

**THE JOHNSON COUNTY BOARD OF SUPERVISORS  
FORMAL MEETING MINUTES  
JUNE 14, 2018**

Chairperson Carberry called the Johnson County Board of Supervisors to order in the Johnson County Administration Building at 5:30 p.m. Members present: Mike Carberry, Kurt Friese, Lisa Green-Douglass, and Rod Sullivan; Absent: Janelle Rettig.

Unless otherwise noted, all actions were taken by the following vote: Aye: Carberry, Friese, Green-Douglass, Sullivan; absent: Rettig.

**PROCLAMATION NO. 06-14-18-01  
JUNETEENTH WEEK  
JUNE 18 - 23, 2018**

Whereas, independence from the colonial rule of Great Britain came in the year 1776, following a Revolutionary War; and

Whereas, even after independence was won, the people brought from Africa to this country were still forced to remain in legalized human slavery; and

Whereas, President Abraham Lincoln issued the Emancipation Proclamation on September 22, 1862, but it had little effect on most slaves until after the Civil War. On June 18, 1865, federal troops arrived in Galveston, Texas, to take possession of the state and enforce the emancipation of its slaves. The following day, General Gordon Granger publicly read the Emancipation Proclamation in Galveston; and

Whereas, “Juneteenth” celebrations began in Texas the following year and have been celebrated ever since to commemorate the national freeing of enslaved people; and

Whereas, the Johnson County Community Juneteenth Committee is hosting a family fun day on Saturday, June 23, at Mercer Park in Iowa City. From noon to 5 p.m., there will be music and live entertainment, outdoor activities for children, historical displays, and a health and vendor fair. At 12:15, there will be award presentations for the Iowa City Human Rights Commissions’ Youth Essay and Art Contest; and

Whereas, the Juneteenth Community Committee will also honor community heroes who stand up for civil rights and promote positive change with the Juneteenth Trailblazer Awards. The awards event will be held on Friday, June 22, from 6:30 to 9:30 p.m., at the Radisson Inn and Conference Center in Coralville.

Now, Therefore, be it resolved that we, the Johnson County Board of Supervisors, do hereby proclaim the week of June 18-23, 2018, to be: JUNETEENTH WEEK in Johnson County, Iowa, and urge all citizens to recognize this time by becoming aware of the history of emancipation, which affects the liberties of ALL people of color, and by participating

in Juneteenth celebrations and activities. Residents can learn about area activities at [icjuneteenth.wordpress.com](http://icjuneteenth.wordpress.com).

**Motion** by Friese, second by Green-Douglass, to approve Proclamation 06-14-18-01. Community Projects Specialist LaTasha DeLoach spoke and accepted the proclamation.

**Motion** by Green-Douglass, second by Sullivan, to approve the claims on the Auditor's Claim Register as approved by a majority of the Supervisors.

**Motion** by Friese, second by Sullivan, to approve the minutes of the formal meeting of June 7, 2018.

**Motion** by Green-Douglass, second by Friese, to approve the payroll authorizations submitted by department heads, as approved by a majority of the Supervisors.

**Motion** by Green-Douglass, second by Sullivan, to approve the application submitted by Brandon Rudkin for a new Class C Liquor License, Application for Outdoor Service Area, and Application for Sunday Sales Privilege, for Windham Bar and Grill, Oxford, contingent upon the final sales contract.

**Motion** by Sullivan, second by Green-Douglass, to receive and place on file the Recorder's Report of Fees Collected for the month of May, 2018, in the amount of \$265,803.29, as submitted by County Recorder Kim Painter.

**Convened Public Hearing on Rezoning Application PZC-18-27620** of Mary Ann Carter, requesting rezoning of 0.33 acres from A-Agricultural to R-Residential for a certain property described as a portion of Lots 1 and 2 of Sara Hope Subdivision, and is located in the SW 1/4 of the NE 1/4 of Section 16, Township 80 North, Range 8 West of the 5th P.M. in Johnson County, Iowa. The property is located on the west side of Upper Old Highway 6 Road NW approximately 500 feet north of its intersection with Highway 6 NW, in Oxford Township at 5:46 p.m.

