POLK COUNTY BOARD OF SUPERVISORS AGENDA

POLK COUNTY ADMINISTRATIVE OFFICE BUILDING

111 COURT AVENUE – ROOM 120

NOVEMBER 27, 2012 9:30 A.M.

1. Roll Call.
2. Action on the Minutes of the Previous Meeting(s).
3. Special Claims as submitted by the County Auditor, if any.
4. Action on the Bill List as submitted by the County Auditor.

PUBLIC HEARING

OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM
GRANT APPLICATION (DELAWARE TOWNSHIP)

5. Resolution approving Community Development/Housing Needs Assessment and receive comments for the Iowa Economic Development Authority Owner Occupied Housing Rehabilitation Program Grant Application.

PUBLIC HEARING

ZONING MAP AMENDMENT

6. Resolution approving Comprehensive Land Use Plan Map Amendment from Neighborhood Commercial Classification to the Light Industrial Classification for property at 5425 Lower Beaver Road (C. Dawson, G. McKnight & W. Bishop).

ORDINANCE
(FIRST READING)

7. Ordinance approving Zoning Map Amendment from Neighborhood Business District, with conditions to the Light Industrial District, with conditions (5425 Lower Beaver Road).

PETITIONS

*8. Petition to suspend taxes and special assessment and authorizing Chairperson to sign the Application and Affidavit for Redemption of Parcel for 1347-47th Street (S. Lindsay).

*9. Petition to suspend taxes and special assessment for 2120 SE 9th Street (K. Porter).

*10. Petitions suspending taxes and special assessments for the following (No Senior Credit):

V. Miller	2015 SE 5th Street
D. Tate	7105 Beechwood Dr, Urbandale
R. Wilson	1510 E. 13th Street
S. Wolff	917 Caulder Avenue

11. **PUBLIC COMMENTS**

RESOLUTIONS

12. Resolution accepting the 2012 Weed Commissioner's Report.

13. Resolution approving the minor final subdivision plat of Christoph Acres.

*14. Resolution approving Cooperative Public Service Agreement with the City of Polk City for maintenance of roadways.

*15. Resolution approving Cooperative Public Service Agreement with the City of Bondurant for resurfacing of NE 80th Street and NE 70th Avenue.

*16. Resolution authorizing Public Works to submit a 2017 Surface Transportation Program (STP) funding application to Des Moines Area MPO for proposed NE 46th Street Resurfacing Project.

*17. Resolution authorizing Public Works to submit a 2017 Surface Transportation Program (STP) funding application to Des Moines Area MPO for proposed NW 66th Avenue Reconstruction/ Kempton Bridge Replacement Project.

*18. Resolution authorizing the sale of surplus equipment to the Polk County Aviation Authority.

*19. Resolution approving contract with Washington University's St. Louis STD/HIV Prevention Training Center (clinical training for public health practitioners).

*20. Resolution requesting modification of FY 13 Local Public Health Services State Contract with the Iowa Department of Public Health.

21. Resolution approving MH/ID/DD service approvals and authorizing expenditures from the MH/ID/DD Services Fund.

*22. Resolution approving Polk County Annual Urban Renewal Report.

23. Resolution approving Supplemental Letter Agreement with Prairie Meadows Racetrack and Casino, Inc.

COMMUNICATIONS

24. Request for abatement of taxes for Iowa Heartland Resource Conservation & Development.

25. Extension of Conditional Notice pursuant to the Worker Adjustment and Retraining Notification Act (Hostess Brands, Inc).

BUDGET ACTIONS

26. Memorandum of Budget Actions.

APPOINTMENTS

27. Memorandum of Appointments.

ADJOURNMENT

** Asterisk denotes attachments to items are on file in the Auditor's Office*

The information identified on this agenda may be obtained in accessible formats by qualified persons with a disability. To receive information or to request an accommodation to participate in a meeting, hearing, service, program or activity conducted by this office, contact the Polk County Auditor's Office, Administrative Building, 111 Court Avenue, 286-3080.

Res. No. 180-12
November 27, 2012

R E S O L U T I O N

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, Polk County operates an Owner Occupied Housing Rehabilitation Program, which serves low-income families in the designated area of Delaware Township; and

WHEREAS, Polk County has received Community Development Block Grant funds from the Iowa Department of Economic Development (IDED) in 1996,1999, 2006 and 2009; and

WHEREAS, the County wishes to continue the program and expand the areas served in this neighborhood; and

WHEREAS, a Public Hearing has been held on the proposed application to receive public comments; and

WHEREAS, the County is ready to submit the application for Housing Funds for Fiscal Years 2013/2014 and 2014/2015 in the amount of $353,988 to Iowa Economic Development Authority (IEDA) to rehabilitate 12 homes over the next two years; and

WHEREAS, Polk County commits funds in the amount of $379,708 and have been awarded from the Polk County Housing Trust Fund an amount of $150,000 to supplement the proposed rehabilitation projects.

NOW, THEREFORE, BE IT RESOLVED THAT the Polk County Board of Supervisors approves the attached Community Development/Housing Needs Assessment and receives public comments for the Iowa Economic Development Authority (IEDA) Grant Application.

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

_____
Robert Rice, Director
Polk County Public Works

APPROVED AS TO FORM:

_____
Assistant County Attorney

Fiscal Impact: None

#5

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: **Public Hearing** Resolution No. 180-12 approves the Community Development/Housing Needs Assessment and to receive public comments for the Iowa Economic Development Authority (IEDA) Owner Occupied Housing Rehabilitation Program Grant Application

Agenda Date: November 27, 2012

Contact Individual: Bret VandeLune, Planning and Development Manager, Polk County Public Works, 286-2290

Previous Action taken by the Board: On November 13, 2012, Board set the public hearing and authorized publication of the notice.

Board/Commission Actions: N/A

Action Requested (Recommended): Approval

Comply with Policy: Yes

Background: Polk County operates an Owner Occupied Housing Rehabilitation Program, which serves low and moderate income families in designated areas of unincorporated Polk County. Polk County has received Community Development Block Grant funds from the Iowa Economic Development Authority (IEDA) formerly IDED in 1996, 1999, 2006 and 2009. The County is preparing a grant application for Housing Funds for Fiscal Years 2013/2014 and 2014/2015 in the amount of $353,988 to IEDA to rehabilitate 12 homes. The targeted area is located in Delaware Township (Norwoodville). For the 2013 IEDA grant cycle, Polk County commits funds in the amount of $379,708 and have been awarded from the Polk County Housing Trust fund in the amount of $150,000 to supplement the proposed rehabilitation projects. All local and grant funds will serve only low and moderate income families. Due to rehabilitation of existing owner occupied homes there will not be any displacement of persons or businesses. The application will be submitted to the Board for approval on December 11, 2012. Attached is the Community Development/Housing Needs Assessment.

Action Impact: Approval of the resolution accepts the Community Development/ Housing Needs Assessment and receives public comments for IEDA grant application.

Fiscal Note: None

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
13/14	Y			Y		

Additional Fiscal Note Information (optional):

POLK COUNTY COMMUNITY DEVELOPMENT & HOUSING NEEDS ASSESSMENT

Community Development and Housing Needs of Low and Moderate Income (LMI) Persons

1. Housing Rehabilitation
2. Weatherization Services
3. Emergency Repairs
4. Remediation of Lead Hazards in homes
5. Remediation of Health Nuisance Violations

Other Community Development and Housing Needs

1. Property Maintenance/Clean-up
2. Continued Road and Ditch maintenance
3. On-going sewer improvements
4. Concerns with local volunteer fire department

Planned or Potential Activities to Address Housing and Community Needs

1. Owner Occupied Rehabilitation Program through IEDA
2. Referrals to Polk County Weatherization Program
3. Referrals to Polk County Emergency Repair Program.
4. Referrals to Metropolitan Partnership on Lead Safe Housing
5. Continued Enforcement of Health Nuisance Regulations
6. Planned Local meeting with Township Trusties, Fire Department and residents to discuss issues and possible resolutions.

This assessment was presented and approved at a Polk County Public Hearing on November 27, 2012. The Community Needs Assessment is based on the Polk County Housing Consortium Affordable Housing Report and Community Assessment. An informational citizen meetings was held in Delaware Township on November 1, 2012 for all property owners located in the targeted area.

Res. No. 179-12
November 27, 2012

RESOLUTION

Moved by_____, Seconded by _____that the following resolutions be adopted:

WHEREAS, the Polk County Board of Supervisors adopted the Polk County 2030 Comprehensive Plan on May 9, 2006; and

WHEREAS, a Polk County 2030 Polk Comprehensive Land Use Plan Map Amendment was initiated by Christopher L. Dawson and Gary C. McKnight, 732 SE Shurfine Drive, Ankeny, IA, and William W. Bishop (property owner), 5430 Lower Beaver Road, Des Moines IA, to reclassify the subject property located at 5425 Lower Beaver Road, Webster Township; and

WHEREAS, the Polk County Zoning Commission met on October 22, 2012 at the meeting room of the Polk County Public Works Department, Planning Division, 5885 NE 14th St, Des Moines, IA. and voted four (4) for, zero (0) against, with three (3) absent to recommend approval of the Polk County 2030 Comprehensive Plan Map Amendment from the Neighborhood Commercial Classification to the Light Industrial Classification for the above stated subject property.

NOW, THEREFORE, BE IT RESOLVED that an amendment to the Polk County 2030 Comprehensive Land Use Plan Map (Attachment A) to reclassify the following described property from the Neighborhood Commercial Classification to the Light Industrial Classification be approved.

The legal description of the subject property and rezoning area is as follows:

BEG ON N RR ROW 635.8F N & 640.28F NW OF SE COR THN WLY 594.7F NE 307.8F E 150F SE 220.3F S 260F TO POB SE 1/4 SW 1/4 SEC 17-79-24 - Webster Township

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

Robert Kiel
Bob Rice, Director
Polk County Public Works

Fiscal Note: None

#6

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Public Hearing Resolution No. 179-12 Action item on Rezoning Petition for Chris L. Dawson, Gary C. McKnight and William W. Bishop for subject property located at 5425 Lower Beaver Road

Agenda Date: November 27, 2012

Contact Individual: Bret VandeLune, Planning and Development Manager, Polk County Public Works, 286-2290

Previous Action taken by the Board: Rezoning Petition with conditions for Bob Lenc Landscaping on September 28, 1999 (Agricultural to Light Business District)

Board/Commission Actions: At their October 22, 2012 meeting, the Zoning Commission voted four (4) for, zero (0) against with three (3) absent to recommend approval of the rezoning petition with conditions.

Action Requested (Recommended): Action item on Rezoning Petition

Comply with Policy: Yes, the proposed rezoning is consistent with the current 2030 Comp Plan designation of the subject property for Neighborhood Commercial uses which supports businesses typically occurring primarily inside buildings with no or limited outdoor storage or display and providing needed services to the residents in the area.

Background: The petitioners Christopher L. Dawson and Gary C. McKnight, 732 SE Shurfine Drive, Ankeny, IA, and property owner William W. Bishop are requesting a Polk County 2030 Comprehensive Plan Map amendment from the Neighborhood Commercial Classification to the Light Industrial Classification and a Zoning Map amendment from the NB-Neighborhood Business District with conditions to the LI-Light Industrial District with conditions for the subject property located at 5425 Lower Beaver Road. The petitioners propose to use the subject property for a general building contractor, the design, manufacturing and installation of cabinets, countertops, custom wood working and also mini-warehouse and certain uses are restricted from the property. (See Conditional Rezoning document for restricted uses).The proposed uses will occur inside the existing buildings, no outside storage or display is proposed and each business will have an office and support on-site customer service.

Action Impact: Approval of the resolution allows petitioners to proceed to use the property for requested purposes.

Fiscal Note: None.

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	N	N	N	N		

Additional Fiscal Note Information (optional):

ORDINANCE NO.

WHEREAS, on August 28, 2007, the Polk County Board of Supervisors adopted the Zoning Ordinance and map for the unincorporated territory of Polk County, Iowa; and

WHEREAS, the petitioners, Christopher L. Dawson and Gary C. McKnight, 732 SE Shurfine Drive, Ankeny, IA, and William W. Bishop (property owner), 5430 Lower Beaver Road, Des Moines, IA are requesting a Zoning Map Amendment from the NB-Neighborhood Business District with conditions to the LI-Light Industrial District with conditions for the subject property located at 5425 Lower Beaver Road in Webster Township; and

WHEREAS, a Zoning Map Amendment was reviewed and heard by the Polk County Zoning Commission on Monday, October 22, 2012, at 7:00 P.M., at the meeting room of the Polk County Public Works Department, Planning Division, 5885 N.E. 14th Street, Des Moines, Iowa, due and timely notice published as provided by law; and

WHEREAS, the Polk County Zoning Commission, after hearing the evidence both in favor and opposed to the Zoning Map Amendment, voted four (4) for, zero (0) against, with three (3) absent to recommend approval to the Polk County Board of Supervisors that the zoning map amendment from the NB-Neighborhood Business District with conditions to the LI-Light Industrial District with conditions be **approved**; and

WHEREAS, the Zoning Map amendment was heard by the Polk County Board of Supervisors on November 27, 2012 at 9:30 A.M., in Room 120 of the Polk County Administrative Office Building, 111 Court Avenue, Des Moines, Iowa, due and timely notice published as provided by law.

