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, 2022 and January 31, 2023 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 Porter and seconded by Green-Douglass the Resolution be adopted this 3rd day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

ATTEST:

/s/Royceann Porter, Chairperson Board of Supervisors 01-03-2022 Date

RESOLUTION CONFIRMING SCHEDULE OF ZONING VIOLATION ABATEMENT ASSESSMENT

WHEREAS, on November 6, 2020, Johnson County, Iowa filed a county infraction citation for construction of an unpermitted structure on property located at 4398 Cosgove Road SW, Oxford, Johnson County, Iowa in violation of Chapter 8:6 of the Johnson County Unified Development Ordinance and §R105.1 of the International Residential Building Code; and

WHEREAS the property located at 4398 Cosgove Road SW, Oxford, Johnson County, Iowa is located in the unincorporated area of Johnson County and the property is owned by Mildred Roe Graham and Edward Charles Seydel; and

WHEREAS, on April 19, 2021 the Johnson County Magistrate Court ordered the property owners to obtain a building permit or remove the unpermitted structure by June 1, 2021; and

WHEREAS, on June 26, 2021 the Johnson County District Court upheld the ruling on appeal and ordered the property owners to obtain a building permit or remove the unpermitted structure by August 23, 2021; and

WHEREAS, both the Johnson County Magistrate Court and the Johnson County District Court ordered that if the property owners failed to obtain a building permit or remove the structure by a date certain that the County was authorized to abate or correct the violation and assess any costs for abatement against the property in the same manner as a property tax; and

WHEREAS, the Johnson County Planning, Development, and Sustainability (PDS) Department solicited multiple bids to perform the abatement and contracted with GLP Enterprises, Inc. to remove the unpermitted structure; and

WHEREAS, on September 16, 2021 the property owners had failed to obtain a building permit, PDS staff found that the unpermitted structure had not been removed, and the deadline imposed by the Court had passed; and

WHEREAS, on September 16, 2021 GLP Enterprises, Inc. performed the work necessary to abate and correct the violation and removed the unpermitted structure at a cost of \$6,500. The invoice from GLP Enterprises, Inc. was paid for said work on October 7, 2021; and

WHEREAS, Iowa Code §331.384 describes the process to assess the County's cost of abatement of the violation against the property for collection in the same manner as property tax; and

WHEREAS, following notice to the respective property owner and subsequent failure of the property owner to abate the violation as ordered by the Court, the County has expended public funds to abate the violation on the property; and

WHEREAS, the Planning, Development and Sustainability Department has filed with the Auditor the attached Johnson County Abatement Assessment Schedule showing the parcel where the violation was abated at public expense, a description of the lot to be assessed for such abatement, the value of the lot, and the amount to be assessed against the lot.

THEREFORE BE IT RESOLVED by the Board of Supervisors of Johnson County, Iowa;

The valuation of the lot described on the attached Johnson County Abatement Assessment Schedule (the Schedule) is hereby fixed at the amount shown for that lot in the "Property Value" column of the Schedule.

The Schedule is hereby adopted by this Board and declared to be final and received and filed as such.

The assessment against the lot as shown in the "Assessment Amount" column of the Schedule with respect to that lot is hereby confirmed and levied. The deficiency which may be subsequently assessed against each lot under Iowa Code §384.63 is hereby conditionally levied, subject to application of and compliance with Iowa Code §384.63, in the amount, if any, shown in the "Deficiency" column of the Schedule with respect to this lot.

Assessments less than five hundred dollars (\$500) shall be paid in full. Each assessment of five hundred dollars or more shall be divided into and is payable in ten (10) equal annual installments payable in accordance with Iowa Code \$384.65. Interest on all unpaid installments shall accrue and be payable, in accordance with Iowa Code \$384.65, at a rate of nine percent (9%) unless on the date of adoption of this Resolution a lower rate is in effect pursuant to Iowa Code \$\$74A.4 and 74A.6(2), in which event the lower rate shall apply.

The Assessment shown on the Schedule shall be payable by July 1, 2022. Installments into which an assessment is divided shall be payable July 1 of each year commencing in 2022.

The County Auditor as Clerk to this Board shall certify the Schedule of assessments to the Johnson County Treasurer for collection in the same manner as property taxes. The Auditor shall further cause notice of the Schedule to be published once each week for two consecutive weeks in a newspaper having general circulation in the County, the first such publication to be within fifteen (15) days of the adoption of this Resolution. The notice shall be in substantially the form attached to this Resolution as Exhibit A. On or before the second publication of the notice, the Auditor shall send by certified mail to the property owner whose property is subject to assessment for the abatement, as shown by the records in the office of the Auditor, a copy of the notice setting forth the information required by Iowa Code §384.60(2).

