

**POLK COUNTY BOARD OF SUPERVISORS AGENDA  
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING  
111 COURT AVENUE - ROOM 120  
JULY 23, 2013 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**

LEASE AGREEMENT – NORTH SENIOR CENTER

- \*5. Resolution approving second addendum to lease agreement concerning the North Senior Center.

**ORDINANCE**  
(THIRD READING)

6. Ordinance approving Zoning Map Amendment from Agricultural District to Estate Residential District for properties located at 8952, 8630 and 8606 NW 121<sup>st</sup> Street (Jefferson/Horbach/Paup).

**PERMITS**

7. Renewal application for Class “C” Liquor License and Sunday Sales for Smokey’s Oldtime Saloon, 4397 NE 6<sup>th</sup> Drive.

8. **PUBLIC COMMENTS**

**RESOLUTIONS**

- \*9. Resolution approving agreement with Visiting Nurse Services for well elderly activities and screenings at the senior centers.
10. Resolution authorizing the Auditor’s Office to publish Notice of Public Hearing for August 6, 2013 on Disposal of County Interest in Real Estate (613 SE 22<sup>nd</sup> Court).
11. Resolution approving minor final subdivision plat of Ziel Outlot Plat 1.
- \*12. Resolution approving letter of agreement establishing the Central Iowa Coordinated Response Coalition.
- \*13. Resolution approving amendment to agreement with Iowa Department of Public Health for emergency preparedness funding.
- \*14. Resolution approving amendment to FY 14 Local Public Health Services Contract with the Iowa Department of Public Health.

15. Resolution approving manufactured home abatements.
16. Resolution calling for an election on November 5, 2013 on proposal to issue general obligation bonds, not to exceed \$81,000,000, for the courthouse project.
- \*17. Resolution approving the engagement of Federal Advocates, Inc.
- \*18. Resolution approving Community Development Grant to Downtown Community Alliance (for strategy and development plan for the revitalization of Walnut Street).
- \*19. Resolution approving Community Development Grant for Youth Homes of Mid-America.
20. Resolution approving Community Betterment Grant awards.

#### **COMMUNICATIONS**

- \*21. Voluntary Annexation of the City of Alleman within urbanized area of the City of Ankeny.

#### **BUDGET ACTIONS**

22. Memorandum of Budget Actions.

#### **APPOINTMENTS**

23. Memorandum of Appointments.

#### **CLOSED SESSION**

24. Discussion with legal counsel concerning strategy in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation (Iowa Code Section 21.5(c)).

#### **ADJOURNMENT**

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

RESOLUTION

Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_  
that the following Resolution be adopted:

WHEREAS, the Iowa County of Polk is currently party to a lease agreement with HPM Investments, Inc. concerning 10,857 square feet in suites 5, 7 and a portion of suite 11, 100 E. Euclid Avenue, Des Moines, Iowa 50313, for the purposes of the North Senior Center; and

WHEREAS, the parties seek to enter into an extension of this lease agreement, the terms of which are embodied in one Second Addendum to Lease; and

WHEREAS, because this Second Addendum to Lease may run for a term of five (5) years commencing October 1, 2013 and ending September 30, 2018, subject to certain possible modifications, Iowa Code section 331.301 requires public notice and an opportunity to comment on the proposed lease agreement; and

WHEREAS, this public hearing has now been held.

NOW, THEREFORE, BE IT RESOLVED that Polk County does approve the Second Addendum to Lease with HPM Investments, Inc. concerning 10,857 square feet in suites 5, 7 and a portion of suite 11, 100 E. Euclid Avenue, Des Moines, Iowa 50313, for the purposes of the North Senior Center; and

BE IT FURTHER RESOLVED that the Chairperson be authorized to execute all attendant documents.

\_\_\_\_\_  
Chairperson

Submitted by:

  
\_\_\_\_\_  
Michael B. O'Meara  
Assistant Polk County Attorney

#5

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, Joe M. and Sharon M. Jefferson (titleholders) 2966 Hubbell Road, Des Moines, IA, Lon J. Horbach (contract buyer), 6454 56<sup>th</sup> Place, West Des Moines, IA and Mark Paup (titleholder) 8630 NW 121<sup>st</sup> St, Grimes, IA are requesting a Zoning Map amendment from the AG-Agricultural District to the ER-Estate Residential District for the subject property located at 8952, 8630, 8606 NW 121<sup>st</sup> Street and also includes a vacant parcel (#240/00303-007-000), containing approximately 123.09 total acres and located in Jefferson Township; and

WHEREAS, a Zoning Map Amendment was reviewed and heard by the Polk County Zoning Commission on Tuesday, May 28, 2013, at 7:00 P.M., at the meeting room of the Polk County Public Works Department, Planning Division, 5885 N.E. 14<sup>th</sup> 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 three (3) for, one (1) against with three (3) absent to recommend approval of the Zoning Map amendment from the AG-Agricultural District to the ER-Estate Residential District for the subject property; and

WHEREAS, the Zoning Map amendment was heard by the Polk County Board of Supervisors on July 9, 2013 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.

#5

NOW, THEREFORE, BE IT ORDAINED that the Zoning Map amendment (Attachment A) from the AG-Agricultural District to the ER-Estate Residential District for the following described property:

N 1/2 SW 1/4 LESS RD SEC 20-80-25 & BEG SE COR THN W 749.67F NLY 1336.11F E 705.5F S TO POB S 1/2 SW 1/4 LESS RD SEC 20-80-25 & BEG 705.5F W OF NE COR THN S 715.65F W 436.82F NWLY 516.57F NLY 265.55F NW 220.62F E 1004.99F TO POB S 1/2 SW 1/4 SEC 20-80-25 & BEG 872.31F N OF SW COR THN N 469.78F E 919.12F SE 220.62F SELY 421.26F NW 176.54F W 1047.85F TO POB SW 1/4 SW 1/4 SEC 20-80-25 – all located in Jefferson Township.

BE APPROVED.

POLK COUNTY BOARD OF SUPERVISORS:

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Tom Hockensmith, Chairperson

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Ordinance No. 1<sup>st</sup> reading on Zoning Map Amendment from the AG-Agricultural District to the ER-Estate Residential District for the subject properties located at 8952, 8630, 8606 NW 121<sup>st</sup> St located in Jefferson Township.

**Agenda Date:** July 9, 2013

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

**Previous Action taken by the Board:** None

**Board/Commission Actions:** The Zoning Commission at their May 28, 2013 meeting voted three (3) for, one (1) against with three (3) absent to recommend approval of the Zoning Map Amendment from the AG-Agricultural District to the ER-Estate Residential District.