NOW, THEREFORE, BE IT ORDAINED that the Zoning Map amendment (Attachment A) from the NB-Neighborhood Business District with conditions to the LI-Light Industrial District with conditions (Attachment B) for the subject property located at 5425 Lower Beaver Drive for the following described property:

BEG ON N RR ROW 635.8F N & 640.28F NW OF SE COR THN WLY 594.7F NE 307.8F E 150F SE 220.3F S 260F TO POB SE 1/4 SW 1/4 SEC 17-79-24 Webster Township

#7

BE APPROVED.

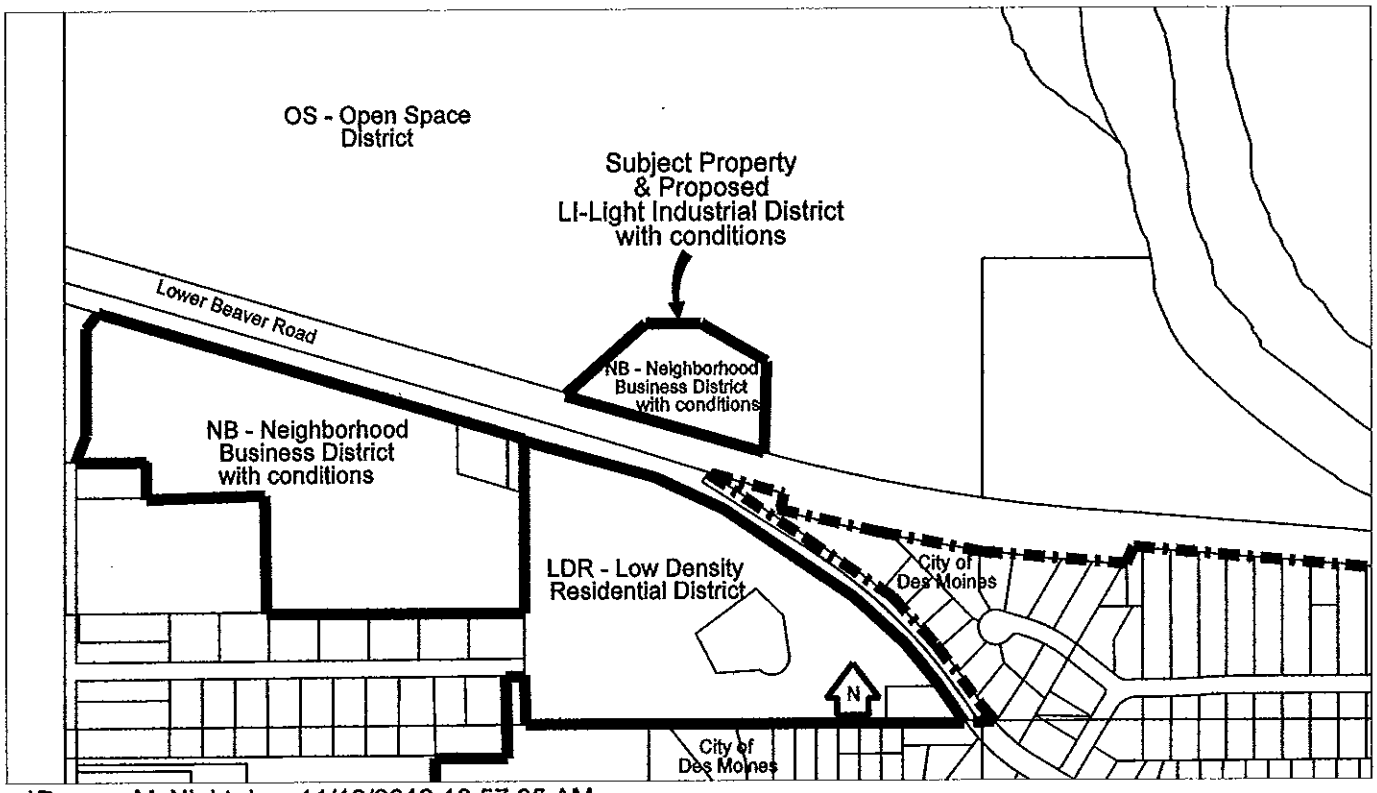
POLK COUNTY BOARD OF SUPERVISORS

_____

Angela Connolly, Chairperson

Polk County Zoning Map Amendment

Attachment A



Legal Description: BEG ON N RR ROW 635.8F N & 640.28F NW OF SE COR THN WLY 594.7F NE 307.8F E 150F SE 220.3F S 260F TO POB SE 1/4 SW 1/4 SEC 17-79-24 - Webster Township

Attachment B

"RESTRICTIVE COVENANTS – CONDITIONS OF REZONING"

WE, Christopher Dawson and Gary McKnight, the Petitioner and perspective buyer of land within Polk County, Iowa, do hereby agree to provide the following as a condition of the rezoning from Neighborhood Business (NB) District to Light Industry (LI) District, as allows by Chapter 335, 2009 Code of Iowa amended on district and parcel 310/00025-003, and commonly known as the Bob Lenc Landscaping property located at 5425 Lower Beaver Road.

1. The following uses are not permitted on the 5425 Lower Beaver Road property:
   a) Adult Uses
   b) Taverns and nightclubs
   c) Extraction Uses
   d) Off –site signs
   e) Auto body and auto repair shops
   f) Communication Towers
   g) Outdoor Commercial Amusement uses
   h) Light and Moderate Industry uses (except General Building, Furniture and Fixtures, and Special trade contractors)

The conditions listed above run with the land. The restriction will be immediately included in restrictive covenants which shall apply to all portions of the property including all parcels resulting from subdivision or other splitting of the property. These "Restrictive Covenants-Conditions of Rezoning" will be immediately filed with the Polk County Recorder and shall apply and be binding to all present and future owners of the below described property:

BEG ON N RR ROW 635.8F N & 640.28F NW OF SE COR THN WLY 594.7F NE 307.8F E 150F SE 220.3F S 260F TO POB SE ¼ SW ¼ SEC 17-79-24 INCLUDED IN AND PART OF POLK COUNTY IOWA and locally knows as the Bob Lenc Landscaping at 5424 Lower Beaver Road – WEBSTER TOWNSHIP.

Dated this 15 day of Nov, 2012

Gary McKnight

Chris Dawson

STATE OF IOWA)
)
COUNTY OF POLK)

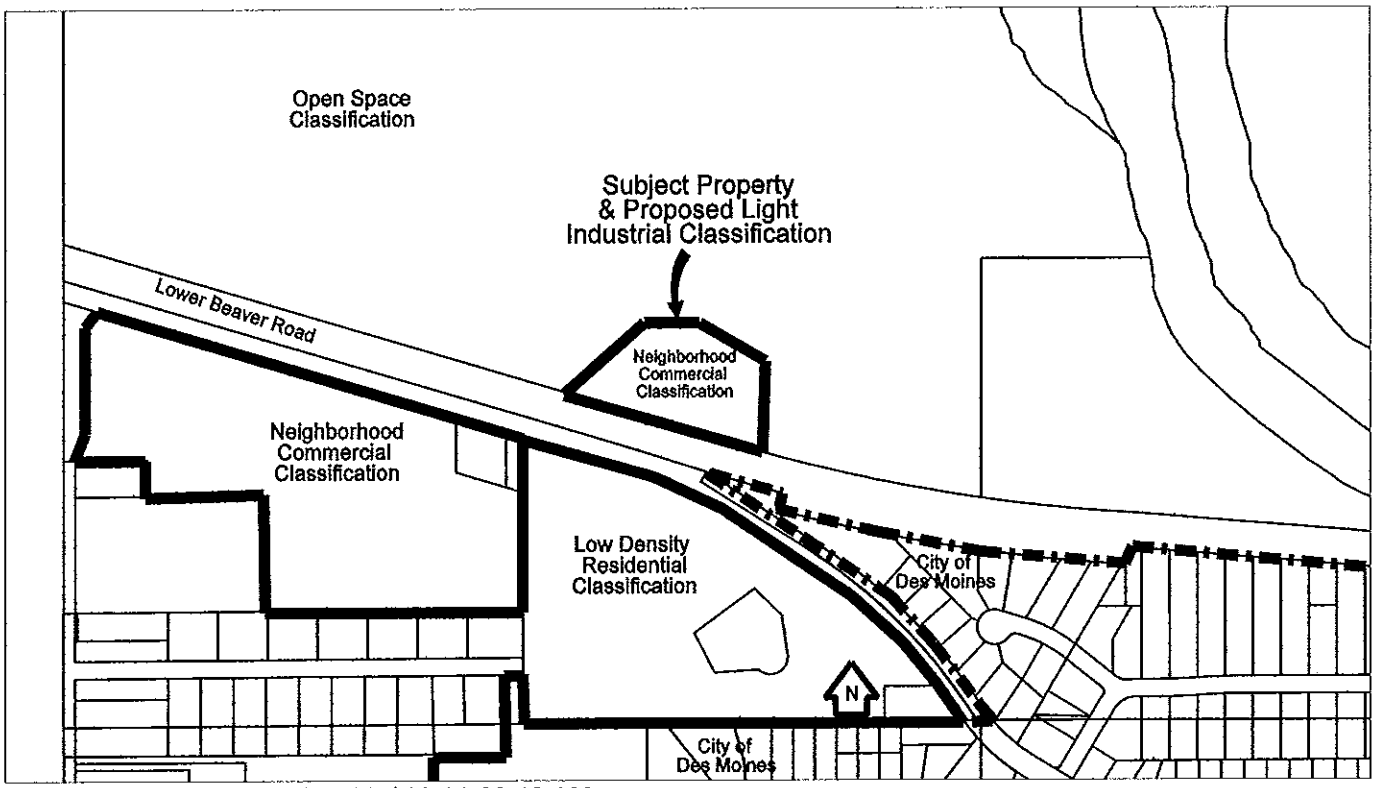
On this 15 day of Nov, 2012, before me the undersigned, a Notary Public in and said State, personally appeared Christopher Dawson and Gary McKnight, to me known to be the persons named on and who executed the forgoing instrument, and acknowledge that they executes the same as their voluntary and act and deed.

Notary Public in and for State of Iowa

TAMARA S. KNAK
Commission Number 764421
My Commission Expires
August 27, 2013

Polk County 2030 Comprehensive Plan Map Amendment

Attachment A



...\DawsonMcNight.dgn 11/19/2012 11:08:48 AM

Legal Description: BEG ON N RR ROW 635.8F N & 640.28F NW OF SE COR THN WLY 594.7F NE 307.8F E 150F SE 220.3F S 260F TO POB SE 1/4 SW 1/4 SEC 17-79-24 - Webster Township

Res. No. WC-11-12
November 27, 2012

R E S O L U T I O N

Moved by_____, Seconded by_____that the following resolution be adopted:

WHEREAS, the Polk County Public Works Department hereby submits the attached "2012 Weed Commissioner's Report", in accordance with Chapter 317.7 of the *Code of Iowa.*

NOW, THEREFORE, BE IT RESOLVED that the said report be accepted and signed by the Chairperson of the Board of Supervisors; and

BE IT FURTHER RESOLVED that the said report be filed with the State Secretary of Agriculture.

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

_____
Robert Rice, Director
Polk County Public Works

FISCAL IMPACT: None

#12

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution No. WC-11-12 2012 Weed Commissioner's Report

Agenda Date: November 27, 2012

Contact Individual: Bret VandeLune, Weed Commissioner, Polk County Public Works, 286-2290

Previous Action taken by the Board: Annual resolution

Board/Commission Actions: N/A

Action Requested (Recommended): To have the Polk County Board of Supervisors accept and sign the 2012 Weed Commissioner's Report.

Comply with Policy: Yes

Background: The Director of Public Works submits the 2012 Weed Commissioner's report in accordance with Chapter 317.7 of the Code of Iowa and files with the State Secretary of Agriculture. See attached Report.

Action Impact: The 2012 Weed Commissioner's Report is accepted and signed by the Polk County Board of Supervisors Chairperson.

