

Des Moines, Iowa, November 25, 2003
Tuesday, 9:30 a.m.

PROCEEDINGS OF THE POLK COUNTY BOARD OF SUPERVISORS

The Polk County Board of Supervisors met in regular session on Tuesday, November 25, 2003 at 9:30 a.m.

MEMBERS PRESENT: E.J. Giovannetti, Tom Hockensmith, Robert Brownell, John Mauro, Angela Connolly.

Moved by Brownell, Seconded by Mauro to dispense with the reading of the November 18, 2003 minutes and they stand approved as printed. The November 6, 10 and 14, 2003 canvass meeting minutes were also approved.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

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

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

PROCLAMATION: "Adoption Month in Polk County"

ORDINANCE: Ordinance repealing old subdivision rules and adopting new subdivision ordinance effective January 1, 2004.
(THIRD READING)

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

PUBLIC HEARING: ZONING MAP AMENDMENT

Proof of Publication is on file with the Clerk of the Board. No one appeared for or against the amendment. Public Hearing closed.

RESOLUTION: Resolution approving the Comprehensive Land Use Plan Map Amendment from Agricultural (AG) Classification to the Estate (E) Classification as requested by Edward and Patricia Schneiders.

VOTE NAY: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

RESOLUTION FAILED.

ORDINANCE: Ordinance approving Zoning Map Amendment from the Agricultural (AG) District to the Estate (E) District as requested by Edward and Patricia Schneiders.
(FIRST READING)

Due to the resolution failing, the ordinance is rendered moot.

PUBLIC HEARING: ZONING MAP AMENDMENT

Proof of Publication is on file with the Clerk of the Board. No one appeared for or against the amendment. Public Hearing closed.

RESOLUTION: Resolution approving Comprehensive Land Use Plan Map Amendment from Estate (E) Classification to the Suburban Estate (SE) Classification as requested by Michael Kidman, Paula Scheve and Patricia Hunt.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

ORDINANCE: Ordinance approving the Zoning Map Amendment from the Estate (E) District to the Suburban Estate (SE) District as requested by Michael Kidman, Paula Scheve and Patricia Hunt.
(FIRST READING)

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

MOTION: Moved by Brownell, Seconded by Mauro to waive the Second and Third Readings of the Ordinance.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

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

Michael Hake, Sr Deputy, Sheriff, \$47,141.12 beginning October 2, 2003

Byron Kern, Sr Deputy, Sheriff, \$50,446.24 beginning October 1, 2003

William P. Proctor, Bldg Tech, Fac Supp Svcs, \$21,877.44 beg Dec 1, 2003

Olu Salami, Asst Co Atty, Co Atty, \$48,495.20 beginning Dec 8, 2003

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

BUDGET ACTIONS: Moved by Brownell, Seconded by Mauro that the following appropriations be approved:

B.O.S., General County Mgmt, Other Svcs & Charges, \$323,400

Human Resources, General County Mgmt, Other Svcs & Charges, \$118,129

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

PERMITS: Renewal application for Class "C" Liquor License, Sunday Sales and Outdoor Service Area Permit for Daytona's, 4875 Merle Hay Road.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly.

PASS: Mauro.

Renewal application for Class "C" Liquor License and Sunday Sales for Las Fiestas Entertainment Center, 4500 NW 6th Drive.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly.

PASS: Mauro.

Renewal application for Class "C" Liquor License, Sunday Sales and Outdoor Service Area Permit for O'Malley's, 7012 NE 14th Street.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly.

PASS: Mauro.

Renewal application for Class "C" Beer and Class "B" Wine Permit and Sunday Sales for QuikTrip #562, 4801 NE 14th Street.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly.
PASS: Mauro.

**REFERRED TO
PLANNING,
PUBLIC WKS &
CO ATTORNEY:**

Monthly Public Notice from the U.S. Army Corps of Engineers regarding permits.

Communication from the City of Mitchellville regarding the annexation of the Wastewater Treatment Facility.

Findings of Fact, Conclusions of Law and Certification in the matter of the annexation of an island to the City of Bondurant.

**PUBLIC
COMMENTS:**

Wanda Sears, 838 29th Street, appeared regarding Resolutions #21 and #22 (Healthy Polk/Empowerment funds and Healthy Polk funds)

Bob Mickle, 1711 Woodland, appeared regarding Resolution #19 (Dallas County 28E agreement), Resolution #21 (Healthy Polk/Empowerment funds) and Resolution #26 (task force between City of Des Moines Parks and Recreation and Polk County Conservation Board)

Ron Barry, 3700 Hidden Creek, West Des Moines, spoke in support of Resolution #26A (development agreement with Color Converting)

RESOLUTIONS:

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

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution approving the plat of Clipperton Place.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution authorizing the Auditor's Office to publish Notice of Public Hearing on Disposal of County Interest in Real Estate for December 9, 2003 (3001 Carr Street).

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution approving routine 28E maintenance agreement with Dallas County.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution approving inspection agreement with the Iowa Department of Transportation for project regarding the reconstruction and widening of U.S. 69.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution approving recommendations for the Healthy Polk/Empowerment Funding FY 03/04.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution approving recommendations for Healthy Polk funding FY 03/04.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution authorizing the Auditor's Office to publish Notice of Public Hearing on Disposal of County Interest in Real Estate for December 9, 2003 (Iowa Department of Transportation).

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution approving easement for MidAmerican Energy Company on Center Street in the City of Des Moines.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution approving change order for the Iowa Events Center construction contract.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution establishing a task force to explore the possibility of cooperation between the City of Des Moines Parks and Recreation and the Polk County Conservation Board to achieve efficiencies.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

Resolution authorizing the amendment to a Development Agreement with Color Converting Inc.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

MOTION: Moved by Brownell, Seconded by Hockensmith to go into Closed Session with legal counsel regarding strategy concerning pending or imminent litigation and discussion of purchase of particular real estate.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

The Board returned to open session at 12:00 p.m.

Moved by Hockensmith, Seconded by Brownell to adjourn until December 2, 2003 at 9:30 a.m.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Mauro, Connolly.

MICHAEL A. MAURO
POLK COUNTY AUDITOR

ANGELA CONNOLLY
CHAIRPERSON BOARD OF SUPERVISORS

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