**Action Requested (Recommended):** Staff is recommending denial

**Comply with Policy:** The requested Rezoning Petition does not comply with the Zoning Ordinance.

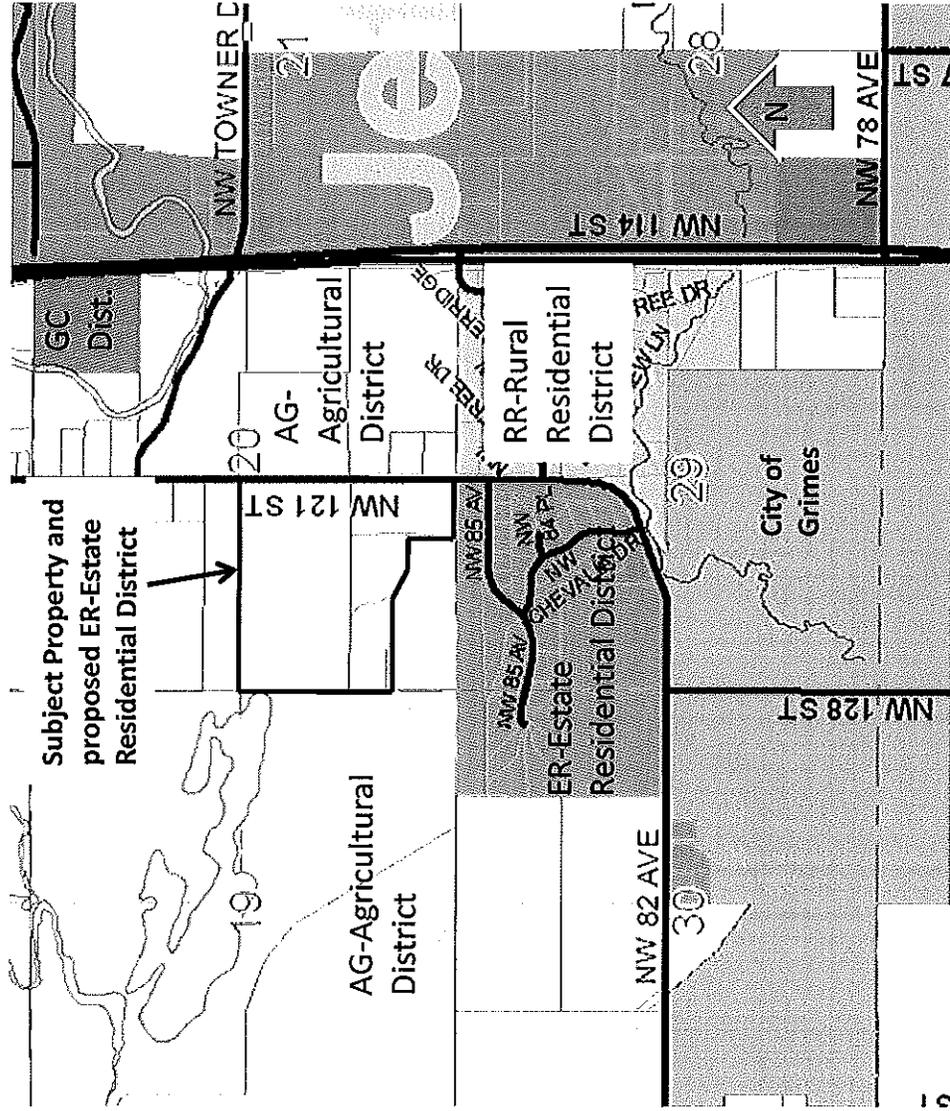
**Background:** Petitioners are Joe M. and Sharon M. Jefferson (titleholders) 2966 NE Hubbell Ave., Des Moines, IA., Lon J. Horbach (contract buyer), 6454 56<sup>th</sup> Place, West Des Moines, IA and Mark Paup (titleholder) 8630 NW 121<sup>st</sup> St., Grimes, IA. No significant changes have occurred within the immediate vicinity of the subject property since the adoption of the amended Zoning Ordinance and Map to justify the requested change in zoning. An effort was made during the creation of the Polk County 2030 Comprehensive Plan and the Polk County Zoning Map to reduce or eliminate Estate residential lots and preserve and protect farm and agricultural ground and natural areas. Planning staff remains concerned about changing the zoning to permit additional residential development in an area of the County not envisioned due to a number of factors including proximity to a natural resources, limited utilities, and presence of flood plain and wetlands. Changing the zoning to ER-Estate Residential will likely prompt other adjacent and nearby land owners to request the same zoning district unnecessarily changing the use from agricultural to residential.

**Action Impact:** Staff is concerned about the affect of development on the Brenton Slough and interest that will likely occur from adjacent landowners to request similar zoning to develop land residentially in an agricultural area not designated for residential growth.

**Fiscal Note:** None

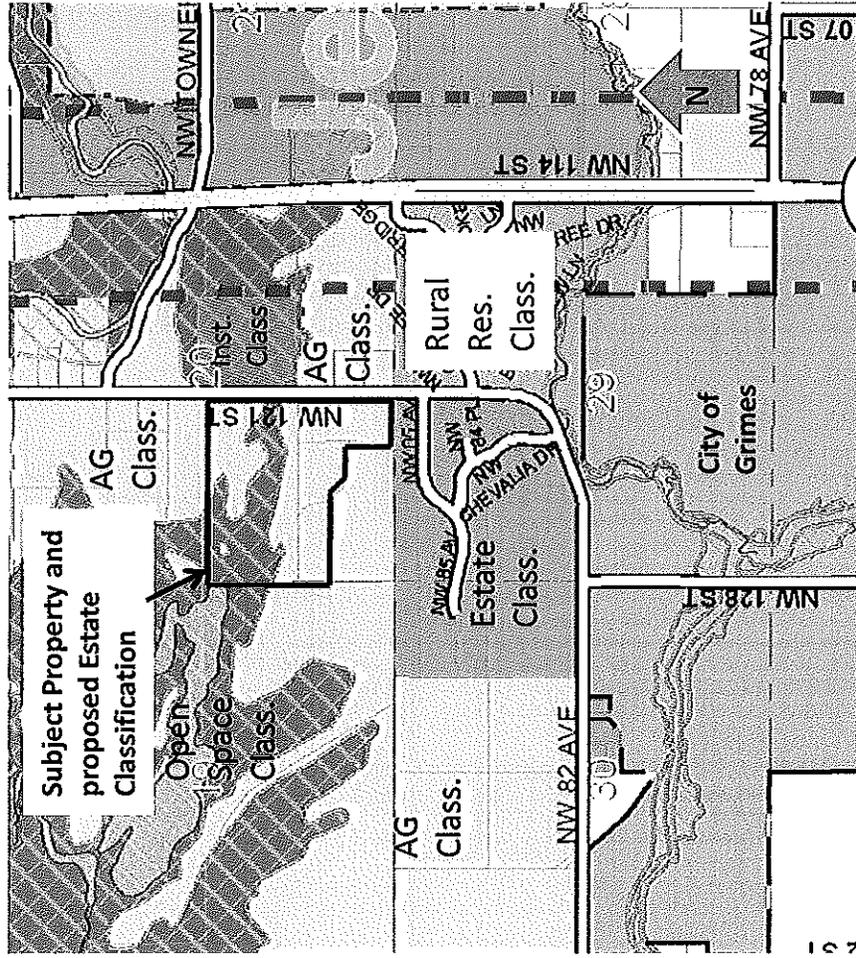
Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
13/14	N	N	N	N		

# Polk County Zoning Map Amendment Attachment A



**Legal description of the subject property:** N 1/2 SW 1/4 LESS RD SEC 20-80-25 & BEG SE COR THN W 749.67F NLY 1336.11F E 705.5F S TO POB S 1/2 SW 1/4 LESS RD SEC 20-80-25 & BEG 705.5F W OF NE COR THN S 715.65F W 436.82F NWLY 516.57F NLY 265.55F NW 220.62F E 1004.99F TO POB S 1/2 SW 1/4 SEC 20-80-25 & BEG 872.31F N OF SW COR THN N 469.78F E 919.12F SE 220.62F SELY 421.26F NW 176.54F W 1047.85F TO POB SW 1/4 SW 1/4 SEC 20-80-25 — all located in Jefferson Township.

Polk County 2030 Comprehensive Plan Map Amendment  
Attachment A



# License Application ( LC0038559 )

## Applicant

Name of Applicant:	<u>Parkway Investment Corporation</u>				
Name of Business (DBA):	<u>Smokeys Oldtime Saloon</u>				
Address of Premises:	<u>4397 ne 6th drive</u>				
City:	<u>Des Moines</u>	County:	<u>Polk</u>	Zip:	<u>50317</u>
Business Phone:	<u>(515) 243-9841</u>				
Mailing Address:	<u>4397 ne 6th drive</u>				
City:	<u>Des Moines</u>	State:	<u>IA</u>	Zip:	<u>50317</u>

## Contact Person

Name:	<u>jo lee Endriss</u>				
Phone:	<u>(641) 421-7484</u>	Email Address:	<u>jendriss00@gmail.com</u>		

Classification: Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 07/19/2013

Expiration Date: 07/18/2014

Privileges:

Class C Liquor License (LC) (Commercial)  
Sunday Sales

## Status of Business

BusinessType:	<u>Privately Held Corporation</u>				
Corporate ID Number:	<u>244811</u>	Federal Employer ID #	<u>421509598</u>		