Assistant Planning, Development, and Sustainability Director Nate Mueller presented the application. Scott Ritter of Hart-Frederick Consultants P.C. was present to answer questions. **Closed Public Hearing** at 5:49 p.m.

**Motion** by Sullivan, second by Green-Douglass, to waive the requirement of three considerations before approving an ordinance amending the Johnson County Unified Development Ordinance, Zoning Application PZC-18-27620. Roll call: Carberry, Friese, Green-Douglass, Sullivan; absent: Rettig.

**Motion** by Sullivan, second by Green-Douglass, to approve Zoning Application PZC-18-27620 on first and second consideration. Roll call: Carberry, Friese, Green-Douglass, Sullivan; absent: Rettig.

**Convened Public Hearing on Rezoning Application PZC-18-27621** of Cory Hodapp, requesting rezoning of 11.78 acres from A-Agricultural to R-Residential for a certain property described as being located in the NW 1/4 of the NW 1/4 of Section 18, Township 80 North, Range 5 West of the 5th P.M. in Johnson County, Iowa. The property is located in the northwest quadrant of the intersection between Newport Road NE and Quincy Road NE, in Newport Township at 5:50 p.m.

Mueller presented the application. Sandy Steil of MMS Consultants, Inc, said the client requested the application be deferred. Sullivan asked what the plan is for the property, and in particular, the ravine. Steil replied.

**Motion** by Green-Douglass, second by Sullivan, to continue the Public Hearing and defer consideration of Application PZC-18-27621 of Cory Hodapp to June 21, 2018 at 9:00 a.m. in the Administration Building Boardroom. Roll call: Carberry, Friese, Green-Douglass, Sullivan; absent: Rettig.

**Convened Public Hearing on Subdivision Application PZC-18-27613** of Dan Cross, requesting preliminary and final plat approval of Cross Ranch Subdivision, a resubdivision of Lot 1 of Cross Ranch, and is located in the NW 1/4 of the SE 1/4 of Section 15, Township 81 North, Range 7 West of the 5th P.M. in Johnson County, Iowa. The property is located on the south side of Curtis Bridge Road NE approximately 500 feet southwest of its intersection with Ridge Top Drive NE, in Jefferson Township at 5:58 p.m.

Mueller presented the application. Mark Stein of MMS Consultants, Inc, was present to answer questions. **Closed Public Hearing** at 6:02 p.m.

**RESOLUTION NO. 06-14-18-01**  
**RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND**  
**SUBDIVIDER'S AGREEMENT OF CROSS RANCH SECOND SUBDIVISION**  
**JOHNSON COUNTY, IOWA**

Whereas, the owner has filed application PZC-18-27613 for approval of the preliminary and final plat of Cross Ranch Second 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, Opinion of Attorney, Certificate of County Auditor, Consent of Mortgagee (UICCU), Consent of Mortgagee (US Bank), Certificate of the Treasurer, Subdivider's Agreement, Easement for Public Highway, City of Shueyville

Resolution No. 2018-06, Resolution Affirming the Stability of the Current Road System; B. Subdivision Plat (5); C. Acquisition Plat (5).

**Motion** by Friese, second by Green-Douglass, to approve Resolution 06-14-18-01.

**Convened Public Hearing on Subdivision Application PZC-18-27623** of Dale Rhodes, requesting preliminary and final plat approval of Jesse Barn Subdivision, a farmstead split described as being located in the NE 1/4 of the NW 1/4 of Section 35, Township 78 North, Range 7 West of the 5th P.M. in Johnson County, Iowa. The property is located on the north side of 560th Street SW approximately 1,700 feet west of its intersection with Lackender Ave SW, in Sharon Township at 6:02 p.m.

Mueller presented the application. Scott Ritter of Hart-Frederick Consultants P.C., was present to answer questions. **Closed Public Hearing** at 6:06 p.m.

