

## 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](http://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

**ATTEST:**

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

/s/ Travis Weipert, Auditor  
Johnson County, Iowa