

Des Moines, Iowa, August 14, 2001  
Tuesday, 5:00 p.m.

## PROCEEDINGS OF THE POLK COUNTY BOARD OF SUPERVISORS

The Polk County Board of Supervisors met in regular session on Tuesday, August 14, 2001 at 5:00 p.m.

MEMBERS PRESENT: Robert Brownell, Jack Bishop, Angela Connolly, Nathan Brooks, Gene Phillips.

Moved by Bishop, Seconded by Brownell to dispense with the reading of the August 7, 2001 minutes and they stand approved as printed.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

The Bills as certified by the County Auditor were allowed or disallowed on each according to the certified list.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

### PUBLIC HEARING: ZONING MAP AMENDMENT

Proof of Publication is on file with the Clerk of the board. David Launspach, with Launspach, Lewis, Burns and Kluender, Inc., was present and reported the proceedings regarding the zoning map amendment. Ed Skinner, 204 8th Street, S.E., Altoona, appeared representing Ronald D. Kenyon, Ronald D. Kenyon Construction Company. Mr. Skinner gave a history of the property and made his presentation for approval of the Comprehensive Land Use Plan Amendment.

#### RECEIVED & FILED:

Ronald Kenyon Rezoning Application (book of information used in Mr. Skinner's presentation for rezoning).

A video was shown from the National Asphalt Producers Association. Edward J. Potenta, 116 Main Street, Flemington, New Jersey, appeared and presented a noise assessment for the proposed asphalt plant operation.

#### RECEIVED & FILED:

Results of noise monitoring from POTENTA Environmental Consultants.

M.J. (Mike) Jordan, 2100 Scarlet Oak Lane, Lisle, Illinois, Jordan Services, consultant on asphalt plants appeared as to compliance with State and Federal regulations.

Jim Brick, Attorney, 550 39th Street, Des Moines, representing neighbors in the area, made a power point presentation opposing the rezoning.

#### RECEIVED & FILED:

Copy of presentation made by Mr. Brick to the Board in opposition to the Kenyon rezoning application.

Mayor Eugene Meyer, Mayor of West Des Moines, appeared on behalf of West Des Moines in opposition to the proposal. Council Members Loretta Sieman and Bob Parks were also in attendance. Mayor Meyer presented the following copies:

#### RECEIVED & FILED:

West Des Moines Capital Improvement Plan  
Sanitary Sewer District Master Plan (1996)  
Master Street Plan (1998)  
Ordinance establishing Sanitary Sewer Fee for this area (1998)

Lloyd Clarke, 5100 Grand Avenue, West Des Moines, opposed.

Bill Ludwig, Environmental Design Group, 5000 Westown Parkway, Urban

Planner.

Mike Flattery, Stanley Consultants, Inc., 100 Court Avenue, Civil Engineer  
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Cindy Turkle, Turkle - Clark, Inc., consultant.

The following neighbors appeared in opposition:

Art Wittern, 9265 S.W. Army Post Road  
John Mandelbaum, 5951 S.W. Woodridge Drive  
Ginger Barry, 3700 Hidden Creek  
Mary Acheson, 74th & Army Post Road  
Jim Fredregill, 2721 Patricia Drive  
Kay Acheson, 7979 S.W. 64th Avenue  
Steve Acheson, 7979 S.W. 64th Avenue

Rick Lane, 408 Scandia Avenue, President of the International Union of Operation Engineers, appeared in support of the proposal.

**RECEIVED &  
FILED:**

Letter from Mr. Lane expressing support of the proposal to expand operations.

Mr. Skinner and Mr. Brick gave closing remarks.

Public Hearing closed.

**RESOLUTION:**

Resolution a Comprehensive Land Use Plan Map Amendment from Light Business Classification to the General Business Classification as requested by Ronald D. Kenyon, Ronald D. Kenyon Construction Company.

VOTE YEA: Bishop, Phillips.

VOTE NAY: Brownell, Connolly, Brooks.

**RESOLUTION FAILED.**

**ORDINANCE:  
(FIRST READING)**

**ORDINANCE WITHDRAWN:**

Ordinance approving a Zoning Map Amendment from Light Business District to General Business District as requested by Ronald D. Kenyon, Ronald D. Kenyon Construction Company.

**APPOINTMENTS:**

Moved by Brownell, Seconded by Brooks that the following Resolution be adopted:  
NOW THEREFORE BE IT RESOLVED that the individuals named on this Memorandum be approved for personnel action:

Paula Hicks, Prog. Spec., Co. Atty., \$31,742 beginning August 25, 2001

Mary Mahnke, Admn. Supr., Treasurer, \$37,329 beginning August 25, 2001

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

**APPROVALS:**

Approval of Weekly Workers' Compensation Benefit Payments for Jack Witmer, Conservation.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Approval of Weekly Disability Income Benefits for Randi Hutchison, County Attorney's Office.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

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**RESOLUTIONS:** Resolution approving \$21,840 CCRC Purchase of Service Agreement with Mid-Iowa Community Action, Inc. to provide training services.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

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

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution approving the expenditure of development dollars for the Pilot Capitation Project.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution approving Change Order #12 with Taylor Ball for the construction of the Juvenile Detention Center, in the amount of \$5,593.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution awarding Bid No. 393-0102, Iowa Events Center BP#1, Utilities Relocation (Public Hearing was held July 31, 2001).

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution approving proposed amendment from Terrus Real Estate to lease additional space for the County Attorney's Office located in the Midland Building in additional rent expense of \$9,281 plus \$7,335 in remodeling costs.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution refunding special assessments for weed cutting.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution approving Emergency Medical Services Training Money Contract with the Department of Health.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution approving the 2001 Health Inspection Agreement with the Iowa Department of Education, Bureau of Food and Nutrition.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Resolution approving property purchase agreement with LCS Real Estate, Inc.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

Moved by Bishop, Seconded by Brownell to adjourn until August 21, 2001 at 9:30 a.m.

VOTE YEA: Brownell, Bishop, Connolly, Brooks, Phillips.

**MICHAEL A. MAURO**  
**POLK COUNTY AUDITOR**

**GENE PHILLIPS**  
**CHAIRPERSON BOARD OF SUPERVISORS**

No qualified individuals with a disability will be excluded on the basis of a disability from participation in meetings, hearings, programs, activities or services conducted by Polk County. To request information in an alternative format or request an accommodation to participate in a meeting, hearing, program, activity or service, contact the office conducting the meeting or offering the program, activity or service.