## Ownership

### JoLee Endriss

First Name: JoLee

Last Name: Endriss

City: Mason City

State: Iowa

Zip: 50401

Position secy/treasurer

% of Ownership 50.00 %

U.S. Citizen

### Robert Endriss

First Name: Robert

Last Name: Endriss

City: mason city

State: Iowa

Zip: 50401

Position president

% of Ownership 50.00 %

U.S. Citizen

Insurance Company Information

#7

**RESOLUTION**

Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_,  
that the following Resolution be approved:

WHEREAS, the Polk County Department of Community, Family and Youth Services Senior Services Division receives Aging Resources of Central Iowa funds to provide "wellness" activities for senior citizens at Congregate Meal Sites in Polk County; and,

WHEREAS, the County has previously contracted with VNS to coordinate wellness activities and provide well elderly services for the Senior Services Division; and,

WHEREAS, the current agreement expired June 30, 2013; and,

WHEREAS, a purchase of service contract with Visiting Nurse Services of Iowa has been developed to be effective July 1, 2013 through June 30, 2016; and,

WHEREAS, the three year purchase of service contract is conditional upon the availability of budgeted funds, satisfactory performance by the Provider, and the Provider's continued compliance with the Agreement terms; and,

WHEREAS, the total cost of the agreement shall not exceed \$53,945.24 for FY 13/14, \$55,563.60 for FY 14/15 and \$57,230.51 for FY15/16 (3% increase per year).

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the attached Agreement with Visiting Nurse Services of Iowa and directs the County Auditor to take the necessary steps to effectuate said agreement.

**POLK COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Tom Hockensmith, Chairperson

**SUBMITTED BY**

B. Boyer  
Brian Boyer, Director  
Community, Family and Youth Services

**APPROVED AS TO FORM**

Candy Morgan  
Candy Morgan, Assistant County Attorney  
Civil Division

#9

Fiscal Note: This agreement uses federal funding provided to the County through a Title III B contract with Aging Resources of Central Iowa. Due to a loss of funding from United Way for VNS, Polk County is providing an additional \$25,000 to continue the foot care provided to seniors the first year with a 3% increase each year. Reductions will be made elsewhere in the CFYS budget to offset costs.

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Agreement between Polk County and Visiting Nurse Services of Iowa for Well Elderly Activities and Screenings for seniors at Polk County Senior Centers.

**Agenda Date:** July 23, 2013

**Contact Individual:** Joy Ihle, Program Administrator  
(515) 286-2062

**Previous Action taken by the Board:** The Board approved a similar three year agreement on June 1, 2010.

### Board/Commission Actions

**Action Requested (Recommended):** Approval is recommended

**Comply with Policy:** Yes

**Background:** Visiting Nurse Services of Iowa provides health promotion, disease prevention, wellness programs and direct nursing (R.N.) services on a monthly basis at each of the congregate meal sites. The Seniors of Polk County have access to preventative health screenings and wellness activities free of charge. These screenings include but are not limited to foot care, blood pressure, hemoglobin, cholesterol and glucose. The services are identified in agreement with Aging Resources of Central Iowa as vital to senior health and were determined by the Senior Health Advisory Committee, which is a multidisciplinary group of Polk County health professionals.

**Action Impact:** Approval of this agreement will benefit Polk County seniors by providing the following at no cost:

- Blood pressure screenings
- Preventative foot care
- Glucose, hemoglobin and cholesterol screenings
- Monthly wellness education
- Early detection of health concerns
- Referrals to health professionals

**The term of the agreement is July 1, 2013 through June 30, 2016.**

### Consideration:

- 1) (13/14) \$53,945.24
- 2) (14/15) \$55,563.60
- 3) (15/16) \$57,230.51

**Fiscal Note:**

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense	Anticipated Revenue	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
13/14	N		\$ 53,945.24		Y	10233403.76470	10233403.52450
14/15	N		\$ 55,563.60			10233403.76470	10233403.52450
15/16	N		\$ 57,230.51			10233403.76470	10233403.52450

**Additional Fiscal Note Information (optional):** This agreement uses federal funding provided to the County through a Title III B contract with Aging Resources of Central Iowa. Due to a loss of funding from United Way for VNS, Polk County is providing an additional \$25,000 to continue the foot care provided to seniors the first year with a 3% increase each year. Reductions will be made elsewhere in the CFYS budget to offset costs.

93-94

**RESOLUTION**

Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_ that the following resolution be adopted:

WHEREAS, it is proposed to dispose of Polk County's interest in real estate at the address of a property located at 613 SE 22<sup>nd</sup> Court, Des Moines, Iowa and legally described as:

-LOTS 41 & 42 BLK 4 JACKS PLAT

To Southeast 23<sup>rd</sup> St Property, LLC for a total of \$2,000.00; and

WHEREAS, Iowa Code section 331.361(2) requires a public hearing on a proposal to dispose of an interest in real estate.

NOW, THEREFORE, BE IT RESOLVED that a public hearing on this proposed disposal of the County's interest in real estate will be held on the date of August 6, 2013, at 9:30 a.m. in Room 120 of the Polk County Administration Building, 111 Court Avenue, Des Moines, Iowa. The Auditor is directed to publish notice of the public hearing.

POLK COUNTY BOARD OF SUPERVISORS:

\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:

  
\_\_\_\_\_  
Robert Ride, Director  
Polk County Public Works

Fiscal Note: \$ 2,000.00 to Real Estate Fund

#10

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution No. 112-13 to authorize the Auditor's Office to publish notice for a public hearing on disposal of interest in County owned Real Estate File #93-94, (District 50 Parcel 02280-000-000) to Southeast 23<sup>rd</sup> St Property, LLC.

**Agenda Date:** July 23, 2013

**Contact Individual:** Bret VandLune, Planning and Development Manager, Real Estate Division, Polk County Public Works, 286-2290

**Previous Action taken by the Board:** None

**Board/Commission Actions:** None

**Action Requested (Recommended):** Set Public Hearing

**Comply with Policy:** Yes, proposal.

**Background:** Polk County received a proposal from Southeast 23<sup>rd</sup> St Property, LLC for \$2,000.00 to purchase this parcel. The County received this parcel by tax deed in September of 1978. Property size is 50' x 125'. Parcel is buildable.

**Action Impact:** Approval of the resolution sets the public hearing date and directs the Auditor's Office to publish notice of a public hearing