Fiscal Note: None

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	N	N/A	N/A	N		

Additional Fiscal Note Information (optional):

2012 WEED COMMISSIONER'S REPORT
Submit to County Board of Supervisors by December 1, 2012
Return copy to the IDALS office by January 15, 2013

From:_ Bret VandeLune___ County:_Polk County_____

1.) Which of the noxious weeds have you found in your county?
1– Found, a problem in my county 2 – Found, but not a problem 3 – Not known in my county **? If you cannot identify this plant**

Primary Noxious Weeds		***Secondary Noxious Weeds***	
Buckthorn	1	Buckhorn Plantain	3
Bull Thistle	1	Cocklebur	1
Canada Thistle	1	Wild sunflower	2
Field Bindweed	1	Curly dock (Sour dock)	2
Hoary Cress (Perennial Pepper-grass)	2	Poison hemlock	2
Horsenettle	3	Puncturevine	3
Leafy Spurge	2	Red Sorrel (Sheep sorrel)	1
Musk Thistle	1	Smooth dock	1
Perennial Sowthistle	1	Teasel	1
Quackgrass	1	Velvetleaf (Butterprint)	2
Russian knapweed	3	Wild Carrot	1
		Wild Mustard	1
		Multiflora Rose	1
Purple loosestrife	2	Shattercane	2

2.) Please list any other plants which are a problem in your county:

Japanese Knotweed and Wild Parsnip

3.) As County Weed Commissioner do your duties include roadside spraying?
_____Yes __x___ No

4.) Did your county employ contract spraying during 2011? _____Yes _x____ No
If Yes, what percentage of your total spray program is contracted? __0___%
If possible please describe the contract and rates. $/mile ___0__%
Total Contract Cost. $___0___

5.) In the past year how much did you county spend on purchasing Herbicides?
$ 21,577

6.) How many times during 2011 was it necessary to serve a noxious weed control notice
1. Private __5281_____ Public (DOT OR DNR)___0_____

7.) How many times did you contact individuals personally, rather than sending them a weed control notice? ___50_____ Public (DOT OR DNR)___20_____

8.) How many times did you actually enter private or public land, control weeds, and assess the cost to the owner? ____1250_____

9.) The year in which you became County Weed Commissioner __2011_____

10.) How many months were you employed as weed commissioner in 2012? ___12 months_____

11.) Are your duties as weed commissioner incorporated into another county job?
__X___ Yes _____ No If Yes, what? Planning and Development Manager

12.) How does the overall county weed situation compare with last year?
__X___ Improved _____ Unchanged _____ Worse

13.) Is brush control included in your weed commissioner duties? _____ Yes __x___ No
If yes, what method(s) do you use? __x___ Spraying, __x___Cutting, __x___Stump treatment, __x___Basal bark, _____ other, explain __dormant stem
_____

14.) What are your suggestions and/or recommendations which may improve your county weed and brush infestations? _Continue with aggressive roadside spraying program and establishing native plant corridors. Educate public on how to manage specific weeds.

12.) What would you like to see the Iowa Weed Commissioners organization do in the future? What are some directions you think we should move towards? What do you think should stay the same?

Provide educational information for the general public on noxious weed control methods. Electronic submission of annual report.

13.) **Email Address for "Point of Contact" within the County; Either Weed commissioner or administrative support.
bret.vandelune@polkcountyiowa.gov

14.) What herbicides did your county use in your weed control program. **Be specific, please list brand name and quantity of each.** If spray program is contracted in your county, ask your contractor for this information. Add another page if necessary.

Herbicide usage table;

CHEMICAL/BRAND	**RATE USED**	QUANTITY USED	TO CONTROL?
Diurex 4L	According to Label	200 pounds	Guardrails
Arsenal	According to Label	5 gallons	Guardrails
Razor Pro	According to Label	50 gallons	Guardrails
Allegari (Round up)	According to Label	10 gallons	Guardrails
Transline	According to Label	10 gallons	Thistles
Foam Breaker	According to Label	2 cases	Thistles
Affect	According to Label	3 gallons	Thistles
Crop Oil	According to Label	100 gallons	Thistles
Achive 90	According to Label	100 gallons	Thistles
Pathway	According to Label	50 gallons	Brush
Element 4	According to Label	175 gallons	Brush
MSM 60	According to Label	1 case	Brush
Triclopyr 4	According to Label	50 gallons	Brush

The above report is true to the best of my knowledge.
County Weed Commissioner,

Date 11-19-2012 **Signature** _____

Chairman, County Board of Supervisors,

Date _____ **Signature** _____

RETURN A COPY TO: IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
STATE WEED COMMISSIONER
2230 SOUTH ANKENY BOULEVARD
ANKENY, IOWA 50023

Or Ryan.Krull@IowaAgriculture.gov or Fax 515-725-1471

Res. No. 177-12
November 27, 2012

RESOLUTION

Moved by _____, Seconded by_____ that the following resolution be adopted:

WHEREAS, the owner of land located in Section 1, Township 80 North, Range 23 West of the 5th P.M., Polk County, Iowa, wishes to subdivide and plat their land into a minor final subdivision plat known as Christoph Acres; and

WHEREAS, the owner have complied with all codes and ordinances for the unincorporated territory of Polk County, Iowa; and

WHEREAS, the Polk County Public Works Department has reviewed and approved the minor preliminary subdivision plat on October 25, 2012; and

WHEREAS, the Polk County Public Works Department has reviewed the minor final subdivision plat and recommends that it be approved.

NOW, THEREFORE, BE IT RESOLVED that the minor final subdivision plat of Christoph Acres, is hereby approved.

Sewer Service:	Individual septic system
Water Service:	Des Moines Water Works
Zoning:	AG – Agricultural District
Platted By:	Dave & Bernadette Christoph
Engineer:	Bishop Engineering
Location:	NE corner of NE 64th Street and NE 110th Avenue
Township:	Douglas

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

Robert Rice
Robert Rice, Director
Polk County Public Works

APPROVED AS TO FORM:

David Hibbard
Assistant County Attorney

FISCAL NOTE: No cost to the County

#13

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 177-12 approving the minor final subdivision plat of Christoph Acres.

Agenda Date: November 27, 2012

Contact Individual: Bret VandeLune, Planning & Development Manager, Polk County Public Works, 286-2290

Previous Action taken by the Board: None

Board/Commission Actions: None, this is a minor final subdivision plat.

Action Requested (Recommended): Approve the minor final subdivision plat.

Comply with Policy: This minor final subdivision plat complies with all the zoning and subdivision ordinances.

Background: This minor final subdivision plat proposes 1 buildable lot on a 19.86 acre of land and is zoned AG – Agricultural District. The lot is served by Des Moines Water Works and individual on-site septic systems. The minor preliminary plat was reviewed and approved by the Public Works Department on October 25, 2012.

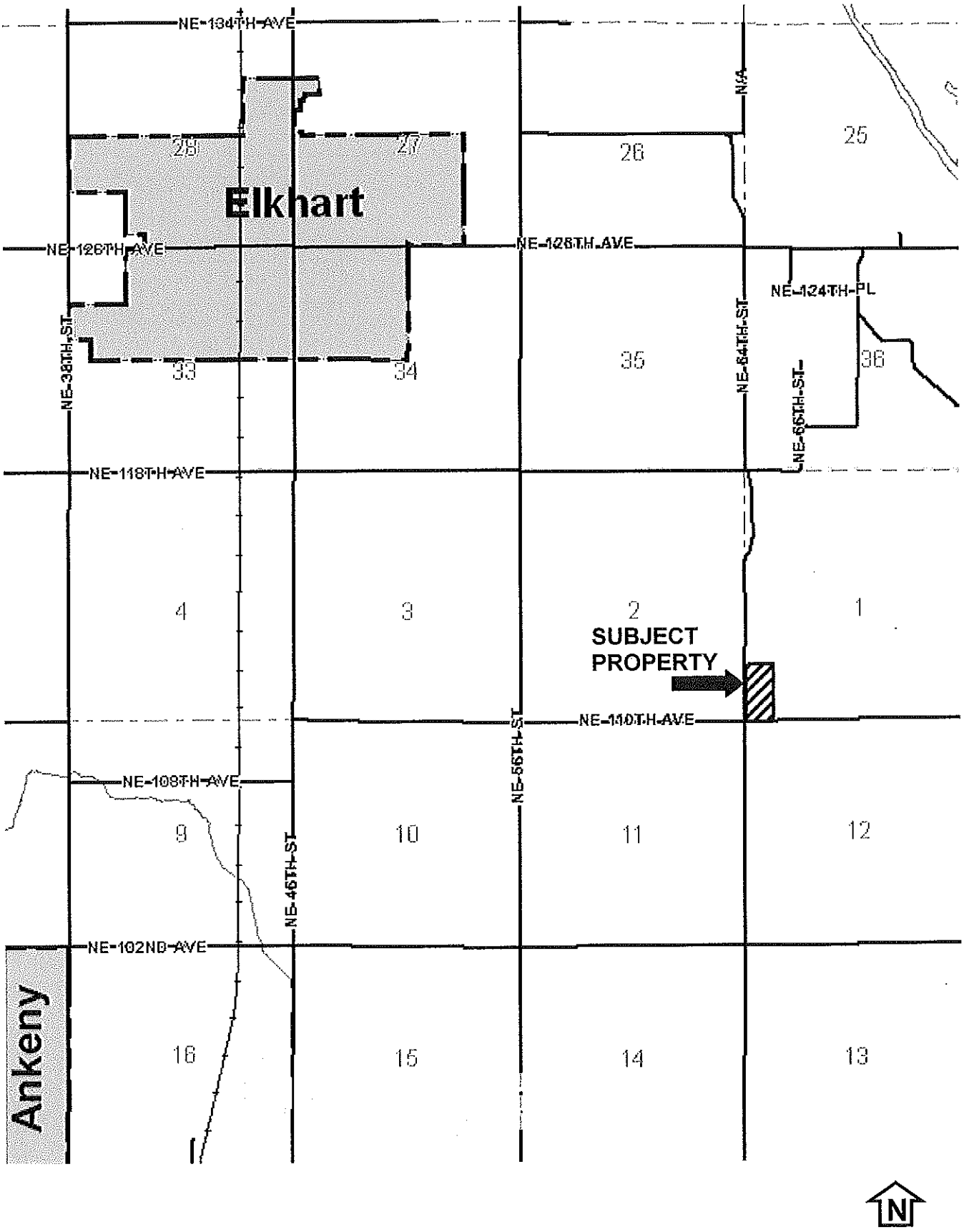
Action Impact: With Board approval of the resolution, the one lot subdivision will be created.

Fiscal Note: No cost to County

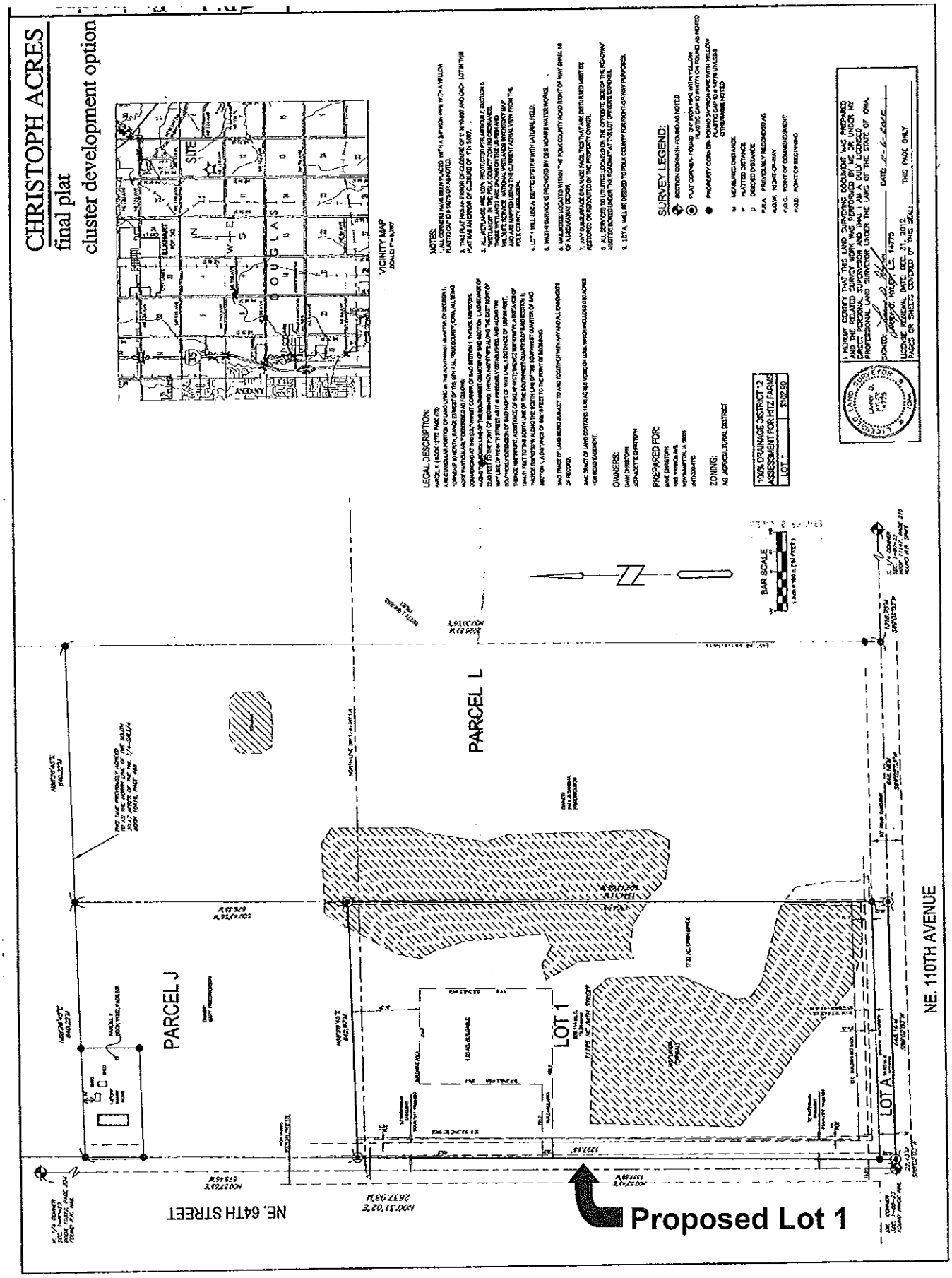
Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13						

Additional Fiscal Note Information (optional):

Location Map
Christoph Acres



Plan Map
Christoph Acres



Res. No. 175-12
November 27, 2012

RESOLUTION

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, the Polk County Board of Supervisors as a public agency, may enter into an agreement with a public or private agency to cooperate in the provision of services to the public and to cooperate in other ways to mutual advantage; and

WHEREAS, the Public Works Department has developed an "Agreement for Cooperate Services" with the City of Polk City for the routine and major maintenance of joint jurisdictional roadways.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the terms of the attached agreement, adopts the agreement, and authorizes the Chairperson to execute the agreement on behalf of Polk County; and

BE IT FURTHER RESOLVED that the Public Works Department return a copy of the signed agreement to the City of Polk City and administer the agreement on behalf of Polk County.