**RESOLUTION NO. 06-14-18-02**  
**RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND**  
**SUBDIVIDER'S AGREEMENT OF JESSE BARN SUBDIVISION**  
**JOHNSON COUNTY, IOWA**

Whereas, the owner has filed application PZC-18-27623 for approval of the preliminary and final plat of Jesse Barn 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, Opinion of Attorney, Certificate of County Auditor, Certificate of the Treasurer, Subdivider's Agreement, Covenant for Fences, Resolution Affirming the Stability of the Current Road System; B. Subdivision Plat (5).

**Motion** by Sullivan, second by Friese, to approve Resolution 06-14-18-02.

**Convened Public Hearing on Subdivision Application PZC-18-27625** of Richard Dvorsky, requesting preliminary and final plat approval of Windmill Downs Addition, a farmstead split described as being located in the SW 1/4 of the NW 1/4 of Section 19, Township 80 North, Range 5 West of the 5th P.M. in Johnson County, Iowa. The property is located on the west side of Highway 1 NE approximately 550 feet north of its intersection with Dingleberry Road NE, in Newport Township at 6:07 p.m.

Mueller presented the application. Mark Stein of MMS Consultants, Inc, was present to answer questions. **Closed Public Hearing** at 6:09 p.m.

**RESOLUTION NO. 06-14-18-03**  
**RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND**  
**SUBDIVIDER'S AGREEMENT OF WINDMILL DOWNS ADDITION**  
**JOHNSON COUNTY, IOWA**

Whereas, the owner has filed application PZC-18-27625 for approval of the preliminary and final plat of Windmill Downs 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: Owner's Certificate, Opinion of Attorney, Certificate of County Auditor, Certificate of the Treasurer, Subdivider's Agreement, Fence Agreement, Resolution Affirming the Stability of the Current Road System;
  - B. Subdivision Plat (5).

**Motion** by Sullivan, second by Green-Douglass, to approve Resolution 06-14-18-03.

**RESOLUTION NO. 06-14-18-04**

Whereas the Johnson County Planning and Zoning Commission, following a public hearing on June 11, 2018 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 July 12, 2018 at 5:30 p.m. in the Board Room, Johnson County Administration Building, 913 South Dubuque Street, Iowa City, Iowa, on the following zoning applications: Todd Hahn II (PZC-18-27631); and on the following subdivision applications: Corie Williams (PZC-18-27624), Dennis D. Swenka (PZC-18-27632).
2. That the Johnson County Auditor be authorized to publish the official notice of above public hearing.

**Motion** by Sullivan, second by Green-Douglass, to approve Resolution 06-14-18-04.

**Motion** by Green-Douglass, second by Sullivan, to approve the contracts with the following persons for the purpose of acquiring permanent Right-of-Way and/or temporary construction easements, all for Rehabilitation of Johnson County Bridge #I-29-2, over a tributary to Rapid Creek on Rapid Creek Road, and known as Project number LFM-I-29-2--7X-52:

1. Elaine Cook and Noel Cook for \$6,626.00;
2. Andrew T. O'Neill and Marsha E. O'Neill for \$11,972.00;
3. Clyde B. Guillaume, Mary Beth Guillaume, and Cory Bringle for \$100.00;
4. David G. Hahn and Patricia E. Hahn for \$1,062.00;
5. Bonnie M. Orgren for \$100.00; and,
6. Leroy Mullinnix for \$1,322.00.

**Motion** by Sullivan, second by Friese, to set a bid letting date of July 10, 2018 at 10:00 a.m. for Rehabilitation of Johnson County Bridge #I-29-2, over a tributary to Rapid Creek on Rapid Creek Road, in Section 29, Township 80 North, Range 5 West and known as Project number LFM-I-29-2--7X-52, and authorize the Auditor to publish the Notice to Bidders.

**Motion** by Friese, second by Green-Douglass, to approve the 28E Agreement with Iowa County for Engineering Design, Construction Management and Construction Costs associated with bridge replacement of structure FHWA No. 203690 (P-7-1) on Johnson Iowa Road.