**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			\$2,000.00			

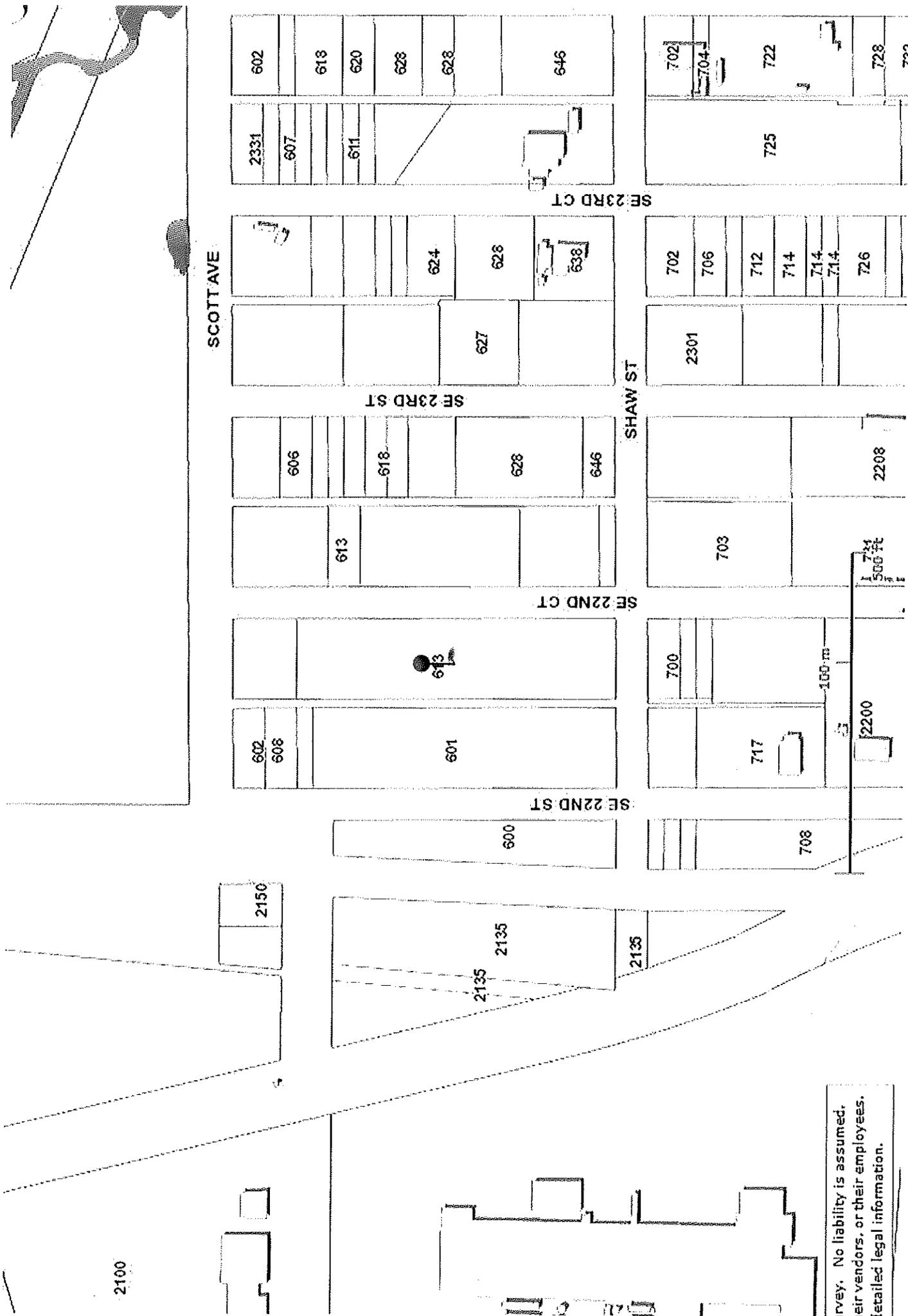
**Additional Fiscal Note Information (optional):**

## NOTICE OF PUBLIC HEARING

The Polk County Board of Supervisors will hold a Public Hearing on the 6th of August, 2013 at 9:30 a.m. in Room 120 of the Polk County Administration Building, 111 Court Avenue, Des Moines, Iowa, to consider a proposal to convey real estate with the local address of a vacant property located at 613 SE 22<sup>nd</sup> Court, Des Moines, Iowa and described as:

- LOTS 41 & 42 BLK 4 JACKS PLAT

To Southeast 23<sup>rd</sup> St Property, LLC for a total of \$2,000.00. For additional information, contact Polk County Public Works, Real Estate Division at (515)286-3705.



urvey. No liability is assumed,  
their vendors, or their employees,  
detailed legal information.

RESOLUTION

Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_ that the following resolution be adopted:

WHEREAS, the owners of land located in Section 28, Township 80 North, Range 24 West of the 5<sup>th</sup> P.M., Polk County, Iowa, wish to subdivide and plat their land into a **minor final** subdivision plat known as **Ziel Outlot Plat 1**; and

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

WHEREAS, this subdivision plat proposes four (4) unbuildable Outlots reserved for future re-platting; and

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

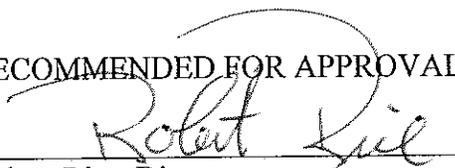
NOW, THEREFORE, BE IT RESOLVED that the **minor final** subdivision plat of **Ziel Outlot Plat 1**, is hereby approved.

Sewer Service:	Rock Creek Sanitary Sewer
Water Service:	Des Moines Water Works
Zoning:	MDR – Medium Density Residential District
Platted By:	Eric Ziel & Jerry Abbott
Engineer:	Associated Engineering Company of Iowa
Location:	The subdivision plat is located west of NW 16 <sup>th</sup> Street and south of NW Polk City Drive and north of NW 84 <sup>th</sup> Avenue.
Township:	Crocker

POLK COUNTY BOARD OF SUPERVISORS:

\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:

  
\_\_\_\_\_  
Robert Rice, Director  
Polk County Public Works

FISCAL NOTE: No cost to the County

#11

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution No. 113-13 approving the **minor final** subdivision plat of **Ziel Outlot Plat 1**

**Agenda Date:** July 23, 2013

**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 four (4) unbuildable Outlots on 55.80 acres of land and is zoned MDR- Medium Density Residential District. Presently the subdivision plat consists of two individually owned parcels. This property is primarily bounded by Rock Creek (Ireland Estates Plat 1) on the west, NW 16<sup>th</sup> Street along the east, NW Polk City Drive on the north and NW 84<sup>th</sup> Avenue on the south. The property, when developed into buildable lots, will be served by Des Moines Water Works and the Rock Creek Sanitary Sewer.

**Action Impact:** With Board approval of the resolution, a subdivision plat with four (4) Outlots will be created, but will be re-platted in the future for residential building purposes.

**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
13/14						

# ZIEL OUTLOT PLAT 1

Final Plat

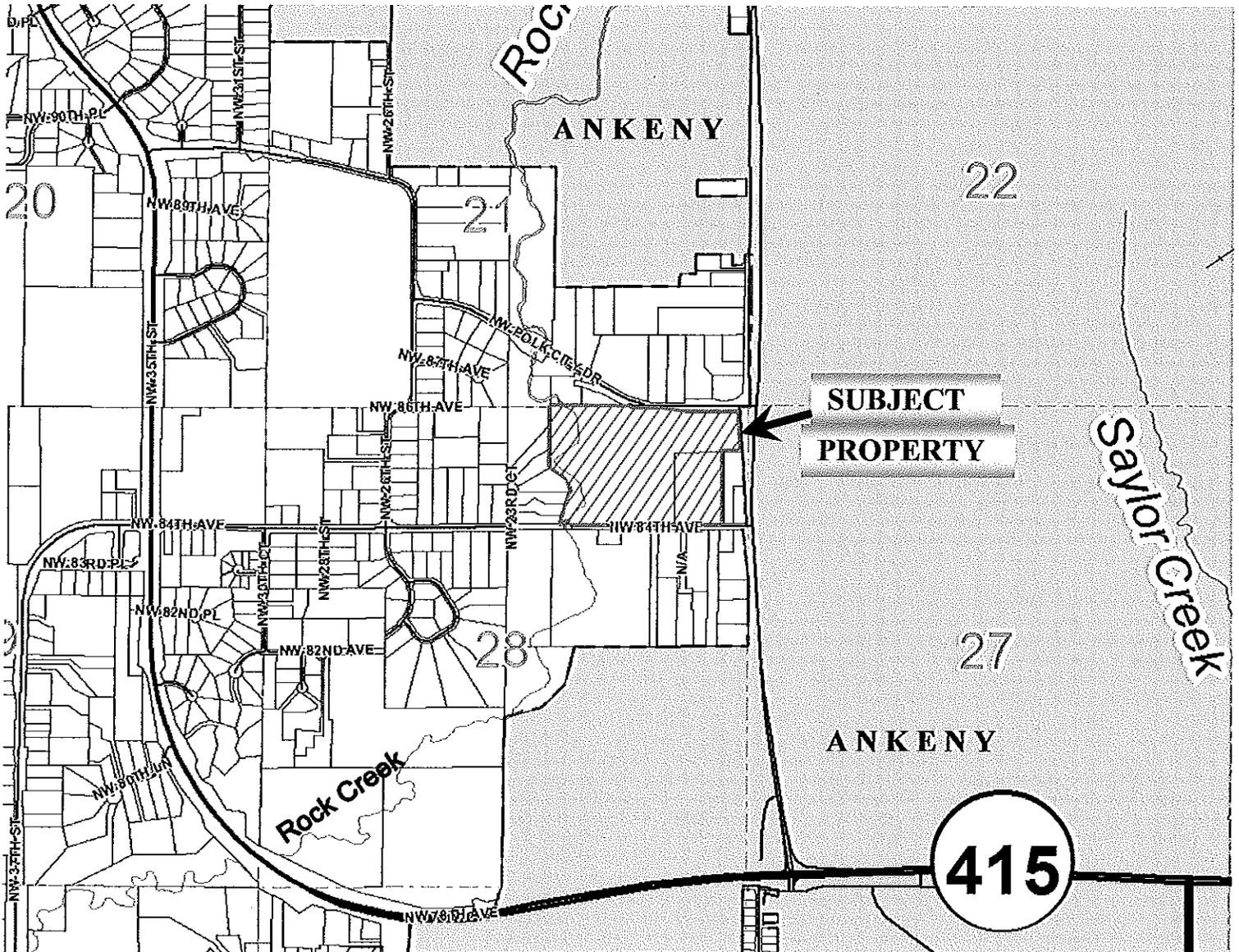
**PLAT INFORMATION:** This final subdivision plat proposes 4 unbuildable Outlots on 55.80 acres of land and is zoned MDR- Medium Density Residential District. The Outlots are unbuildable parcels until re-platted.

