the Code of Iowa, a department appropriation may be decreased without a public hearing if the decrease is not more than \$5,000 or 10% of the department's total budget, whichever is greater; and

THEREFORE, BE IT RESOLVED by the Johnson County Board of Supervisors that Insurance (Department 22), Administration Service Area, is herewith appropriated an additional \$180,000 for a total appropriation of \$1,640,000 for fiscal year 2023-2024. The appropriation for Central Services (Department 18), Administration Service Area, is decreased \$180,000 for a total appropriation of \$1,699,951 for fiscal year 2023-2024. The relevant county service area is Administration, which remains unchanged.

It was moved by Green and seconded by Porter the Resolution be adopted this 22nd day of February, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors

ATTEST:

/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 02-22-24-04

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 22, 2024 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 Green and seconded by Porter the Resolution be adopted this 22nd day of February, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors

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

RESOLUTION NO. 02-29-24-01

**RESOLUTION AWARDDING PROJECT # FM-C052(125)--55-52
F46 / AMERICAN LEGION ROAD HMA RESURFACING WITH MILLING**

WHEREAS, the Board of Supervisors, hereafter referred to as “the Board”, believes Project # FM-C052(125)--55-52 - F46/ American Legion Road HMA Resurfacing with Milling, hereafter referred to as “the project” is in the best interest of Johnson County, Iowa, and the residents thereof. The project is defined as HMA Resurfacing and Milling on F46 (American Legion Road SE) from Taft Ave to HWY 6; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Johnson County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from L.L. Pelling Co., Inc. in the amount of \$4,935,872.44 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Johnson County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor’s bond and certificate of insurance, Greg Parker, the County Engineer for Johnson County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

It was moved by Green-Douglass and seconded by Fixmer-Oraiz the Resolution be adopted this 29th day of February, 2024.

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

/s/ Jon Green, Vice Chairperson
Board of Supervisors
February 29, 2024

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

RESOLUTION NO. 03-14-24-01

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

WHEREAS, the owner has filed application PZC-23-28464 for approval of the preliminary and final plat of Velky Lane, 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 Certification and Consent to Platting
Opinion of Attorney
Certificate of County Auditor
Certificate of the Treasurer
Subdivider's Agreement
Covenant for Fences
Grant of Easement for Public Highway
Grant of Access Easement
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

It was moved by Green-Douglass and seconded by Green the Resolution be adopted this 14th day of March, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
March 14, 2024

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

RESOLUTION NO. 03-14-24-02

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

WHEREAS, the owner has filed application PZC-23-28448 for approval of the preliminary and final plat of Scott Pond 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
City of Solon Resolution 23-47
Owner's Certification and Consent
Opinion of Attorney
Certificate of County Auditor
Certificate of the County Treasurer
County Subdivider Agreement
Covenant Concerning Fences
Right of Way Acquisition
Agreement RE: Additional Right-of-Way
Access Easement Agreement
Conservation Easement Agreement
Raze Agreement
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

It was moved by Green-Douglass and seconded by Fixmer-Oraiz the Resolution be adopted this 14th day of March, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
March 14, 2024

ATTEST:

/s/ Travis Weipert, Auditor
Johnson County, Iowa

RESOLUTION NO. 03-14-24-03

**RESOLUTION APPROVING THE PRELIMINARY PLAT OF
SCOTT ROHRETS ADDITION, JOHNSON COUNTY, IOWA**

WHEREAS, the applicant has filed application PZC-23-28351 for approval of a preliminary plat of Scott Rohrets Addition, 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-Douglass and seconded by Fixmer-Oraiz the Resolution be adopted this 14th day of March, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
March 14, 2024

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

RESOLUTION NO. 03-14-24-04

**RESOLUTION APPROVING THE SITE PLAN SUBMITTED BY SYLVAN SCHLABACH ON
BEHALF OF FARMERS HEN HOUSE LLC, FOR THE PROPERTY DESCRIBED AS LOT 2
FARMERS HENHOUSE THIRD SUBDIVISION**

WHEREAS, the owner has filed application PZC-24-28473 seeking site plan approval to build a cold storage facility on Lot 2 Farmers Henhouse Third Subdivision, located at 5196 Farmers Ave SW, Kalona; and

WHEREAS, the Johnson County Engineer and Johnson County Public Health Department have reviewed the proposed site plan and have no objections to approval of this site plan; and

WHEREAS, the Johnson County Engineer recommends that landscaping requirements be waived along 520th St SW and Farmers Ave SW as retrofitting landscaping could compromise site distance for the safety of turning movements, and

WHEREAS, the Zoning Administrator recommends that the applicant be allowed to landscape the use area rather than the property line on the east side of the structures to allow a portion of the property to remain in agricultural production, and

WHEREAS, the site plan conforms with the Johnson County Unified Development Ordinance, as amended;

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

1. That said Site Plan be approved, subject to the following conditions:
 - a. Prior to issuance of a Certificate of Occupancy for any structures associated with this Site Plan approval, the applicant widen and surface both Farmers Avenue SW and the northern internal drive as shown on the approved Site Plan.
 - b. Prior to issuance of a Certificate of Occupancy for any structures associated with this site plan approval, the underlying property (Lot 2 Farmers Hen House Subdivision) be rezoned to bring the use into compliance with current zoning regulations.
2. The Zoning Administrator is authorized to issue permits for this site in accordance with the standards set forth in the Johnson County Unified Development Ordinance.

It was moved by Green-Douglass and seconded by Green the Resolution be adopted this 14th day of March, 2024.

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

/s/ Rod Sullivan, Chairperson
Board of Supervisors
March 14, 2024

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