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

~~RECOMMENDED FOR APPROVAL:~~

Robert Rice

Robert Rice, Director
Polk County Public Works

APPROVED AS TO FORM:

Assistant County Attorney

FISCAL NOTE: None

#14

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 175-12 to approve a Cooperative Public Service Agreement with the City of Polk City for the maintenance of joint jurisdictional roadways.

Agenda Date: November 27, 2012

Contact Individual: Kurt D. Bailey, P.E., County Engineer, Polk County Public Works, 286-3705

Previous Action taken by the Board: None

Board/Commission Actions: None

Action Requested (Recommended): Approves the terms of the attached agreement, adopts the agreement, and authorizes the Chairperson to execute the agreement on behalf of Polk County. Directs the Public Works Department return a copy of the signed agreement to the City of Polk City and administer the agreement on behalf of Polk County.

Comply with Policy: Yes

Background: It has been the ongoing practice of this department to enter into Cooperative Service Agreements with local governments or agencies for the routine and major maintenance of joint jurisdictional roadways in an effort to provide more efficient services for the general public.

Action Impact: The resolution establishes the responsibilities of each jurisdiction for the maintenance of certain roadways as per the terms of the Cooperative Services Agreement.

Fiscal Note: None

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	N	N	N	N		
13/14	NA	NA	NA	N		

Additional Fiscal Note Information (optional):

Res. No. 174-12
November 27, 2012

RESOLUTION

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, the Polk County Board of Supervisors as a public agency, may enter into an agreement with a public or private agency to cooperate in the provision of services to the public and to cooperate in other ways to mutual advantage; and

WHEREAS, NE 80th Street from the I-80 Overpass to NE 78th Avenue is a joint jurisdictional roadway between Polk County and the City of Bondurant and is in need of repair; and

WHEREAS, NE 70th Avenue from NE 80th Street to the NE 72nd St. concrete pavement is a joint jurisdictional roadway between Polk County and the City of Bondurant and is in need of repair; and

WHEREAS, the Public Works Department has developed an "Agreement for Cooperate Services" with the City of Bondurant for the Hot Mix Asphalt Resurfacing of NE 80th Street and NE 70th Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the terms of the attached agreement, adopts the agreement, and authorizes the Chairperson to execute the agreement on behalf of Polk County; and

BE IT FURTHER RESOLVED that the Public Works Department return a copy of the signed agreement to the City of Bondurant and administer the agreement on behalf of Polk County.

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

_____
Robert Rice, Director
Polk County Public Works

APPROVED AS TO FORM:

_____
Assistant County Attorney

FISCAL NOTE:
For NE 80th Street:

Polk County Secondary Road Fund	$253,300
City of Bondurant	$108,800
Total Proposed FY 2013/14 Project Cost	$362,100

#15

For NE 70th Avenue:

Polk County Secondary Road Fund	$21,875
City of Bondurant	$95,150
Total Proposed FY 2014/15 Project Cost	$117,250

Estimated costs only. County cost for NE 80th Street to be included in the proposed FY 2013/14 Capital Improvement Program and for NE 70th Avenue in the proposed Public Works 2013-2018, 5-Year Capital Improvement Program for FY 2014/15.

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 174-12 to approve a Cooperative Public Service Agreement with the City of Bondurant for the HMA Resurfacing of NE 80th Street and NE 70th Avenue.

Agenda Date: November 27, 2012

Contact Individual: Kurt Bailey, P.E., County Engineer, Polk County Public Works, 286-3705

Previous Action taken by the Board: None Required

Board/Commission Actions: None Required

Action Requested (Recommended): Approval of the terms of the Cooperative Public Service agreement, adopt the agreement, and authorize the Chairperson to execute the agreement on behalf of Polk County.

Comply with Policy: Yes

Background: It has been the ongoing practice of this department to enter into Cooperative Service Agreements with a public or private agency to cooperate in the provision of services to the public and to cooperate in other ways to mutual advantage in an effort to provide more efficient services for the general public who use the secondary road system. NE 80th Street and NE 70th Avenue are joint jurisdictional roadway between Polk County and the City of Bondurant and are in need of repair.

Action Impact: Allows development of the project to continue for construction and assures the City of Bondurant's participation.

Fiscal Note:

For NE 80th Street:

Polk County Secondary Road Fund	$253,300
City of Bondurant	$108,800
Total Proposed FY 2013/14 Project Cost	$362,100

For NE 70th Avenue:

Polk County Secondary Road Fund	$21,875
City of Bondurant	$95,150
Total Proposed FY 2014/15 Project Cost	$117,250

Estimated costs only. County cost for NE 80th Street to be included in the proposed FY 2013/14 Capital Improvement Program and for NE 70th Avenue in the proposed Public Works 2013-2018, 5-Year Capital Improvement Program for FY 2014/15

Fiscal Year	Budget ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13						
13/14	NA	NA		N		

Additional Fiscal Note Information (optional):

Res. No. 178-12
November 27, 2012

R E S O L U T I O N

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, Polk County is a full member of the Des Moines Area Metropolitan Planning Organization (MPO); and

WHEREAS, the Federal Surface Transportation Program provides funding to local jurisdictions for the construction of eligible projects; and

WHEREAS, the Program is administered by the Des Moines Area MPO which prioritizes and ranks all project applications; and

WHEREAS, the Des Moines Area MPO has established guidelines for applications regarding Surface Transportation Program (STP) project funding; and

WHEREAS, Polk County proposes to submit a STP Funding application to the Des Moines Area MPO requesting $380,000 in Federal Surface Transportation Funds in the Preservation Project Category for Federal Fiscal Year 2017 for the proposed NE 46th Street Resurfacing Project.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors hereby supports and approves the application for Federal Surface Transportation Program funding; and

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors hereby commits to the matching monies required by the Federal Surface Transportation Program funding; and

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors hereby commits to accepting and maintaining these improvements for a minimum of twenty (20) years following the completion; and

BE IT FURTHER RESOLVED that the Polk County Public Works Department be authorized to submit an STP Funding application to the Des Moines Area Metropolitan Planning Organization requesting $380,000 in Federal Surface Transportation Funds for Federal Fiscal Year 2017 for the proposed NE 46th Street Resurfacing Project.

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

_____
Robert Rice, Director
Polk County Public Works

FISCAL IMPACT: FY 2017 STP Funds Requested $380,000
Total Estimated Project Cost $770,000

#16

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 178-12 authorizing the Public Works Department to submit a 2017 Surface Transportation Program (STP) Funding application to the Des Moines Area MPO for the proposed NE 46th Street Resurfacing Project.

Agenda Date: November 27, 2012

Contact Individual: Kurt D. Bailey, P.E., County Engineer, Polk County Public Works, 286-2705

Previous Action taken by the Board: None

Board/Commission Actions: N/A

Action Requested (Recommended): Authorize the Polk County Public Works Department to submit an STP Funding application to the Des Moines Area Metropolitan Planning Organization (MPO) for the proposed NE 46th Street Resurfacing Project.

Comply with Policy: Yes

Background: The Federal Surface Transportation Program provides funding to local jurisdictions for the construction of eligible projects. This Program, with established guidelines, is administered by the Des Moines Area MPO which prioritizes and ranks all project applications. Polk County Public Works proposes to submit an STP Funding application to the Des Moines Area MPO requesting $380,000 in Federal Surface Transportation Funds in the Preservation Project Category for Federal Fiscal Year 2017 for the proposed NE 46th Street Resurfacing Project.

Action Impact: Submittal of funding application will allow this project to be considered for funding by the Des Moines Area MPO for FY 2017.

Fiscal Note: None at this time.
FY 2017 STP Funds Requested $380,000
Total Estimated Project Cost $770,000

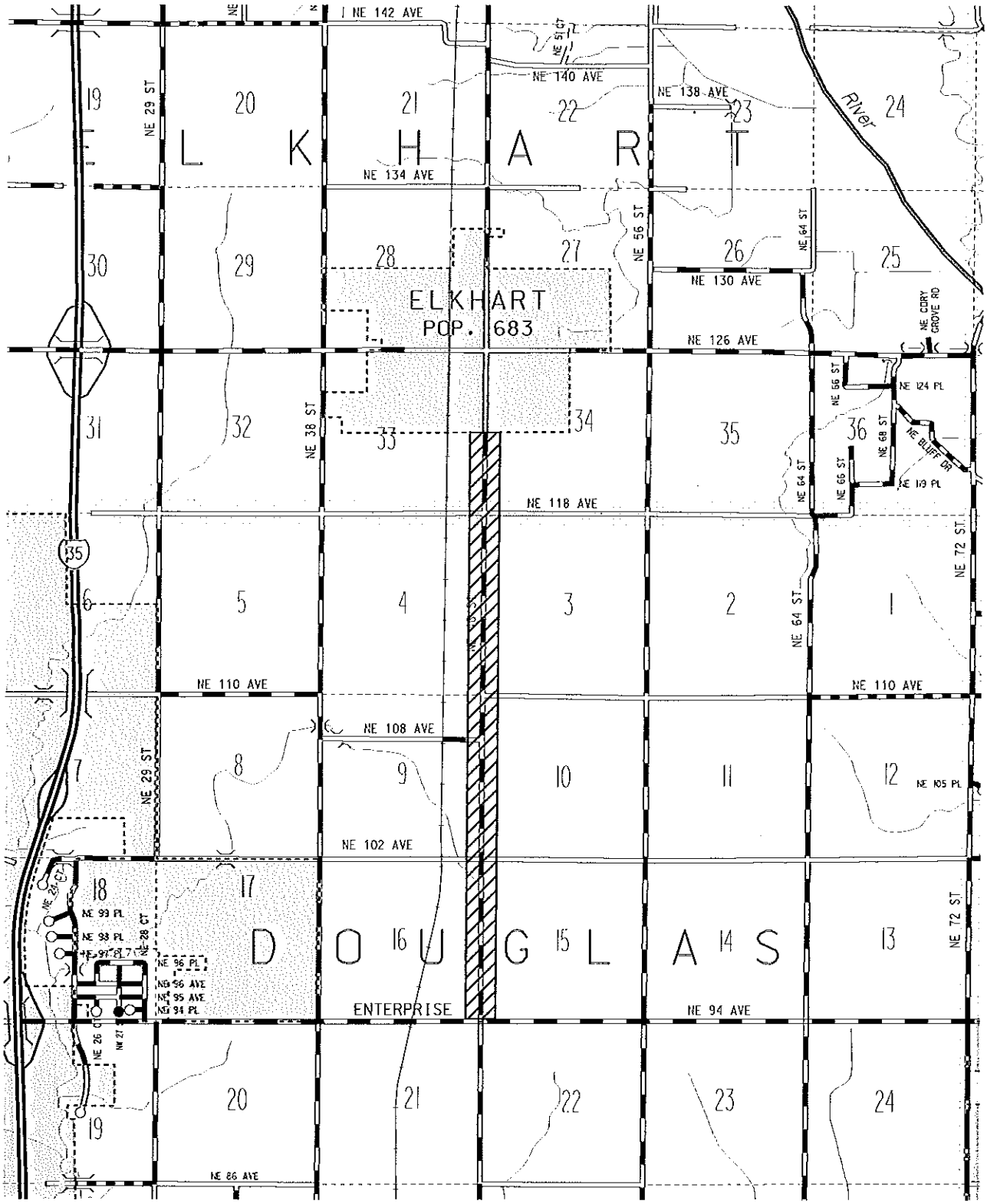
Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	NA	N	N	N		
13/14						

Additional Fiscal Note Information (optional):

PROPOSED LOCATION

NORTH

DO NOT SCALE



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Res. No. 176-12
November 27, 2012

R E S O L U T I O N

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, Polk County is a full member of the Des Moines Area Metropolitan Planning Organization (MPO); and

WHEREAS, the Federal Surface Transportation Program provides funding to local jurisdictions for the construction of eligible projects; and

WHEREAS, the Program is administered by the Des Moines Area MPO which prioritizes and ranks all project applications; and

WHEREAS, the Des Moines Area MPO has established guidelines for applications regarding Surface Transportation Program (STP) project funding; and

WHEREAS, Polk County proposes to submit a STP Funding application to the Des Moines Area MPO requesting $4,000,000 in Federal Surface Transportation Funds in the Major Project Category for Federal Fiscal Year 2017 for the proposed NW 66 Avenue Reconstruction/Kempton Bridge Replacement Project, which includes a multi-use trail.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors hereby supports and approves the application for Federal Surface Transportation Program funding; and

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors hereby commits to the matching monies required by the Federal Surface Transportation Program funding; and

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors hereby commits to accepting and maintaining these improvements for a minimum of twenty (20) years following the completion; and

BE IT FURTHER RESOLVED that the Polk County Public Works Department be authorized to submit an STP Funding application to the Des Moines Area Metropolitan Planning Organization requesting $4,000,000 in Federal Surface Transportation Funds for Federal Fiscal Year 2017 for the proposed NW 66 Avenue Reconstruction/Kempton Bridge Replacement Project.