**SEWER:** Rock Creek Sanitary Sewer

**WATER:** Des Moines Water Works

**TOWNSHIP:** Crocker

**OWNER/DEVELOPERS:** Eric Ziel & Jerry Abbott





**RESOLUTION**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

That the following Resolution be adopted:

WHEREAS, the Iowa Department of Public Health issued a Request for Proposals for Public Health Preparedness Funds for FY 13-14; and

WHEREAS, these funds are only available to coalitions that include local public health departments and hospitals; and

WHEREAS, Polk County Health Department has joined with Broadlawns Medical Center, Dallas County Public Health Nursing Services, Dallas County Emergency Management, Mercy Medical Center, Mercy West Lakes, Polk County Emergency Management, UnityPoint Health-Iowa Methodist Center, UnityPoint Health-Iowa Lutheran, UnityPoint Health-Methodist West, and Warren County Health Services to form the Central Iowa Coordinated Response Coalition; and

WHEREAS, the purpose of the Central Iowa Coordinated Response Coalition is to improve preparedness and response capabilities for emergencies whether deliberate, accidental, or natural by working together to develop, implement, demonstrate and sustain all Public Health Preparedness Capabilities and Healthcare Preparedness Capabilities; and

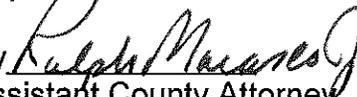
WHEREAS, Polk County has agreed to serve as the Fiscal Agent for the Central Iowa Coordinated Response Coalition.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors /Board of Health approves this letter of agreement and authorizes the Chairperson to sign the Agreement.

By \_\_\_\_\_  
Chair  
Polk County Board of Supervisors

  
\_\_\_\_\_  
Rick Kozin  
Public Health Director

Approved as to Form

By   
Assistant County Attorney

Fiscal Note: None

#12

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Letter of Agreement Establishing the Central Iowa Coordinated Response Coalition

**Agenda Date:** 07/23//2013

**Contact Individual:** Rick Kozin, 286-3926

**Previous Action taken by the Board:** N/A

**Board/Commission Actions:** None

**Action Requested (Recommended):** Approval

**Comply with Policy:** Yes

**Background:** Since 2002 the Iowa Department of Public Health has received federal funding for emergency preparedness activities. Some of these funds are passed along to local public health departments (Public Health Emergency Preparedness {PHEP} funds) and hospitals (Hospital Preparedness Program [HPP]) for local emergency preparedness activities. The contracts for FY 12/13 required participating local public health departments and hospitals to form local coalitions. Beginning in FY 13-14 PHEP and HPP funding received by the Iowa Department of Public Health that had previously been distributed to local public health departments and hospitals will be distributed directly to the coalitions.

Polk County Health Department has joined with Broadlawns Medical Center, Dallas County Public Health Nursing Services, Dallas County Emergency Management, Mercy Medical Center-Des Moines, Mercy West Lakes, Polk County Emergency Management, UnityPoint Health-Iowa Methodist Center, UnityPoint Health-Iowa Lutheran, UnityPoint Health- Methodist West, and Warren County Health Services to establish the Central Iowa Coordinated Response Coalition.

The purpose of the CICRC is to improve preparedness and response capabilities for emergencies whether deliberate, accidental, or natural by working together to develop, implement, demonstrate, and sustain all Public Health Preparedness Capabilities and Healthcare Preparedness Capabilities. With the ultimate goal being to prepare county public health and healthcare to prevent, protect against, respond to, mitigate, and rapidly recover from threats to human health and national health security in Dallas, Warren and Polk Counties.

**Action Impact:** : Participation in the coalition will assist the Polk County Health Department in their continued effort to prepare and respond to bioterrorism, infectious disease outbreaks and other public health threats and emergencies. It will also allow us to continue to pursue Public Health Preparedness Funds and Hospital Preparedness funds for our community.

**Fiscal Note:** None

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

**Additional Fiscal Note Information (optional):**

**RESOLUTION**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

That the following Resolution be adopted:

WHEREAS, the Iowa Department of Public Health (IDPH) received federal funds to assist state and local public health with public health emergency preparedness and response activities; and

WHEREAS, IDPH appropriated \$392,683 to Polk County to improve public health emergency preparedness and response activities for the period July 1, 2012 through September 30, 2013; and

WHEREAS, previous contract amendments modified the contractual payment language and adjusted funding for workshop attendance, year-end expenses and contract extensions; and

WHEREAS, this fifth amendment changes the due dates of the Workplan End-of-Year Report to June 28, 2013

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors /Board of Health approves Contract #5883BT77, Amendment 5, with Iowa Department of Public Health to conduct disaster preparedness and response activities for Polk County and authorizes the Chairperson 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  \_\_\_\_\_  
Assistant Polk County Attorney

Fiscal Note: FY 13/14 Revenues/Expenses none

#13

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Amendment to Agreement with Iowa Department of Public Health for Public Health for Emergency Preparedness funding

**Agenda Date:** 7/23/2013

**Contact Individual:** Scott Slater, 286-3752

**Previous Action taken by the Board:** Previous amendments approved by the BOS on 12/18/12, 3/5/13, 7/02/13 and 7/9/13

**Board/Commission Actions:** None

**Action Requested (Recommended):** Approval

**Comply with Policy:** The federal government extends grant funds through states to local counties to assist them in preparing for response to public health emergencies.

**Background:** During the past several years, all levels of public health have been conducting intense bioterrorism and disaster preparedness planning. Since 2002, the Iowa Department of Public Health (IDPH) has been allocating funds to all counties in Iowa. This cycle, Polk County was allocated a total of \$392,683 in funding for public health emergency preparedness.

**Action Impact:** This amendment changes the due dates of the Workplan End of Year report to June 28, 2013.

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

**Additional Fiscal Note Information (optional):**

R E S O L U T I O N

MOVED BY \_\_\_\_\_ SECONDED BY \_\_\_\_\_

That the following Resolution be adopted:

WHEREAS, the Iowa Department Health (IDPH) provides funding yearly to Polk County through the Local Public Health Services (LPHS) Contract; and

WHEREAS, the purpose of this contract is to assure the provision of core public health functions and essential public health services and to support public health nursing and home care aid services for persons within the county; and

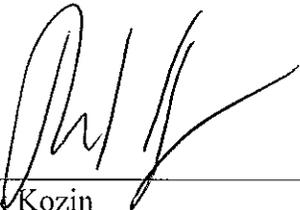
WHEREAS, IDPH allocated combined program funding in the amount of \$846,655 for the period July 1, 2013 through June 30, 2014 and this was approved by the Board of Supervisors/Board of Health on July 9, 2013; and

WHEREAS, this amendment to the contract inserts the address of the County Board of Health on the contract face sheet.