**RESOLUTION NO. 06-14-18-05**  
**JOHNSON COUNTY'S INCLUSIVE HIRING PRACTICES**  
**CONCERNING PEOPLE WITH A PRIOR CRIMINAL CONVICTION**

Whereas, a criminal record may be a barrier to employment for a person with a prior criminal conviction; and

Whereas, many employment applications screen out people with prior convictions without providing an opportunity for the applicant to explain the circumstances or severity of the offense; and

Whereas, the lack of employment for a person with a prior criminal conviction creates a significant barrier to a successful return to the community and has a major influence on the person's likelihood to reoffend; and

Whereas, the Johnson County Board of Supervisors is committed to both public safety and economic opportunity; and

Whereas, the Johnson County Board of Supervisors recognizes the need to recruit qualified applicants; and

Whereas, the Johnson County Board of Supervisors believes that people with a criminal history should not be deterred from applying for employment and welcomes everyone to pursue employment opportunities with Johnson County; and

Whereas, the Johnson County Board of Supervisors believes that people who have successfully completed their sentence deserve a second chance and an opportunity for successful community reintegration; and

Whereas, the Johnson County Board of Supervisors believes treatment and rehabilitation are effective, and that a past offense should not solely determine future employment opportunity; and

Whereas, removing barriers to employment results in improved economic opportunity, increased civic engagement, less reliance on public assistance programs, and a workforce with more diverse experiences and perspectives; and

Whereas, the Johnson County Board of Supervisors wishes to help otherwise qualified people with a prior criminal conviction by providing an opportunity to compete equally for Johnson County employment.

Be It Therefore Resolved by the Johnson County Board of Supervisors that Johnson County will demonstrate its commitment to equal employment opportunity for otherwise qualified individuals with a prior criminal conviction by:

- Eliminating the requirement to disclose past criminal history on the County's initial employment application, except for positions that require a full background check due to the nature of the work, such as working with vulnerable populations, performing safety-sensitive duties, working in secured facilities, working as a law enforcement officer, or funding source requirements.
- Requiring that an applicant be selected for an interview prior to being asked about a criminal record or initiating a required background check due to the nature of the work.
- Providing for individualized consideration of criminal history circumstances, where applicable.
- Encouraging the selection of applicants based upon job skills and qualifications, without consideration of past convictions, when possible.

**Motion** by Friese, second by Sullivan, to approve Resolution 06-14-18-05. The following persons spoke on the Resolution: Betty C. Andrews from the Iowa-Nebraska NAACP, and Letisha Molina, Michelle Heinz, Anthony Upchurch, and Dorothy Whiston, all with Inside Out Reentry.

**Motion** by Green-Douglass, second by Friese, to approve the job description for the new position of Custodian II.

**Motion** by Friese, second by Sullivan, to approve the Johnson County Fund Balance Policy.

**Motion** by Green-Douglass, second by Friese, to approve the Johnson County Capital Asset Capitalization and Threshold Policy.

**Motion** by Green-Douglass, second by Sullivan, to approve the Built to Suit Change Order Request for Ambulance and Medical Examiner Facility.

**Motion** by Sullivan, second by Green-Douglass, to approve an Application For Fireworks Permit for Thomas and Kathy Petsche, for display at 1604 Bramblewood Drive Northeast, Solon, on June 30, 2018, with a July 1, 2018 rain date.

**Motion** by Friese, second by Sullivan, to approve an Application For Fireworks Permit for Chris Handley and Larry Slocum, for display at 5430 Fairview Cemetery Road Northeast, West Branch, on July 3, 2018, with a July 4, 2018 rain date.

Adjourned to Informal Meeting at 6:52 p.m.

/s/Mike Carberry, Chair, Board of Supervisors

/s/Attest: Travis Weipert, Auditor

Recorded by Nancy Tomkovicz

These minutes were sent for formal approval and publication on June 21, 2018.