Payments received by the Treasurer shall be credited to the County's PDS fund, from which the abatement costs were originally appropriated.

It was moved by Green-Douglass and seconded by Sullivan the Resolution be adopted this 6th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

ATTEST:

/s/Royceann Porter, Chairperson Board of Supervisors 01/06/2022 Date

PUBLIC NOTICE OF FILING OF JOHNSON COUNTY ABATEMENT ASSESSMENT SCHEDULE EXHIBIT A

TO: THE OWNERS AND OTHER PERSONS HAVING AN INTEREST IN THE REAL ESTATE SITUATED IN JOHNSON COUNTY, IOWA, DESCRIBED ON THE SCHEDULE SET OUT BELOW

Parcel	Legal Description	Property	Township	Abatement	Property	Assessment	Owner Names
number		Address		Date	Value	Amount	
1225352003	Commencing at the Southwest corner of Section 25, Township 79 North, Range 8 West of the 5 th P.M., thence East along the South line of said Southwest Quarter 880 feet, thence Northwesterly to a point on the West line of said Southwest Quarter 615 feet North of the point of beginning, thence South along the West line of said Southwest Quarter 615 feet to the place of beginning.	4398 Cosgrove Road SW, Oxford, IA 52322	Hardin – Clear Creek	09-16-2021	\$96,000	\$6,500	Mildred Roe Graham Edward Seydel

You are hereby notified that the schedule of assessments against said properties for Johnson County zoning violation abatement, the Johnson County Abatement Assessment Schedule, has been adopted and the assessments shown thereon levied by the Johnson County Board of Supervisors and said Schedule has been certified to the Johnson County Treasurer. The amount of each assessment is set forth opposite the property description on the Schedule.

Assessments may be paid in full or in part without interest within thirty (30) days after the date of the first publication of this notice of the final assessment schedule. Thereafter all unpaid special assessments bear interest at the rate of nine percent (9%) per annum commencing February 10, 2022 computed to December 1 next following the due date of the respective installments as provided in Iowa Code §384.65(3). Assessments of less than \$500 are payable in full in one installment. Assessments of \$500 or more are payable in up to ten annual installments. Installments are payable on July 1 of each year commencing with 2022, and each installment will be delinquent from October 1 following its due date, however when the last day of September is a Saturday or Sunday, that amount shall be delinquent from the second Johnson County business day of October. Delinquent installments will draw the same delinquent interest as ordinary taxes. Property owners may elect to pay any installment semi-annually in advance. Assessments are payable at the office of the Johnson County Treasurer, 913 South Dubuque Street, Iowa City, Iowa 52240. The last day to pay assessments without interest is February 10, 2022.

A person having an interest in property subject to special assessment may, within twenty (20) days after the adoption of a resolution of necessity, test the regularity of proceedings or legality of the assessment procedure by a petition in equity filed in the district court of the county where the property is located. A person having an interest in any property specially assessed may appeal from the amount of the assessment, at any stage of the special assessment procedure up to twenty (20) days after the final publication of notice of filing of the final assessment schedule, by petition to the district court of the county where the property is located. No action shall be brought appealing the amount of any special

assessment from and after twenty (20) days after said final publication. Additional information regarding appeals may be found in Iowa Code §384.66.

By the Order of the Johnson County Board of Supervisors /s/Travis Weipert, Auditor, Johnson County $\underline{1/6/22}$

Date

RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVIDER'S AGREEMENT OF COUNTY LINE GARDEN JOHNSON COUNTY, IOWA

WHEREAS, the owner has filed application PZC-21-28110 for approval of the preliminary and final plat of County Line Garden 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 and Subdivider's Agreement.
- 3. This Resolution requires the recording of the following documents:

A. Resolution & Documents:

Owner's Certificate
Subdividers Agreement
Opinion of the Attorney
Certificate of the County Auditor
Certificate of the Treasurer
Covenant for Fences
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 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

ATTEST:

/s/Royceann Porter, Chairperson Board of Supervisors 01/13/2022 Date

RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVIDER'S AGREEMENT OF WILFORDS SIXTH ADDITION JOHNSON COUNTY, IOWA

WHEREAS, the owner has filed application PZC-21-28131 for approval of the preliminary and final plat of Wilfords Sixth 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 and Subdivider's Agreement.
- 3. This Resolution requires the recording of the following documents:

A. Resolution & Documents:

Sensitive Areas Exhibit
Owner's Certificate
Subdividers Agreement
Opinion of the Attorney
Certificate of the County Auditor
Certificate of the Treasurer
Shueyville City Council Approval
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

It was moved by Heiden and seconded by Green-Douglass the Resolution be adopted this 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

ATTEST:

/s/Royceann Porter, Chairperson Board of Supervisors 01/13/2022 Date

RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVIDER'S AGREEMENT OF INTENSITY DRIVE JOHNSON COUNTY, IOWA

WHEREAS, the owner has filed application PZC-21-28133 for approval of the preliminary and final plat of Intensity Drive 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 and Subdivider's Agreement.
- 3. This Resolution requires the recording of the following documents:

A. Resolution & Documents:

Sensitive Areas Exhibit
Owner's Certificate
Subdividers Agreement
Opinion of the Attorney
Certificate of the County Auditor
Certificate of the Treasurer
Consent of Mortgagee
City of Coralville Resolution No. 2021-201
Articles of Incorporation
Bylaws of Intensity Drive Homeowners Association, Inc.
Declaration of Common Access Road Easement and Septic Easement
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

It was moved by Heiden and seconded by Green-Douglass the Resolution be adopted this 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

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

RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVIDER'S AGREEMENT OF HALF MOON CORNER SUBDIVISION JOHNSON COUNTY, IOWA

WHEREAS, the owner has filed application PZC-21-28147 for approval of the preliminary and final plat of Half Moon Corner 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 and Subdivider's Agreement.
- 3. This Resolution requires the recording of the following documents:

A. Resolution & Documents:

Owner's Certificate
Subdividers Agreement
Opinion of the Attorney
Certificate of the County Auditor
Certificate of the Treasurer
Consent of Mortgagee
Fence Agreement
Resolution Affirming the Stability of the Current Road System

B. Subdivision Plat (5)

Date

It was moved by Green-Douglass and seconded by Green the Resolution be adopted this 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

ATTEST:
/s/Royceann Porter, Chairperson /s/Travis Weipert, Auditor
Board of Supervisors Johnson County, Iowa
01/13/2022

RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVIDER'S AGREEMENT OF FRANK PLACE JOHNSON COUNTY, IOWA

WHEREAS, the owner has filed application PZC-21-28150 for approval of the preliminary and final plat of Frank Place 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 and Subdivider's Agreement.
- 3. This Resolution requires the recording of the following documents:

A. Resolution & Documents:

Owner's Certificate
Subdividers Agreement
Opinion of the Attorney
Certificate of the County Auditor
Certificate of the Treasurer
Grant of Access Easement
Covenant for Fences
Grant of Easement for Public Highway
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 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

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

RESOLUTION APPROVING APPLICATION <u>UR-21-30592</u> FOR URBAN REVITALIZATION TAX EXEMPTION FOR PROPERTY WITHIN THE NAPLES AVENUE URBAN REVITALIZATION DISTRICT

WHEREAS, Chapter 404, Code of Iowa provides for partial exemption from property tax for the actual value added by improvements to property located in a designated Urban Revitalization Area which are consistent with the Urban Revitalization Plan for such area; and

WHEREAS, the Board of Supervisors of Johnson County, Iowa adopted the Naples Avenue Area Urban Revitalization Plan via Resolution 12-21-21-02 and established the Naples Avenue Area Urban Revitalization District via Ordinance 12-22-21-02; and

WHEREAS, Rantizo, Inc. has filed application UR-21-30592 for Urban Revitalization Tax Exemption for improvements made at property legally described as Lot 3 of Scott's Second Addition ("Application UR-21-30592"), which is wholly within the Naples Avenue Area Urban Revitalization District; and

WHEREAS, the applicant received prior approval of eligibility for a tax exemption from the Board of Supervisors of Johnson County, Iowa via resolution 3-18-21-02 where it was resolved to approve the local match policy requirement of the Iowa Economic Development Authority and approve a local match utilizing a 100% tax abatement on the increase in assessed value over a 3-year period; and

WHEREAS, the application and all improvements are consistent with Chapter 404, Code of Iowa, the Naples Avenue Urban Revitalization Plan and all applicable county codes and ordinances; and

WHEREAS, Application UR-21-30592 has been received, reviewed and recommended for approval by the Planning, Development, and Sustainability Department and the County Assessor's Office.

NOW, THEREFORE, BE IT RESOLVED By the Board of Supervisors of Johnson County, Iowa that Application UR-21-30592 is found to be in compliance with the purpose and intent of Chapter 404 of the Code of Iowa and the Naples Avenue Urban Revitalization Plan; and

BE IT FURTHER RESOLVED that the tax exemption of one hundred percent (100%) of that portion of actual value added by the improvements described in Application UR-21-30592, as determined by the County Assessor, is hereby approved for a period of three (3) years, provided such improvements actually made increase the assessed valuation of the qualified real estate by at least fifteen percent (15%).