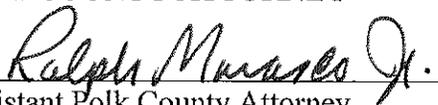
NOW, THEREFORE, BE IT RESOLVED: That the Polk County Board of Supervisors /Board of Health approves the FY 14 LPHS contract #5884CO77, Amendment 1, with Iowa Department of Public Health for the provision of public health services in Polk County and authorizes the Chairperson to sign the agreement.

POLK COUNTY BOARD OF SUPERVISORS

By \_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Rick Kozin  
Director of Public Health

Approved as to form:  
JOHN P. SARCONE  
POLK COUNTY ATTORNEY

BY   
Assistant Polk County Attorney

Fiscal Impact: None

# 14

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** AMENDMENT TO FY14 LOCAL PUBLIC HEALTH SERVICES CONTRACT (LPHSC) WITH THE IOWA DEPARTMENT OF PUBLIC HEALTH (IDPH)

**Agenda Date:** 7/23/2013

**Contact Individual:** Scott Slater, 286-3752

**Previous Action Taken by the Board:** The Board of Supervisors approved the F413 LPHSC contract with the Iowa Department of Public Health on July 9, 2013.

**Board/Commission Actions:** None

**Action Requested:** Approval

**Comply with Policy:** Yes

**Background:** The Iowa Department of Public Health has provided funding to Polk County for the provision of public health activities such as home care aide, public health nursing services and Local Board of Health activities. Polk County has traditionally provided some of the programming and subcontracted with a non-profit agency to provide home care aide and public health nursing services.

This year's contract amount is \$846,655 which represents level funding from the previous year.

**Action Impact:** This amendment to the contract inserts the address of the County Board of Health on the contract face sheet.

**Fiscal Note:**

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

Additional Fiscal Note Information (optional): Funding sources:

**RESOLUTION**

MOVED BY \_\_\_\_\_ SECONDED BY \_\_\_\_\_

**That the following resolution be adopted:**

**WHEREAS**, the attached list of mobile homes have been destroyed, dismantled, or removed from the mobile home park or removed from Polk County, and

**WHEREAS**, Polk County or private buyers may be holding tax sale certificates to some of the listed mobile homes; and,

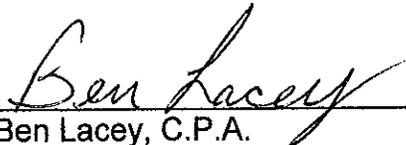
**WHEREAS**, Iowa Code Section 435.25, unnumbered paragraph three, requires the abatement of taxes when the Polk County Treasurer has determined that it is administratively impractical to pursue collection of the total amount due.

**NOW, THEREFORE, BE IT RESOLVED** by the Polk County Board of Supervisors that in compliance with 435.25, Code of Iowa, in reference to all parcels listed, the Polk County Real Estate Department and any private buyers are directed to return the tax sale certificates to the Treasurer to be cancelled. Subsequent taxes, together with all late interest, costs and fees, are hereby cancelled and the Treasurer shall correct the tax records accordingly.

POLK COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Chairperson

SUBMITTED BY:

  
\_\_\_\_\_  
Ben Lacey, C.P.A.  
Assistant Director  
Polk County Treasurer

#15

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Manufactured Home Abatement

**Agenda Date:** July 23, 2013

**Contact Individual:** Ben Lacey

**Previous Action taken by the Board:**  
**Board/Commission Actions:**

**Action Requested (Recommended):** Approval to abate delinquent taxes and cancel Polk County tax sales against manufactured homes no longer in existence or residing in the State of Iowa.

**Comply with Policy:** Compliance with Iowa Code Section 435.25

**Background:**

In compliance with 435.25, Code of Iowa and in reference to all parcels listed, the Board of Supervisors shall direct the Polk County Real Estate Department and any private buyers to return the tax sale certificates to the Treasurer to be cancelled. Furthermore, they shall direct the Treasurer to abate subsequent taxes, together with all late interest, costs and fees.

**Action Impact:**

**Fiscal Note:**

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
13/14						
14/15						

**Additional Fiscal Note Information (optional):** Abate Taxes - \$2,109.00, Cancel Tax Sales - \$1,393.00

<u>Parcel Number</u>	<u>Tax Sale Year</u>	<u>Reason</u>
000368777		Transferred thru abandon process 12/10/2012
823308999	2003	Transferred thru abandon process 1/7/2013
699145999	2012	Transferred thru abandon process 1/25/2013
006079777		Transferred thru abandon process 2/8/2013
977063999		Junked thru valueless process 7/1/2013
365258999		Junked thru valueless process 7/1/2013
148208999	2010	transferred thru valueless process 7/1/2013
407536999		Transferred thru valueless process 7/9/2013
957293999	2011	Transferred thru valueless process 7/9/2013
567102999	2002	Transferred thru valueless process 7/9/2013
877503999	2012	Transferred thru valueless process 7/9/2013
001829777	2008	Transferred thru valueless process 7/9/2013
850301999	2013	Transferred thru valueless process 7/9/2013

The Board of Supervisors then proceeded to discuss the matter of calling a special county election.

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, that the following Resolution be adopted:

### RESOLUTION CALLING A SPECIAL COUNTY ELECTION

WHEREAS, Polk County, State of Iowa, proposes to contract indebtedness and issue general obligation bonds to provide funds to pay costs of the general county purpose project of remodeling, reconstructing, historically rehabilitating, furnishing and equipping the buildings of the Polk County Judicial System at an estimated cost of \$89,160,000; and

WHEREAS, Section 331.442 of the Code of Iowa, provides that before the Board may institute proceedings for the issuance of bonds for a general county purpose project, it shall call a special county election to vote upon the proposition of issuing bonds in accordance with the provisions of such statute; and

WHEREAS, neither the proposal for the issuance of the bonds hereinafter set forth, nor any other proposal incorporating any portion of it, has or will have been submitted to the registered voters of the County for a period of more than six months prior to the date of election hereinafter provided; and

WHEREAS, the Des Moines Register, is a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, and is published in the County and of general circulation therein.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POLK COUNTY, STATE OF IOWA:

Section 1. That there is hereby called a County election on Tuesday, the 5th day of November, 2013, at which election there shall be submitted to the registered voters of the County the following question, to-wit:

#### Polk County Public Safety and Judicial System Bond

Shall the County of Polk, State of Iowa, issue its General Obligation Bonds in an amount not exceeding the amount of \$81,000,000 (to be borrowed in phases) for the purpose of paying costs of improving public safety in, remodeling, reconstructing, historically rehabilitating, furnishing and equipping the buildings of the Polk County Judicial System, including the Historic Courthouse, the

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Criminal Court Annex (former Main Jail), and the Polk County Justice Center Annex (former JC Penney/Wellmark Building)?

Section 2. That the voting place or places for the election, and the hours the polls shall be opened and closed shall be as set out in the Notice of Election, such notice to be prepared and approved by the County Commissioner of Elections.

Section 3. That the form of ballot to be used at the election shall be of the type authorized by the Code of Iowa that will permit the use of electronic counters and will be in substantially the form set forth in the Notice of Election. That, if more than one public measure shall be submitted to the electors at the time of the election, all such measures shall be printed upon one ballot.

Section 4. That the Election Board for the voting precinct or precincts shall be appointed by the County Commissioner of Elections, not less than 15 days before the date of said election.

Section 5. That the Auditor of Polk County, Iowa, being the County Commissioner of Elections, is hereby directed to publish the Notice of Election once in the Des Moines Register, being a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, published in said County and of general circulation therein, the publication to be not less than four clear days nor more than twenty days prior to the date of the election.

Section 6. That the County Commissioner of Elections shall cause to be prepared all such ballots and election registers and other supplies as may be necessary for the proper and legal conduct of said election.

Section 7. That the Auditor is hereby directed to file a certified copy of this Resolution in the office of the County Commissioner of Elections, which filing shall also constitute the "written notice" to the County Commissioner of Elections of the election date required to be given by the governing body under the provisions of Chapter 47 of the Code of Iowa.