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

_____
Robert Rice, Director
Polk County Public Works

FISCAL IMPACT: FY 2017 STP Funds Requested $4,000,000
Total Estimated Project Cost $24,748,000

#17

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 176-12 authorizing the Public Works Department to submit a 2017 Surface Transportation Program (STP) Funding application to the Des Moines Area MPO for the proposed NW 66 Avenue Reconstruction/Kempton Bridge Replacement Project.

Agenda Date: November 27, 2012

Contact Individual: Kurt D. Bailey, P.E., County Engineer, Polk County Public Works, 286-2705

Previous Action taken by the Board: None

Board/Commission Actions: N/A

Action Requested (Recommended): Authorize the Polk County Public Works Department to submit an STP Funding application to the Des Moines Area Metropolitan Planning Organization (MPO) for the proposed NW 66 Avenue Reconstruction/Kempton Bridge Replacement Project.

Comply with Policy: Yes

Background: The Federal Surface Transportation Program provides funding to local jurisdictions for the construction of eligible projects. This Program, with established guidelines, is administered by the Des Moines Area MPO which prioritizes and ranks all project applications. Polk County Public Works proposes to submit an STP Funding application to the Des Moines Area MPO requesting $4,000,000 in Federal Surface Transportation Funds in the Major Project Category for Federal Fiscal Year 2017 for the proposed NW 66 Avenue Reconstruction/Kempton Bridge Replacement Project.

Action Impact: Submittal of funding application will allow this project to be considered for funding by the Des Moines Area MPO for FY 2017.

Fiscal Note: None at this time.
FY 2017 STP Funds Requested $ 4,000,000
Total Estimated Project Cost $24,748,000

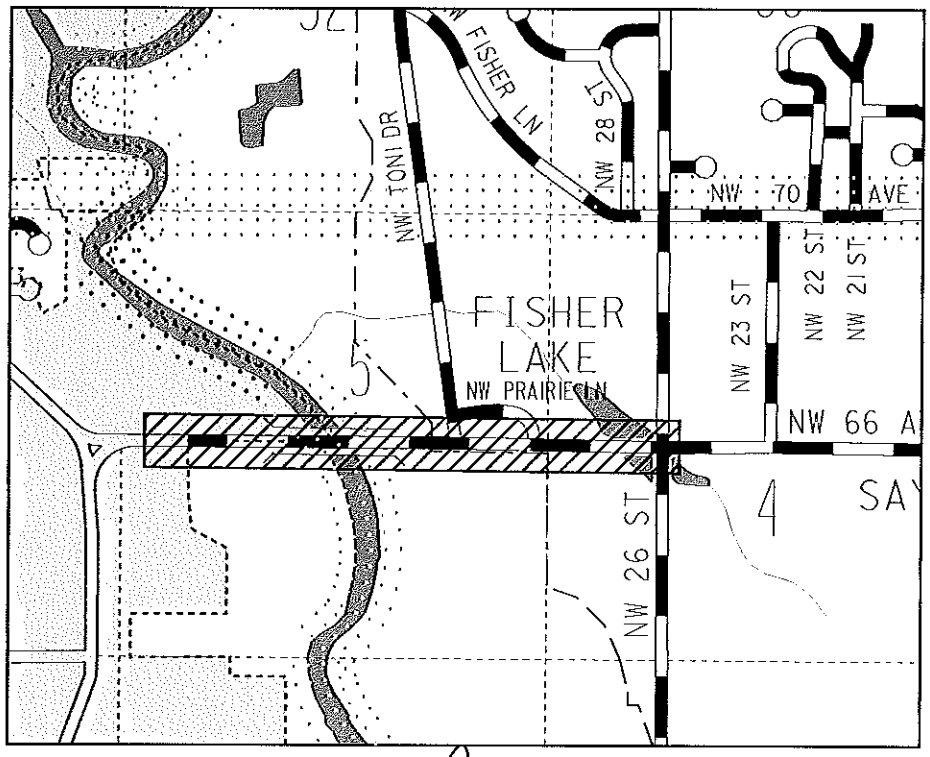
Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	NA	N	N	N		
13/14						

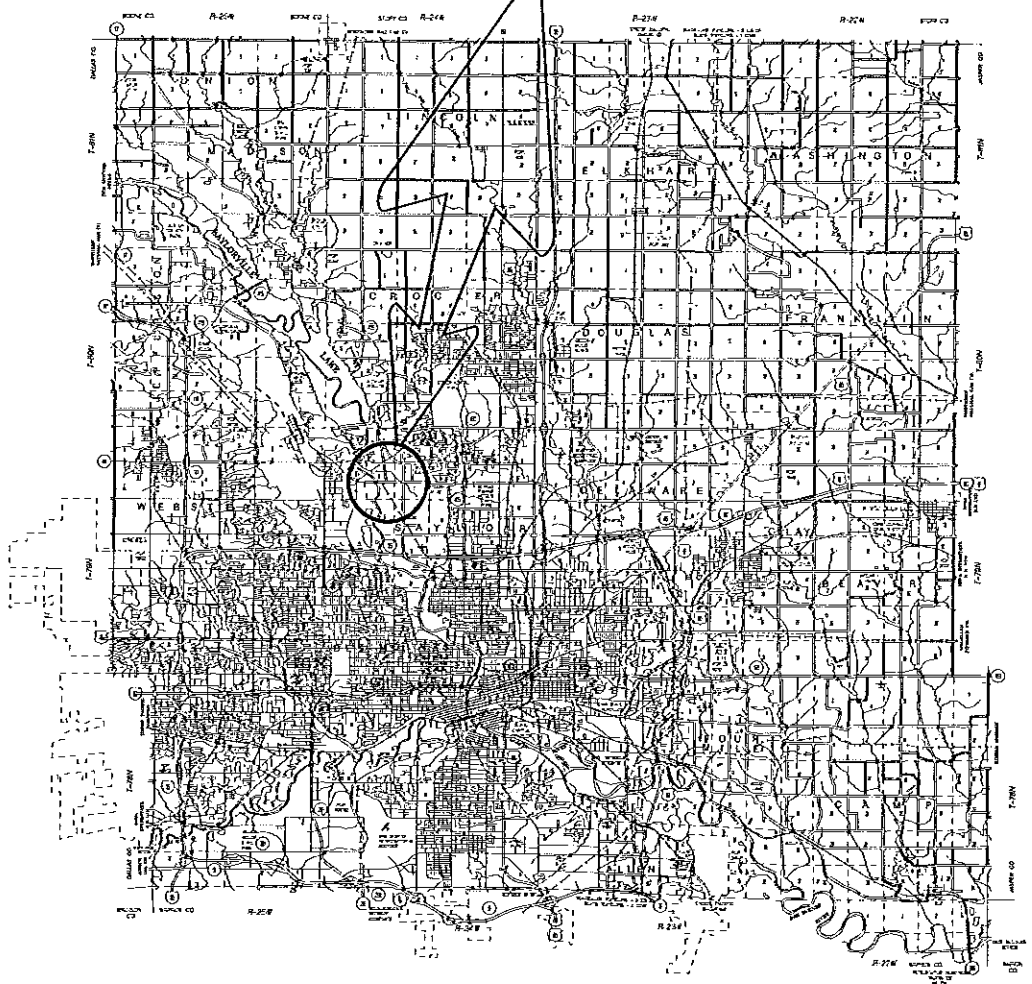
Additional Fiscal Note Information (optional):

PROPOSED LOCATION

NORTH

DO NOT SCALE





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Plotted by KLB

Res. No. 182-12
November 27, 2012

R E S O L U T I O N

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, the Polk County Board of Supervisors may enter into an agreement with a public or private agency to cooperate in the provision of services to the public; and

WHEREAS, since 1994, Polk County, through its Public Works Department, has provided various administrative and maintenance services to the Polk County Aviation Authority (PCAA) for the Ankeny Regional Airport with all costs for said services, including snow removal, being reimbursed to the Public Works Department by the Polk County Aviation Authority; and

WHEREAS, during this time period, the PCAA has made partial purchase payments to the Public Works Department for the snow plow and snow blower used at the Ankeny Regional Airport; and

WHEREAS, due to changes in work force and equipment operation priorities within the Public Works Department, it was deemed necessary to terminate the existing Memorandum of Agreement between Polk County and the Polk County Aviation Authority(PCAA) for the Public Works Department to provide snow removal services at the Ankeny Regional Airport; and

WHEREAS,the equipment used by Public Works to perform snow removal at the Ankeny Regional Airport is specialized in nature for use at airports and would be beneficial for the PCAA to have at their disposal for snow removal operations; and

WHEREAS, the Public Works Department has developed the attached "Agreement For Purchase of Used Equipment" for the sale of the used airport snow removal equipment to the Polk County Aviation Authority.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the terms of the attached "Agreement For Purchase of Used Equipment" with the Polk County Aviation Authority, adopts the Agreement, and authorizes the Chairperson to execute the Agreement on behalf of Polk County; and

BE IT FURTHER RESOLVED that the Public Works Department return the signed Agreement to the Polk County Aviation Authority and administer the Agreement on behalf of Polk County.

POLK COUNTY BOARD OF SUPERVISORS:

_____
Chairperson

RECOMMENDED FOR APPROVAL:

Robert Rice

Robert Rice, Director
Polk County Public Works

#18

APPROVED AS TO FORM:

Assistant County Attorney

FISCAL IMPACT:
Equipment originally purchased through Public Works Department budget, therefore proceeds of $184,860 to be deposited into the Secondary Road Fund.

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 182-12 to approve the Agreement for Purchase of Used Equipment with the Polk County Aviation Authority.

Agenda Date: November 27, 2012

Contact Individual: Kurt Bailey, P.E., County Engineer, Polk County Public Works, 286-3705

Previous Action taken by the Board: None

Board/Commission Actions: None Required

Action Requested (Recommended): Approve the terms of the Agreement, adopt the Agreement and authorize the Chairperson to execute the Agreement on behalf of Polk County.

Comply with Policy: Yes

Background: Since 1994 the Polk County Public Works Department has provided various administrative and maintenance services to the Polk County Aviation Authority (PCAA) for the Ankeny Regional Airport. Due to changes in work force and equipment operation priorities within the Public Works Department, it was deemed necessary to terminate the existing Memorandum of Agreement with the PCAA which provided that the Public Works Department perform snow removal services at the Airport. Because equipment used by Public Works to perform snow removal at the Ankeny Regional Airport is specialized in nature for use at airports, it would be beneficial for the PCAA to have this equipment at their disposal for continued snow removal operations. Therefore the Public Works Department has developed the attached "Agreement For Purchase of Used Equipment" for the sale of the used airport snow removal equipment to the Polk County Aviation Authority.

Action Impact: Allows for the purchase of used snow removal equipment by the Polk County Aviation Authority.

Fiscal Note: Equipment originally purchased through Public Works Department budget, therefore proceeds of $184,860 to be deposited into the Secondary Road Fund.

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	N	$0	$184,860	N		200267200.59300
13/14						

Additional Fiscal Note Information (optional):

RESOLUTION

Moved by_____ **Seconded by**_____

That the following Resolution be adopted:

WHEREAS, a well trained public health workforce is an integral part of delivering quality medical services to the community; and

WHEREAS, the Polk County Health Department operates a sexually transmitted disease (STD) clinic; and

WHEREAS, the St. Louis STD/HIV Prevention Training Center operated by Washington University provides classroom training of public health practitioners and offers additional clinical (hands-on) training at satellite training centers in the Midwest region; and

WHEREAS, the St. Louis STD/HIV Prevention Training Center wishes to contract with Polk County Health Department for the sixth year to be a satellite training center in Iowa for clinical training; and

WHEREAS, this contract is for the period of time April 1, 2012 through March 31, 2013 for an amount not to exceed $1,620.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors/Board of Health approves the contract with Washington University to allow the Polk County Health Department to be designated a satellite training center for public health medical professionals and authorizes the Director of Public Health as authorized official to sign the agreement.

By_____
Chair
Polk County Board of Supervisors/Board of Health

Rick Kozin
Public Health Director

Approved as to form:
John P. Sarcone, Polk County attorney

By Ralph Marasco Jr
Assistant Polk County Attorney

Fiscal Note: FY 12/13 Revenue not to exceed $1,620

#19

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Contract with Washington University's St. Louis STD/HIV Prevention Training Center (PTC) to provide clinical training for public health practitioners.

Agenda Date: November 27, 2012

Contact Individual: Scott Slater, 286-3752

Previous Action taken by the Board: Previous year's contract passed by Board of Supervisors on August 4, 2011.

Board/Commission Actions: None

Action Requested (Recommended): Approval

Comply with Policy: N/A

Background: A well trained public health workforce in Iowa ensures quality medical services are provided to the community. The St. Louis STD/HIV PTC at Washington University offers classroom training for public health clinicians and has additional satellite training centers in the Midwest that provide the clinical (hands-on) training. The Polk County Health Department became an additional satellite training center in 2006.