It was moved by Heiden and seconded by Green-Douglass the Resolution be adopted this 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

ATTEST:

/s/Travis Weipert, Auditor Johnson County, Iowa

RESOLUTION APPROVING THE 2022 JOHNSON COUNTY, IOWA, ECONOMIC DEVELOPMENT PLAN: OPPORTUNITIES FOR THE UNINCORPORATED AREA, VILLAGES AND SMALLER TOWNS

WHEREAS Johnson County must take an innovative approach to equitable rural economic development and resilient communities by empowering them to identify, build, and leverage assets for economic advancement; and,

WHEREAS the COVID-19 pandemic and ensuing economic crisis, which started in 2020, exposed vulnerabilities and renewed the imperative to invest in rural communities; and,

WHEREAS Johnson County is committed to equitable economic development, which promotes the belief that all communities have the right to exist in a pollution-free, inclusive, and just economic environment that is free from persistent and systemic discrimination; and,

WHEREAS a goal of the Johnson County 2018 Comprehensive Plan was to adopt an economic development plan; and,

WHEREAS, the Board of Supervisors' Strategic Plan includes several economic development goals; and,

WHEREAS the Johnson County Planning, Development, and Sustainability Department, at the direction of the Board of Supervisors and in consultation with The Bill Menner Group and the Economic Development Committee, has prepared the 2022 Johnson County, Iowa Economic Development Plan: Opportunities for the Unincorporated Area, Villages and Smaller Towns; and,

WHEREAS the proposed plan lists recommendations and potential steps the County can take to expand business and employment opportunities, diversify the tax base and improve quality of life in Johnson County; and,

WHEREAS Johnson County, amongst several other efforts to solicit stakeholder input on the plan, hosted 31 different stakeholder entities during the Johnson County Rural Economic Development Stakeholder Meeting on July 13, 2021; and,

WHEREAS the Johnson County Planning and Zoning Commission, the Food Policy Council, and the Economic Development Committee have recommended approval of said plan; and,

WHEREAS, after careful consideration during a public hearing, the Johnson County Board of Supervisors finds that it is necessary to adopt the 2022 Johnson County, Iowa Economic Development Plan: Opportunities for the Unincorporated Area, Villages and Smaller Towns.

NOW, THEREFORE, BE IT RESOLVED by the Johnson County Board of Supervisors that the Board of Supervisors hereby adopts the 2022 Johnson County, Iowa Economic Development Plan: Opportunities for the Unincorporated Area, Villages and Smaller Towns.

It was moved by Heiden and seconded by Green-Douglass the Resolution be adopted this 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

ATTEST:

/s/Travis Weipert, Auditor Johnson County, Iowa

RESOLUTION NO. 01-13-22-08 RESOLUTION TO REQUIRE ALL VISITORS AND EMPLOYEES TO WEAR A FACE COVERING WHEN INSIDE COUNTY BUILDINGS

WHEREAS the Johnson County Board of Supervisors passed Resolution 08-12-21-01 on August 12, 2021 requiring the wearing of face coverings while inside county buildings regardless of vaccination status; and

WHEREAS the Johnson County Board of Supervisors passed Resolution 10-14-21-04 on October 14, 2021 extending the requirement to wear face coverings while inside county buildings regardless of vaccination status; and

WHEREAS the Johnson County Board of Supervisors approved the Vaccination, Testing and Face Covering policy on December 2, 2021 in compliance with the federal Occupational Health and Safety Administration Emergency Temporary Standards promulgated November 3, 2021; and

WHEREAS the Johnson County Public Health Department continues to recommend the wearing of face coverings when in any indoor public setting regardless of COVID-19 vaccination status; and

WHEREAS Johnson County was designated as high transmission by the CDC as of August 9, 2021 and remains at high transmission as of January 13, 2022; now

THEREFORE BE IT RESOLVED the Johnson County Board of Supervisors requires:

- (1) Visitors to Johnson County buildings to wear a face covering that covers both their nose and mouth completely while inside county buildings regardless of COVID-19 vaccination status; and
- (2) Fully vaccinated Johnson County employees are required to wear a face covering that covers both their nose and mouth completely while inside county buildings unless at their desk and socially distanced from others; and
- (3) Johnson County employees that are not fully vaccinated are required to wear a face covering at all times including: when inside county buildings and any other indoor location for work purposes unless teleworking from the employee's home, and when occupying a vehicle with another person for work purposes. Limited exceptions are when the employee is alone in a room with floor to ceiling walls and a closed door; when the employee is eating or drinking; for identification purposes in compliance with safety and security requirements; or if the employee is wearing a respirator or other facemask.

This requirement shall expire May 15, 2022, unless extended, shortened or modified.

It was moved by Heiden and seconded by Green-Douglass the Resolution be adopted this 13th day of January, 2022.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye ATTEST:

/s/Royceann Porter, Chairperson Board of Supervisors 01/13/2022 Date