Section 8. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the Supervisors' action in calling the election in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County, such publication to be made with the minutes of this meeting. The notice of the Board's action to call an election on the proposal to issue the above bonds shall be in substantially the following form:

NOTICE OF PROPOSAL OF POLK COUNTY, IOWA TO ISSUE NOT TO EXCEED \$81,000,000 GENERAL OBLIGATION BONDS, ELECTION CALLED; PROJECT DETAILS

On July 23, 2013, the Board of Supervisors of Polk County, Iowa, took action to call an election on November 5, 2013 upon the proposal to issue not to exceed \$81,000,000 General Obligation Bonds (to be borrowed in phases) for the purpose of paying costs of improving public safety in, remodeling, reconstructing, historically rehabilitating, furnishing and equipping the buildings of the Polk County Judicial System, including the Historic Courthouse, the Criminal Court Annex (former Main Jail), and the Polk County Justice Center Annex (former JC Penney/Wellmark Building). The total project cost is estimated at \$89,160,000, which includes the aforementioned improvements, the costs of issuing the bonds, acquisition costs, and expansion and renovation of the County Attorneys' office space within the Polk County Justice Center Annex. Costs above the bonded amount shall be paid from available County funds.

This notice is given by order of the Board of Supervisors of the County of Polk, State of Iowa, as provided by Section 331.442 of the Code of Iowa.

Dated this 23<sup>rd</sup> day of July, 2013.

---

Jamie Fitzgerald, County Auditor,  
Polk County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 23<sup>rd</sup> day of July, 2013.

\_\_\_\_\_  
Chairperson, Board of Supervisors

ATTEST:

\_\_\_\_\_  
County Auditor

ROLL CALL

00954977-1\19044-087

**RESOLUTION**

**MOVED** by \_\_\_\_\_ **SECONDED** by \_\_\_\_\_

that the following Resolution be adopted:

**WHEREAS**, since 2009 the Board of Supervisors have engaged Federal Advocates, Inc. to assist Polk County in pursuing and maximizing the opportunity to receive funding from all levels of government; and,

**WHEREAS**, Federal Advocates, Inc. has presented a proposal for services for the calendar year 2014 to perform certain representative services for Polk County, Iowa that includes advocating on behalf of Polk County to secure funding and policy initiatives on the federal level; and,

**WHEREAS**, Des Moines Area Regional Transit Authority (DART) desires to have Federal Advocates represent them on transit related issues; and,

**WHEREAS**, DART agrees to reimburse Polk County \$2,500 per month to cover the services provided to them by Federal Advocates; and,

**WHEREAS**, it is the desire of the Polk County Board of Supervisors to amend Polk County's current agreement with Federal Advocates to include the DART services and extend the agreement through December 31, 2014; and,

**WHEREAS**, Polk County and DART agree to enter into a letter of agreement outlining the contractual arrangement for Federal Advocates services.

**NOW, THEREFORE BE IT RESOLVED** that the Polk County Board of Supervisors hereby approves and authorizes the Chair to sign the attached letter of engagement between Polk County and Federal Advocates, Inc. for the period of August 1, 2013 through December 31, 2014, at a cost of \$127,500, with \$42,500 to be reimbursed by DART, and approves and authorizes the Chair to sign the attached letter of agreement between Polk County and DART.

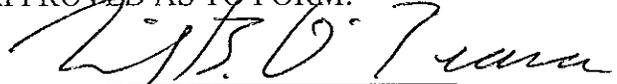
**POLK COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Chairperson

**SUBMITTED BY:**

  
\_\_\_\_\_  
Sue Elliott  
Project Manager

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael B. O'Meara  
Assistant County Attorney

FY 12/13 #  
Fiscal Note: \$127,500 from gaming revenues with \$42,500 to be reimbursed by DART.

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# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution approving the engagement of Federal Advocates, Inc.

**Agenda Date:** July 23, 2013

**Contact Individual:** Sue Elliott, Project Manager  
Board of Supervisors  
286-3128

**Previous Action taken by the Board:** 12/11/13

**Board/Commission Actions:** N/A

**Action Requested (Recommended):** Approval of the letter of engagement between Polk County and Federal Advocates, Inc. and letter of agreement between Polk County and DART.

**Comply with Policy:** Yes

**Background:** Since 2009 the Board of Supervisors have engaged Federal Advocates, Inc. to assist Polk County in pursuing and maximizing the opportunity to receive funding from all levels of government. Federal Advocates, Inc. has presented a proposal for services for the calendar year 2014 to perform certain representative services for Polk County, Iowa that includes advocating on behalf of Polk County to secure funding and policy initiatives on the federal level. Des Moines Area Regional Transit Authority (DART) desires to have Federal Advocates represent them on transit related issues. DART agrees to reimburse Polk County \$2,500 per month to cover the services provided to them by Federal Advocates. It is the desire of the Polk County Board of Supervisors to amend Polk County's current agreement with Federal Advocates to include the DART services and extend the agreement through December 31, 2014. Polk County and DART agree to enter into a letter of agreement outlining the contractual arrangement for Federal Advocates services.

**Action Impact:** Approves and authorizes the Chair to sign the letter of engagement between Polk County and Federal Advocates, Inc. and letter of agreement between Polk County and DART.

**Fiscal Note:**

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
13/14		\$110,000	\$27,500	Y	10109000.76470	10109000.52790
14/15		\$45,000	\$15,000	N	10109000.76470	10109000.52790

**Additional Fiscal Note Information (optional):**

**RESOLUTION**

**MOVED** by \_\_\_\_\_ **SECONDED** by \_\_\_\_\_

that the following Resolution be adopted:

**WHEREAS**, the Downtown Partnership, Inc. d/b/a Downtown Community Alliance is committed to focusing on developing and maintaining a vibrant downtown core, and;

**WHEREAS**, the mission of the Downtown Community Alliance is to achieve a shared vision for the future of downtown Des Moines by providing leadership; initiative, advocacy and building partnerships, and achieving shared solutions and;

**WHEREAS**, the Downtown Community Alliance is requesting a Polk County Community Development Grant for a Retail Strategy and Development Plan for the revitalization of Walnut Street in Des Moines, Iowa and,

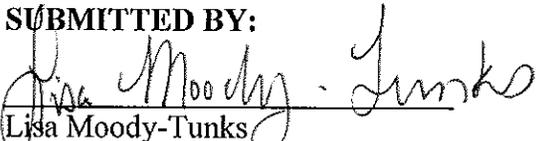
**WHEREAS**, the Polk County Board of Supervisors desires to support the Downtown Community Alliance and their efforts to revitalize Walnut Street and adjacent areas in downtown Des Moines,

**NOW, THEREFORE, BE IT RESOLVED** that the Polk County Board of Supervisors hereby approves a grant in the amount of \$7,500 to the Downtown Partnership Inc. d/b/a Downtown Community Alliance for the Retail Strategy and Development Plan for Walnut Street in Des Moines, Iowa and authorizes the Chair to sign the attached agreement.

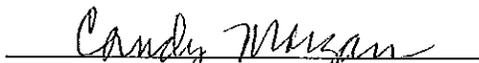
**POLK COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Chairperson

**SUBMITTED BY:**

  
\_\_\_\_\_  
Lisa Moody-Tunks  
Grant Administrator

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Assistant County Attorney

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution approving a Community Development Grant to the Downtown Partnership, Inc. d/b/a Downtown Community Alliance for a Strategy and Development Plan for the revitalization of Walnut Street in Des Moines, Iowa.

**Agenda Date:** July 23, 2013

**Contact Individual:** Lisa Moody-Tunks, Grant Administrator  
 Polk County Board of Supervisors  
 515-286-2272

**Previous Action taken by the Board:**

**Board/Commission Actions:** N/A

**Action Requested (Recommended):** Approves a \$7,500 Community Development Grant to the Downtown Partnership, Inc. d/b/a Downtown Community Alliance.

**Comply with Policy:** Yes

**Background:** The Downtown Community Alliance has a constant focus on developing and maintaining a vibrant downtown core. The Downtown Partnership, Inc. d/b/a Downtown Community Alliance has partnered with the City of Des Moines to prepare a Retail Strategy and Development Plan for Walnut Street in downtown Des Moines. The Downtown Partnership, Inc. d/b/a Downtown Community Alliance is requesting funding for the retail expertise and marketing research for the revitalization of Walnut Street in Des Moines, Iowa. The retail expertise and marketing research will be provided by Genus Landscape Architects.