Action Impact: The Polk County Health Department will provide up to 80 hours per year of supervised clinical training in their sexually transmitted disease (STD) clinic for clinicians from Iowa who have completed their classroom training. The health department will be reimbursed $150 for each eight hour day a trainee spends in the clinic.

Fiscal Note:

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required, Expense Account Code	If Amendment is Required, Revenue Account Code
1213	Y		1,620	N		10223011.58190

R E S O L U T I O N

MOVED BY_____SECONDED BY_____

That the following Resolution be adopted:

WHEREAS, the Iowa Department of Health (IDPH) requires contractor approval for any changes to the current Local Public Health Service Contract; and

WHEREAS, Polk County Health Department is requesting to update the contract by removing the former Director's name and contact information and adding the new Director's name and contact information.

NOW, THEREFORE, BE IT RESOLVED: That the Polk County Board of Supervisors /Board of Health approves this Request to Modify the FY13 Local Public Health Services Contract and authorizes the Chairperson to sign the agreement.

POLK COUNTY BOARD OF SUPERVISORS

By_____
Chairperson

_____
Rick Kozin
Director of Public Health

Fiscal Impact: No net change

#20

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: REQUEST TO MODIFY FY 13 LOCAL PUBLIC HEALTH SERVICES STATE CONTRACT (LPHSC) WITH THE IOWA DEPARTMENT OF PUBLIC HEALTH

Agenda Date: 11/27/2012

Contact Individual: Scott Slater, 286-3752

Previous Action Taken by the Board: The Board of Supervisors approved the FY13 LPHSC contract on June 26, 2012

Board/Commission Actions: None

Action Requested: Approval

Comply with Policy: Yes

Background: Polk County enters into a yearly contract with the Iowa Department of Public Health for funding of local public health services in Polk County. Funds are used for a variety of programs that enhance the health and well-being of Polk County residents. Any changes to the contract must be submitted via a Request to Modify form and approved by the Board of Health/Board of Supervisors.

Action Impact: This contract will be modified by removing the name and contact information of the former Director and replacing with name and contact information for the current Director.

Fiscal Note:

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
1213						

Additional Fiscal Note Information (optional):

RESOLUTION

Moved by_____ Seconded by_____

THAT THE FOLLOWING RESOLUTION BE ADOPTED:

WHEREAS, the persons on the attached Memorandum of MH/ID/DD Service Approval have legal settlement in Polk County; and

WHEREAS, these persons are in need of the services as described in the attached Memorandum of Service Approval; and

WHEREAS, no Polk County network providers of such services are able to meet the needs of these persons at this time; and

WHEREAS, the Board of Supervisors in the counties where the out-of-county providers are located have approved the proposed rates; and

WHEREAS, the rates for out-of-network providers in Polk County have been established by the Iowa Department of Human Services; and

WHEREAS, these services were reviewed and approved by the Service Appeal Board; and

WHEREAS, Polk County Service Appeal Board has determined that it is in the best interests of the clients and the county for the providers listed to provide the services needed by the clients.

NOW THEREFORE BE IT RESOLVED, that the Polk County Board of Supervisors does hereby approve the attached Memorandum of Service Approval and authorize the necessary expenditures from the Polk County MH/DD Services Fund for these individuals.

POLK COUNTY BOARD OF SUPERVISORS

By_____
Chairperson

Log #254

SUBMITTED BY:

POLK COUNTY HEALTH SERVICES, INC.

Lynn D. Ferrell by Karen Walters Crammond
Lynn D. Ferrell, Executive Director

Fiscal Impact $105,709.08 from the MH/DD Services Fund to be offset by revenues of $4,294.50.

#21

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution approving MH/ID/DD service approvals and authorizing expenditures from the MH/ID/DD Services Fund.

Agenda Date: 11/27/2012

Contact Individual: Annie Uetz, Director of Case Management

Previous Action taken by the Board: NA

Board/Commission Actions: Approved by Service Appeal Board

Action Requested (Recommended): Approval

Comply with Policy: Polk County Management Plan developed pursuant to Iowa Administrative Code 441 Section 25.13(2)f-g

Background: Polk County contracts with selected providers in Polk County to provide services to persons with mental illness, intellectual disability, or a developmental disability. If those providers are unable to meet the needs of a consumer and we must use an out-of-county provider or a local provider with whom we do not contract but who meets the criteria adopted by the Board of Supervisors in the Polk County Management plan. The Polk County Board of Supervisors has appointed the Polk County Service Appeal Board to review each request for services outside of Polk County or for services by local providers who the county does not contract with, to determine whether the service request is in the best interest of the consumer and the county, and to maintain client confidentiality.

Action Impact: The Polk County Service Appeal Board has determined that the services requested in the attached resolution are in the best interests of the consumers and the county. The Board of Supervisors in the counties where the providers are located have approved the proposed reimbursement rates. The attached cost summery outlines the services and the proposed costs that were reviewed and approved by the Service Appeal Board.

Fiscal Note:

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	Y	$105,709.08	$4,294.50	Y		
13/14	Y	$105,709.08	$4,294.50	Y		

Additional Fiscal Note Information (optional): Reduction in anticipated expense due to the State of Iowa taking over the payment of the non-Federal share of Medicaid match.

MEMORANDUM OF MH/MR/DD SERVICE APPROVAL
POLK COUNTY SERVICE APPEAL BOARD

Client ID	1416	*County Portion*	100%	*Unit Rate*	$1.25
Provider	DART - Ft. Dodge, Fort Dodge			*Maximum Monthly Cost*	$25.00
Service	3100a Transportation			*Maximum Cost of*	$150.00
Units	20 Monthly			*Start and End Date* 7 /1 /2012 *to*	12/31/2012
Client ID	1833	*County Portion*	100%	*Unit Rate*	$70.77
Provider	University Hospitals & Clinics, Iowa City			*Maximum Monthly Cost*	$849.24
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$849.24
Units	12			*Start and End Date* 8 /1 /2012 *to*	6 /30/2013
Client ID	1833	*County Portion*	100%	*Unit Rate*	$89.55
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$716.40
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$716.40
Units	8			*Start and End Date* 10/1 /2012 *to*	6 /30/2013
Client ID	9223	*County Portion*	100%	*Unit Rate*	$91.80
Provider	St. Luke's Hospital-Cedar Rapids, Des Moines			*Maximum Monthly Cost*	$918.00
Service	7319a Acute Inpatient Community			*Maximum Cost of*	$918.00
Units	10			*Start and End Date* 4 /23/2012 *to*	5 /3 /2012
Client ID	10354	*County Portion*	100%	*Unit Rate*	$62.50
Provider	Goshorn Psych Services PLLC, Des Moines			*Maximum Monthly Cost*	$62.50
Service	99231 Acute Inpatient Community - Doc Fees			*Maximum Cost of*	$62.50
Units	1			*Start and End Date* 3 /25/2012 *to*	3 /25/2012
Client ID	24234	*County Portion*	100%	*Unit Rate*	$29.32
Provider	Horizons Unlimited, Emmetsburg			*Maximum Monthly Cost*	$58.64
Service	5062c Work Activity 1/2-Day			*Maximum Cost of*	$175.92
Units	2 Monthly			*Start and End Date* 6 /1 /2012 *to*	8 /31/2012
Client ID	30375	*County Portion*	100%	*Unit Rate*	$1,000.00
Provider	Hy-Vee Iowa City Waterfront, Iowa City			*Maximum Monthly Cost*	$1,000.00
Service	4106a Prescription Medicine			*Maximum Cost of*	$10,000.00
Units	1 Monthly			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013
Client ID	30375	*County Portion*	100%	*Unit Rate*	$368.96
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$368.96
Service	90801doc Physiological Treatment-Intake Psychiatrist Evaluation			*Maximum Cost of*	$368.96
Units	1			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013
Client ID	30375	*County Portion*	100%	*Unit Rate*	$100.22
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$100.22
Service	90801M Psychotherapeutic Intake Eval-Adult Clinical			*Maximum Cost of*	$100.22
Units	1			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013

Client ID	30375	*County Portion*	100%	*Unit Rate*	$92.24
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$737.92
Service	90805 Doc Ind Ther/w/ MED EVAL (30 Min.)			*Maximum Cost of*	$737.92
Units	8			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013
Client ID	30375	*County Portion*	100%	*Unit Rate*	$100.22
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$2,004.40
Service	90806 Individual Psychotherapeutic TX (45-50 Min.)			*Maximum Cost of*	$2,004.40
Units	20			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013
Client ID	30375	*County Portion*	100%	*Unit Rate*	$89.55
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$805.95
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$805.95
Units	9			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013
Client ID	32158	*County Portion*	100%	*Unit Rate*	$15.01
Provider	Respite Connection, Urbandale			*Maximum Monthly Cost*	$7,039.69
Service	3225b Respite, Individual (100% County)			*Maximum Cost of*	$7,039.69
Units	469			*Start and End Date* 12/1 /2012 *to*	11/30/2013
Client ID	32757	*County Portion*	100%	*Unit Rate*	$500.00
Provider	HY-Vee Pharmacy 1080-Lantern Park-Coralville, Coralville			*Maximum Monthly Cost*	$4,500.00
Service	4106a Prescription Medicine			*Maximum Cost of*	$4,500.00
Units	9			*Start and End Date* 10/1 /2012 *to*	6 /30/2013
Client ID	32757	*County Portion*	100%	*Unit Rate*	$92.24
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$276.72
Service	90805 Doc Ind Ther/w/ MED EVAL (30 Min.)			*Maximum Cost of*	$276.72
Units	3			*Start and End Date* 10/1 /2012 *to*	6 /30/2013
Client ID	36497	*County Portion*	100%	*Unit Rate*	$809.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$3,236.00
Service	7319a Acute Inpatient Community			*Maximum Cost of*	$3,236.00
Units	4			*Start and End Date* 8 /16/2012 *to*	8 /20/2012
Client ID	36497	*County Portion*	100%	*Unit Rate*	$124.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$124.00
Service	90801 Physiological Treatment-Intake Psychiatrist Evaluation			*Maximum Cost of*	$124.00
Units	1			*Start and End Date* 8 /16/2012 *to*	8 /16/2012
Client ID	36497	*County Portion*	100%	*Unit Rate*	$124.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$124.00
Service	99231 Acute Inpatient Community - Doc Fees			*Maximum Cost of*	$124.00
Units	1			*Start and End Date* 8 /19/2012 *to*	8 /19/2012
Client ID	36497	*County Portion*	100%	*Unit Rate*	$124.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$124.00
Service	99232 Acute Inpatient Community - Doc Fees			*Maximum Cost of*	$124.00
Units	1			*Start and End Date* 8 /18/2012 *to*	8 /18/2012

Client ID	36497	*County Portion*	100%	*Unit Rate*	$124.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$124.00
Service	99239 Acute Inpatient Community - Doc Fees			*Maximum Cost of*	$124.00
Units	1			*Start and End Date* 8 /20/2012 *to*	8 /20/2012

Client ID	36902	*County Portion*	100%	*Unit Rate*	$73.00
Provider	Highland Place-Hillcrest, Ottumwa			*Maximum Monthly Cost*	$2,263.00
Service	6514a RCF 16+ Beds			*Maximum Cost of*	$18,104.00
Units	31 Monthly			*Start and End Date* 11/9 /2012 *to*	6 /30/2013

Client ID	38865	*County Portion*	100%	*Unit Rate*	$809.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$1,618.00
Service	7319a Acute Inpatient Community			*Maximum Cost of*	$1,618.00
Units	2			*Start and End Date* 8 /5 /2012 *to*	8 /7 /2012

Client ID	38865	*County Portion*	100%	*Unit Rate*	$124.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$124.00
Service	99223 Acute Inpatient Community - Doc Fees			*Maximum Cost of*	$124.00
Units	1			*Start and End Date* 8 /5 /2012 *to*	8 /5 /2012

Client ID	38865	*County Portion*	100%	*Unit Rate*	$124.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$124.00
Service	99223 Acute Inpatient Community - Doc Fees			*Maximum Cost of*	$124.00
Units	1			*Start and End Date* 8 /7 /2012 *to*	8 /7 /2012

Client ID	38865	*County Portion*	100%	*Unit Rate*	$124.00
Provider	Mary Greely Medical Center, Ames			*Maximum Monthly Cost*	$124.00
Service	99238 Acute Inpatient Community - Doc Fees			*Maximum Cost of*	$124.00
Units	1			*Start and End Date* 8 /7 /2012 *to*	8 /7 /2012

Client ID	44810	*County Portion*	100%	*Unit Rate*	$1,000.00
Provider	Widner Pharmacy - Manchester, Manchester			*Maximum Monthly Cost*	$1,000.00
Service	4106a Prescription Medicine			*Maximum Cost of*	$12,000.00
Units	1 Monthly			*Start and End Date* 9 /1 /2012 *to*	8 /31/2013

Client ID	46636	*County Portion*	100%	*Unit Rate*	$89.55
Provider	Mid-Eastern Iowa Community Mental Health Center, Iowa			*Maximum Monthly Cost*	$1,074.60
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$1,074.60
Units	12			*Start and End Date* 8 /1 /2012 *to*	6 /30/2013

Client ID	48071	*County Portion*	100%	*Unit Rate*	$213.00
Provider	Lucas County Health Center Counseling Services, Chariton			*Maximum Monthly Cost*	$5,112.00
Service	90806 Individual Psychotherapeutic TX (45-50 Min.)			*Maximum Cost of*	$5,112.00
Units	24			*Start and End Date* 6 /1 /2012 *to*	5 /31/2013

Client ID	48071	*County Portion*	100%	*Unit Rate*	$84.00
Provider	Lucas County Health Center Counseling Services, Chariton			*Maximum Monthly Cost*	$1,008.00
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$1,008.00
Units	12			*Start and End Date* 6 /1 /2012 *to*	6 /30/2013

Client ID	48234	*County Portion*	100%	*Unit Rate*	$500.00
Provider	Hammer Pharmacy, Inc., Des Moines			*Maximum Monthly Cost*	$500.00
Service	4106a Prescription Medicine			*Maximum Cost of*	$500.00
Units	1 Monthly			*Start and End Date* 10/1 /2012 *to*	10/31/2012

Client ID	49900	*County Portion*	100%	*Unit Rate*	$95.00
Provider	Poweshiek CMHC, Des Moines			*Maximum Monthly Cost*	$2,280.00
Service	90806 Individual Psychotherapeutic TX (45-50 Min.)			*Maximum Cost of*	$2,280.00
Units	24			*Start and End Date* 8 /1 /2012 *to*	6 /30/2013

Client ID	49900	*County Portion*	100%	*Unit Rate*	$91.00
Provider	Poweshiek CMHC, Des Moines			*Maximum Monthly Cost*	$273.00
Service	90808 Psychotherapeutic TX - Adult Clinical (75-80 Minutes)			*Maximum Cost of*	$273.00
Units	3			*Start and End Date* 8 /1 /2011 *to*	7 /31/2012

Client ID	49900	*County Portion*	100%	*Unit Rate*	$60.00
Provider	Poweshiek CMHC, Des Moines			*Maximum Monthly Cost*	$720.00
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$720.00
Units	12			*Start and End Date* 8 /1 /2012 *to*	6 /30/2013

Client ID	52285	*County Portion*	100%	*Unit Rate*	$281.48
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$281.48
Service	90801doc Physiological Treatment-Intake Psychiatrist Evaluation			*Maximum Cost of*	$281.48
Units	1			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013

Client ID	52285	*County Portion*	100%	*Unit Rate*	$212.16
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$212.16
Service	90801M Psychotherapeutic Intake Eval-Adult Clinical			*Maximum Cost of*	$212.16
Units	1			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013

Client ID	52285	*County Portion*	100%	*Unit Rate*	$141.44
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$3,394.56
Service	90806 Individual Psychotherapeutic TX (45-50 Min.)			*Maximum Cost of*	$3,394.56
Units	24			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013

Client ID	52285	*County Portion*	100%	*Unit Rate*	$93.82
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$1,125.84
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$1,125.84
Units	12			*Start and End Date* 9 /1 /2012 *to*	6 /30/2013

Client ID	52291	*County Portion*	100%	*Unit Rate*	$281.48
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$281.48
Service	90801doc Physiological Treatment-Intake Psychiatrist Evaluation			*Maximum Cost of*	$281.48
Units	1			*Start and End Date* 8 /1 /2012 *to*	6 /30/2013

Client ID	52291	*County Portion*	100%	*Unit Rate*	$212.16
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$212.16
Service	90801M Psychotherapeutic Intake Eval-Adult Clinical			*Maximum Cost of*	$212.16
Units	1			*Start and End Date* 8/1/2012 *to*	6/30/2013

Client ID	52291	*County Portion*	100%	*Unit Rate*	$141.44
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$3,394.56
Service	90806 Individual Psychotherapeutic TX (45-50 Min.)			*Maximum Cost of*	$3,394.56
Units	24			*Start and End Date* 8/1/2012 *to*	6/30/2013

Client ID	52291	*County Portion*	100%	*Unit Rate*	$93.82
Provider	West Central Mental Health, Adel			*Maximum Monthly Cost*	$1,125.84
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$1,125.84
Units	12			*Start and End Date* 8/1/2012 *to*	6/30/2013

Client ID	53463	*County Portion*	100%	*Unit Rate*	$285.00
Provider	North Iowa Mental Health Center, Mason City			*Maximum Monthly Cost*	$285.00
Service	90801doc Physiological Treatment-Intake Psychiatrist Evaluation			*Maximum Cost of*	$285.00
Units	1			*Start and End Date* 9/1/2012 *to*	6/30/2013

Client ID	53463	*County Portion*	100%	*Unit Rate*	$188.00
Provider	North Iowa Mental Health Center, Mason City			*Maximum Monthly Cost*	$188.00
Service	90801M Psychotherapeutic Intake Eval-Adult Clinical			*Maximum Cost of*	$188.00
Units	1			*Start and End Date* 9/1/2012 *to*	6/30/2013

Client ID	53463	*County Portion*	100%	*Unit Rate*	$72.00
Provider	North Iowa Mental Health Center, Mason City			*Maximum Monthly Cost*	$576.00
Service	90804 Psychotherapeutic TX - Adult Clinical (30 Min.)			*Maximum Cost of*	$576.00
Units	8			*Start and End Date* 9/1/2012 *to*	6/30/2013

Client ID	53463	*County Portion*	100%	*Unit Rate*	$144.00
Provider	North Iowa Mental Health Center, Mason City			*Maximum Monthly Cost*	$2,880.00
Service	90806 Individual Psychotherapeutic TX (45-50 Min.)			*Maximum Cost of*	$2,880.00
Units	20			*Start and End Date* 9/1/2012 *to*	6/30/2013

Client ID	53463	*County Portion*	100%	*Unit Rate*	$119.00
Provider	North Iowa Mental Health Center, Mason City			*Maximum Monthly Cost*	$1,071.00
Service	90862doc Physiological Treatment-Medication Management			*Maximum Cost of*	$1,071.00
Units	9			*Start and End Date* 9/1/2012 *to*	6/30/2013

Client ID	54532	*County Portion*	100%	*Unit Rate*	$34.35
Provider	Cedar Valley Community Support Services, Waterloo			*Maximum Monthly Cost*	$858.75
Service	3229b 3229C3H Hourly SCL (100% County)			*Maximum Cost of*	$10,305.00
Units	25 Monthly			*Start and End Date* 7/16/2012 *to*	6/30/2013

Client ID	56842	***County Portion***	100%	***Unit Rate***	$268.00
Provider	Genesis Mental Health Services, Perry			***Maximum Monthly Cost***	$268.00
Service	90801doc Physiological Treatment-Intake Psychiatrist Evaluation			***Maximum Cost of***	$268.00
Units	1			***Start and End Date*** 9 /1 /2012 *to*	6 /30/2013
Client ID	56842	***County Portion***	100%	***Unit Rate***	$125.00
Provider	Genesis Mental Health Services, Perry			***Maximum Monthly Cost***	$3,000.00
Service	90806 Individual Psychotherapeutic TX (45-50 Min.)			***Maximum Cost of***	$3,000.00
Units	24			***Start and End Date*** 10/1 /2012 *to*	9 /30/2013
Client ID	56842	***County Portion***	100%	***Unit Rate***	$67.02
Provider	Genesis Mental Health Services, Perry			***Maximum Monthly Cost***	$1,608.48
Service	90862doc Physiological Treatment-Medication Management			***Maximum Cost of***	$1,608.48
Units	24			***Start and End Date*** 9 /1 /2012 *to*	6 /30/2013
SUBMITTED BY:					$105,709.08

Lynn D. Ferrell by Karen Walters Crammond

Lynn D. Ferrell, Executive Director

RESOLUTION

Moved by _____ Seconded by _____
that the following resolution be adopted:

WHEREAS, legislation adopted during the 2012 Legislative Session implemented new urban renewal reporting requirements for municipalities, and

WHEREAS, each levy authority with an urban renewal plan and urban renewal area in effect at any point during the preceding fiscal year is required to file a report within the state Urban Renewal Reporting System by December 1st of each year, and

WHEREAS, Polk County has three urban renewal areas subject to this reporting requirement, and

WHEREAS, state legislation requires that the report and supporting documents be approved by an affirmative majority vote of the governing body of the levy authority.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the Annual Urban Renewal Report which was prepared by the budget office and Auditor's office and subsequently reviewed and finalized by the Board of Supervisors. The Board further authorizes staff to submit this report in the manner prescribed by the state.

POLK COUNTY BOARD OF SUPERVISORS

_____
Chairperson

Submitted By:

Deborah A. Anderson
Deb Anderson, Budget Manager

#22

POLK COUNTY BOARD OF SUPERVISORS
Tuesday Agenda Memorandum

Item Type & Title: Resolution approving Polk County Annual Urban Renewal Report

Agenda Date: November 27, 2012

Contact Individual: Deb Anderson, Budget Manager
515-286-3016

Previous Action taken by the Board: None

Board/Commission Actions: N/A

Action Requested (Recommended): Approval of annual urban renewal report

Comply with Policy: N/A

Background: House File 2460, enacted during the 2012 legislative session, increased urban renewal reporting requirements for municipalities. To implement the legislation, the state Department of Management developed an online reporting system wherein each levy authority with urban renewal areas is required to enter urban renewal information. Required information includes urban renewal area effective dates, outstanding TIF debt obligations, TIF fund balances, and job creation associated with urban renewal projects.

Polk County has three urban renewal areas in effect:
(1) Polk City North
(2) Saylorville Business Park, and
(3) NE 46th Avenue

The budget office has worked in conjunction with the Auditor's office to compile the necessary information and ensure its accuracy. Staff presented an update on the purpose and status of these projects at a Board staff meeting on November 7th and circulated the report to the Board for their review prior to today's meeting.

Action Impact: Approves content and filing of annual urban renewal report

Fiscal Note: None

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
12/13	N/A	N/A	N/A	N/A		

RESOLUTION

Moved by_____ **Seconded by**_____

that the following resolution be adopted:

WHEREAS, by resolution adopted June 14, 2011, the Polk County Board of Supervisors approved a Lease Agreement with Prairie Meadows Racetrack and Casino, Inc. for the facilities known as Prairie Meadows Racetrack and Casino for a term beginning June 1, 2011 and ending December 31, 2018; and

WHEREAS, pursuant to the provisions of this Agreement the Parties now desire to formally supplement by letter agreement the terms of the Agreement. Such supplement includes the following: 1) landlord approval of approximately $8.3 million in capital improvements during calendar year 2013; 2) landlord approval of approximately $8.3 million in capital improvements during calendar year 2014; 3) landlord approval of approximately $750,000.00 in marquee sign reader board improvements during calendar year 2013; and 4) the Parties' agreement that a decline in Tenant's adjusted gross receipts for calendar years 2013 or 2014 attributable to such capital improvements does not trigger reopening of the Lease Agreement; and

WHEREAS, the terms of this Supplemental Letter Agreement are presented as attached.

NOW, THEREFORE, BE IT RESOLVED that the attached Supplemental Letter Agreement by and between the Iowa County of Polk and Prairie Meadows Racetrack and Casino, Inc. for the facilities known as Prairie Meadows Racetrack and Casino be approved, and that the Chairperson be authorized to execute the same.

POLK COUNTY BOARD OF SUPERVISORS

_____
Angela Connolly, Chair

Submitted by:

Michael B. O'Meara
Assistant Polk County Attorney

#23

POLK COUNTY BOARD OF SUPERVISORS
Agenda Memorandum

Item Type & Title: Resolution approving Supplemental Letter Agreement with Prairie Meadows Racetrack and Casino, Inc.

Agenda Date: November 27, 2012

Contact Individual: Name and Title: Michael O'Meara
Department: Assistant Polk County Attorney
Phone: 286-3341

Background: By Resolution adopted June 14, 2011 Polk County and Prairie Meadows entered into a Lease Agreement through December 31, 2018 concerning the Facilities known as Prairie Meadows Racetrack and Casino.

Action Impact: 1) authorizes approximately $8.3 million in 2013 capital improvements; 2) authorizes approximately $8.3 million in 2014 capital improvements; 3) authorizes approximately $750,000.00 in 2013 marquee sign reader board improvements; and 4) states the Parties Agreement that a decline in tenant's adjusted gross receipts for calendar years 2013 or 2014 attributable to such capital improvements does not trigger reopening of the Lease Agreement.

Fiscal Note: None

November ___, 2012

Angela Connolly, Chairperson
Polk County Board of Supervisors
111 Court Avenue
Des Moines, Iowa 50309-2218

Re: Lease of Facilities dated as of June 1, 2011 (the "Lease"), by and between the Iowa County of Polk, ("Landlord") and Prairie Meadows Racetrack and Casino, Inc. ("Tenant"), for the property located at One Prairie Meadows Drive, Altoona, Iowa, known as Prairie Meadows Racetrack and Casino (the "Leased Premises")

Dear Angela:

This letter, when executed by Landlord and Tenant in the spaces provided below, will constitute our supplemental letter agreement regarding the above-referenced Lease. Any capitalized term used herein and not defined herein shall have the same meaning ascribed to it in the Lease.

Tenant agrees to amend Paragraph 3(a) of the Lease to provide that for calendar year 2014, the additional payment from Tenant to Landlord shall be the greater of $10,400,000 or 5% of Tenant's Adjusted Gross Receipts, subject to and conditioned upon Landlord approving (i) the casino remodeling to the Leased Premises in calendar year 2013 as proposed by Tenant to Landlord in a public meeting held Wednesday, October 24, 2012, a one page summary being attached hereto as Exhibit 1 (the "2013" Casino Renovation); (ii) the casino remodeling to the Leased Premises in calendar year 2014, which will be continuation of the 2013 Casino Renovation at a cost estimated by Tenant to be similar in amount to the cost of the 2013 Casino Renovation; and (iii) Tenant's purchase and installation of a new Marquee Sign with a cost of approximately $750,000 (see Exhibit 2 attached hereto). Tenant further agrees that any declination in Tenant's Adjusted Gross Receipts for calendar years 2013 or 2014 shall not be cause for Tenant to invoke Paragraph 3(d)(2) of the Lease. Except for the foregoing, all other terms and conditions of the Lease remain unchanged.

Landlord and Tenant hereby evidence their agreement to such provisions by signing below.

Yours very truly,

IOWA COUNTY OF POLK
("LANDLORD")

By: _____
Its Chairman of the Board of Supervisors

PRAIRIE MEADOWS RACETRACK AND CASINO, INC.
("TENANT")

By: _____
Lynette Rasmussen, Its Chairman of the Board of Directors

Casino Renovation
Phase 3 - 2013

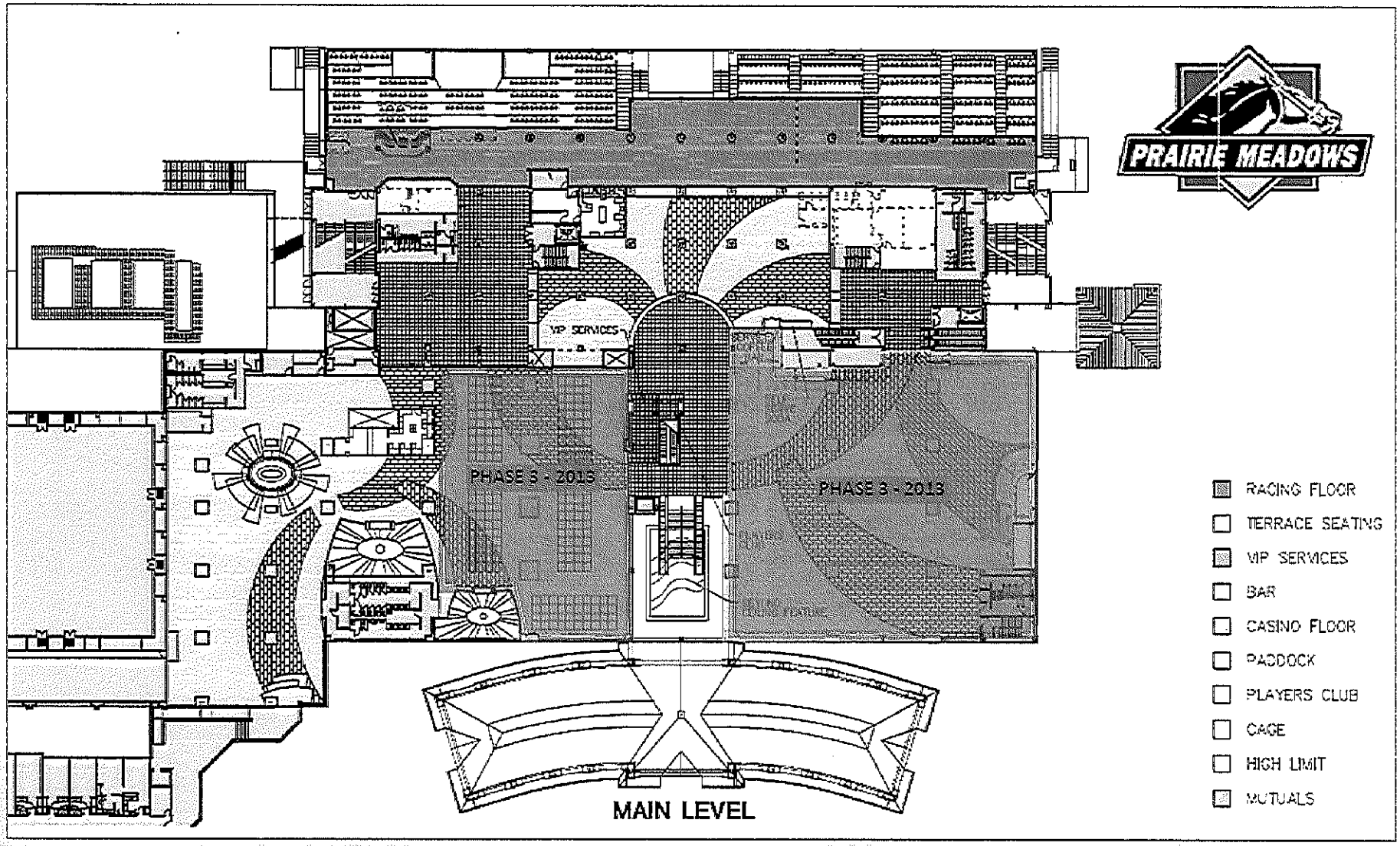
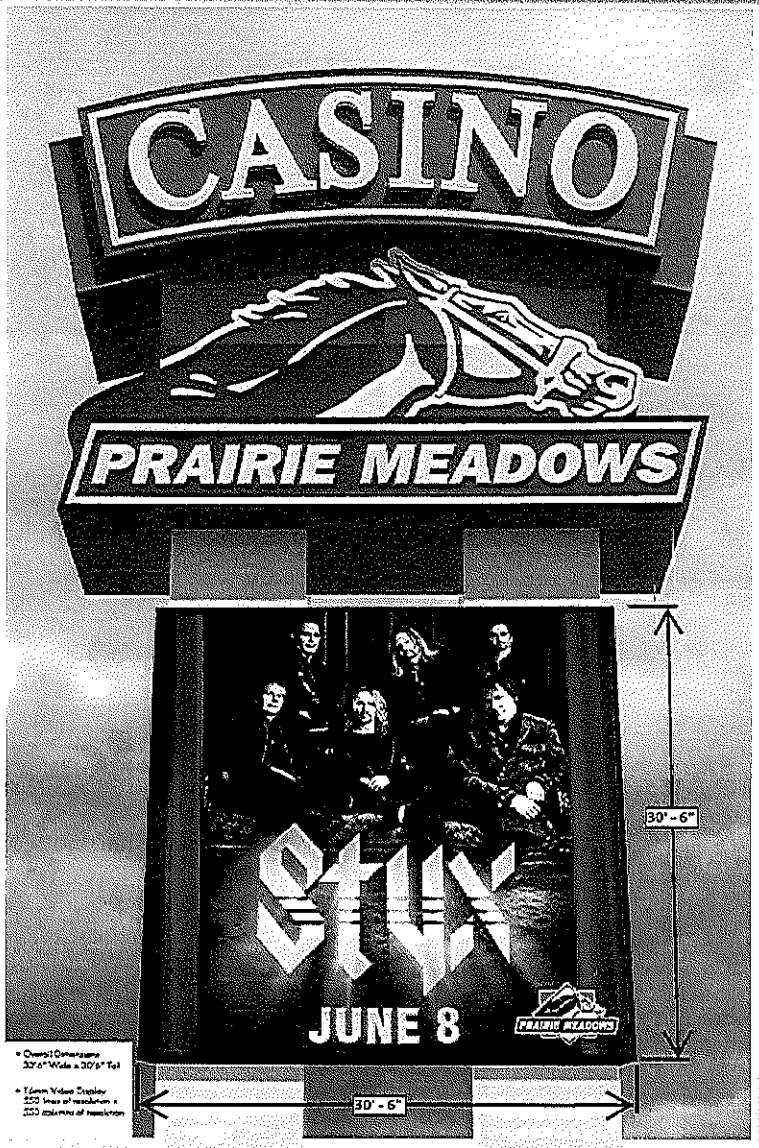


EXHIBIT 1

Casino Renovation Phase 3 - 2013

- Remodel 30,000 sf of existing casino floor
- Update finishes to match new expansion area
- $8.3 million total project cost
- Start January 2013
- Complete by end of 2013

Marquee Sign Reader Boards



- Replace existing reader boards
- $750,000 total project cost

EXHIBIT 2

PC

To the Honorable Board of Supervisors, Polk County, Iowa:

Gentlemen: The undersigned is the owner of the following property...EX BEG SE COR LOT 6 THN S 55F W 15F N 55F E 15F TO POB - PRT LY'G E OF LN BEG 306.5F E OF NW COR THN SLY TO PT 194.4F E OF SW COR LOT 5 FLINT VALLEY

which was assessed for the year 2011, in dist. No. 070/01561/3/3 at $ 19,400 assessed value,.

I hereby ask that the taxes on $ 19,400 assessed value be refunded or cancelled on account of erroneous assessment as follows: We are holding this land until our gift is completed to the City of Des Moines to become part of their Park, Trail & Open Space area for the community.

We are a 501(c)3 organization documentation is included with this application.

Iowa Heartland Resource Conservation & Development (aka) Iowa Heartland RC&D

My contact info: GayLea Wilson @ ATT.NET or IOWAHEARTLAND RC&D @ YAHOO.COM (cell) 515-360-5697 1550 CASTLEGAR CT., PLEASANT HILL 50327

GayLea Wilson, Board President
(Name)
Warren County Admin Bldg #202
(Address)
301 N. Buxton St.
Indianola, IA 50125

STATE OF IOWA, POLK COUNTY, ss:

Subscribed and sworn to before me, by.....

this 20 day of September 2012

Deputy Auditor Polk County, Iowa

Hostess Brands | Hostess Wonder

November 13, 2012

Extension Of Conditional Notice Pursuant to the Worker Adjustment and Retraining Notification Act

Dear Madams and Sirs:

We are writing to update you on the conditional WARN notice that you received from the Company last month regarding the potential occurrence of certain events that could lead to employee separations from the Company in your geographic area.

The Company's bankruptcy proceedings remain ongoing. Several of the unions representing Company employees obtained member ratification of the modified collective bargaining agreements the Company negotiated with those unions necessary to allow the Company to emerge from bankruptcy successfully. The Bakery, Confectionary, Tobacco Workers and Grain Millers International Union ("BCTGM") members and members of some of the other unions representing Company employees did not ratify the modified collective bargaining agreements applicable to them. The BCTGM began picketing at certain facilities on November 9, 2012 and has initiated strikes at many of our bakeries.

As we stated in previous notices, in the event of a failure to ratify the modified collective bargaining agreements or a strike, the Company will likely not be able to emerge successfully from bankruptcy and will have to begin to sell all or portions of its business and/or wind down its operations and liquidate, which would lead to employment separations shortly thereafter. **As of the date of this letter, the Cincinnati, Ohio, Seattle, Washington, and St. Louis, Missouri plants have been closed because ongoing strikes have crippled production at these locations.** Other facilities may be shutdown in the future as a result of the impact the strike has had on production at those facilities.

Our primary focus continues to be on completing a restructuring of the Company and emerging from chapter 11 as a viable company. It also remains possible that, despite our best efforts, the Company may be required to sell all or portions of its business and/or wind down its operations and liquidate because of the occurrence of any of the events identified in the notices sent to you, including but not limited to the ongoing strike.

Based on the best information available to the Company at this time, we believe that the Company should know by on or about December 1, 2012 whether the Company will have to begin selling portions of its business and/or wind down its operations and liquidate, which would lead to employment separations within 14 days thereafter. Employees employed by one of the closed facilities identified above will be notified prior to December 1 of their termination dates. If you have any questions, or would like further information, please contact our ASKHR call center at 1-800-Hostess (1-800-467-8377).

Very truly yours,

Jeff Parlato
Vice President, Human Resources and Labor Relations
Hostess Brands, Inc.

6031 Connection Drive, Irving, TX 75039 - (972) 532-4500

#25

POLK COUNTY MEMORANDUM OF BUDGET ACTIONS - FY 12/13 BUDGET

FUND		OFFICE/ DEPARTMENT		SUB-ACTIVITY		OBJECT/REVENUE CODE		CURRENT APPROP	PROPOSED APPROP	REVENUE VARIANCE	EXPENSE VARIANCE	EXPLANATION
55	Capital Improvement Projects	027	General Services	0220	Other Capital Projects	78340.46	Minor Equip-Conservation	25,000	-		(25,000)	Move Conservation related expenses to Conservation in order to be able to include them on the REAP certification
55	Capital Improvement Projects	027	General Services	0220	Other Capital Projects	78340	Minor Equipment	50,000	46,184		(3,816)	
1	General Basic	046	Conservation	0213	Conservation Equipment	78350	Telephone Equipment	-	28,816		28,816	
										-		
								NET BALANCE INCREASE / (DECREASE)			-	

SUBMITTED BY: _____ Date 11/20/12

REVIEWED BY:
Deb Anderson, Budget Officer — Date 11/20/12

Moved by _____ Seconded by _____ that the following Resolution be adopted:
BE IT RESOLVED that the appropriation actions outlined above are approved.

POLK COUNTY BOARD OF SUPERVISORS:
Chair

#2