**Action Impact:** Passing of the resolution approves \$7,500 of Community Development funds to be awarded to the Downtown Partnership, Inc. d/b/a Downtown Community Alliance for costs related to the Retail Strategy and Development Plan for the revitalization of Walnut Street in Des Moines, Iowa.

**Fiscal Note:**

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
13/14	N	\$7,500			40109032.79410	

**Additional Fiscal Note Information (optional):**

**RESOLUTION**

**Moved by** \_\_\_\_\_ **Seconded by** \_\_\_\_\_

**that the following Resolution be adopted:**

WHEREAS, Youth Homes of Mid-America focuses on providing troubled youth with supportive residential services with a path to becoming independent; and,

WHEREAS, Youth Homes of Mid-America is seeking a Polk County Community Development Grant to assist with a capital improvement project. The project will focus on several infrastructure needs and some of these include: campus-wide fiber network, heating cooling automation, security key card system and renovation updates to several areas of the campus; and,

WHEREAS, Youth Homes of Mid-America will improve the quality of services by making these much needed improvements. This capital improvement project will provide better accommodations for children in need; and,

WHEREAS, the Polk County Board of Supervisors specifically desires to participate in and assist with the purchase and installation of the security key card system at their Johnston Campus, located at 7225 NW 58<sup>th</sup> St. Johnston, Iowa; and,

NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby approves a one time grant in the amount of \$100,000.00 to Youth Homes of Mid-America; and,

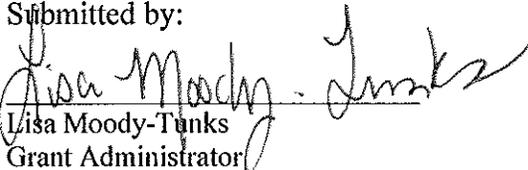
BE IT FURTHER RESOLVED, that only physical public improvements be paid for from these funds and that recognition will be given to the "Citizens of Polk County" at the completion of expenditures.

BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors directs staff to transfer the necessary funds in fiscal year 13/14 to the Community Development Fund for payment of obligations consistent with this Resolution.

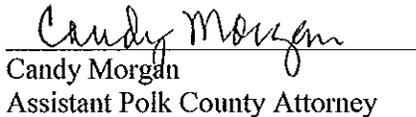
**POLK COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Tom Hockensmith, Chair

Submitted by:

  
\_\_\_\_\_  
Lisa Moody-Tunks  
Grant Administrator

Approved as to form:

  
\_\_\_\_\_  
Candy Morgan  
Assistant Polk County Attorney

Fiscal Impact: Expenditure of \$100,000.00 from Gaming Revenue

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# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution approving a Community Development Grant for Youth Homes of Mid-America.

**Agenda Date:** July 23, 2013

**Contact Individual:** Lisa Moody-Tunks, Grant Administrator  
 Polk County Board of Supervisors  
 515-286-2272

**Previous Action taken by the Board:** Community Betterment Grant-May 8, 2012 \$1,500.00.

**Action Requested (Recommended):** Award a \$100,000.00 Community Development Grant to Youth Homes of Mid-America.

**Comply with Policy:** Yes

**Background:** Youth Homes of Mid-America provides services for troubled youth and their families. Youth Homes of Mid-America requested funding for a capital improvement project that will assist with improvements to their building and grounds where their clients reside. Polk County Community Development Grant funds are directed towards a security key card system to be purchased and installed at their Johnston Campus. The security improvements will assist with the quality of services they provide to our youth.

**Action Impact:** The passage of this resolution will award \$100,000.00, to Youth Homes of Mid-America and authorizes the Chair to sign attached agreement.

**Fiscal Note:**

Fiscal Year	Budget-ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
13/14		\$100,000.00			4010932.79410	

**Additional Fiscal Note Information (optional):**

# RESOLUTION

MOVED by \_\_\_\_\_ SECONDED by \_\_\_\_\_ that  
the following Resolution be adopted:

**WHEREAS**, the Polk County Board of Supervisors has identified funding for Community Betterment projects in the FY 13-14 Prairie Meadows Revenue Gaming Plan; and,

**WHEREAS**, community agencies/organizations throughout the metropolitan area submit requests for Community Betterment funding; and,

**WHEREAS**, requests for support of community agencies/organizations throughout the metropolitan area have been received from all of the agencies listed on the attached Community Betterment Grant Award List; and,

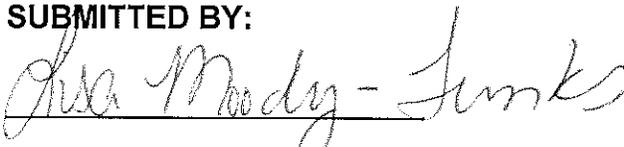
**WHEREAS**, the nature of these agencies/organizations and their projects are an appropriate use of the Community Betterment funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Polk County Board of Supervisors hereby approves awarding \$12,284.00 in Community Betterment Grants, in the individual amounts as identified, to the agencies/organizations on the attached Community Betterment Grant Award List from the Community Betterment fund.

**POLK COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Chairperson

**SUBMITTED BY:**

  
\_\_\_\_\_  
Lisa Moody-Tunks  
Grant Administrator

Fiscal Impact: \$12,284.00 from the Community Betterment fund, FY 13-14

#20

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution Approving Community Betterment Grant Awards.

**Agenda Date:** July 23, 2013

**Contact Individual:** Lisa Moody-Tunks,  
Grant Administrator  
Polk County Board of Supervisors  
286-2272

**Previous Action taken by the Board:** July 9, 2013

**Board/Commission Actions:** N/A

**Action Requested (Recommended):** Approval of the attached July 23, 2013 Community Betterment Grant Award List.

**Comply with Policy:** Yes

**Background:** Polk County has funding for Community Betterment projects in the FY13-14 Prairie Meadows Revenue Gaming Plan. Request for support of community agencies/organizations have been received and their projects are an appropriate use of the Community Betterment funds.

**Action Impact:** Passing of this resolution approves awarding \$12,284.00 in Community Betterment Grants in the individual amounts as identified on the attached Community Betterment Grant Award List.

**Fiscal Note:**

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
13/14		\$12,284.00		N		40109033.79410

**Additional Fiscal Note Information (optional):**

**Community Betterment Award  
July 23, 2013**

Des Moines Public Schools-Hoover High School	\$3,000.00
Union Park Neighborhood Association	\$9,284.00

**TOTAL      \$12,284.00**

BEFORE THE CITY DEVELOPMENT BOARD  
STATE OF IOWA

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IN THE MATTER OF THE VOLUNTARY	)	NO. UA13-11 / ALLEMAN
ANNEXATION OF THE CITY OF ALLEMAN	)	FINDINGS OF FACT AND
WITHIN THE URBANIZED AREA OF THE	)	CONCLUSIONS OF LAW AND
CITY OF ANKENY	)	DETERMINATION

---

TO: Cities of Alleman and Ankeny, Polk County Board of Supervisors, Polk County Attorney, Des Moines Area Metropolitan Planning Organization, Iowa Attorney General, Iowa Department of Transportation and affected public utilities.

STATEMENT OF THE CASE

The City of Alleman (hereinafter the "City") filed its request for City Development Board approval of annexation of territory within the urbanized area of Ankeny on May 29, 2013. Notice of City Development Board review of the request and owner's application was given on June 24, 2013, and the Board considered the matter at its July 10, 2013, meeting. The City Development Board, having considered the City's request for approval, the property owner's application and all evidence submitted by the affected parties, hereby makes the following findings of fact, conclusions of law and determination:

FINDINGS OF FACT

1. On February 11, 2013, by written application, which included a map, Keith Muehlenthaler requested the City of Alleman to annex the following described property owned by them and located in Polk County, Iowa:

The proposed annexation territory is described in Appendix A attached hereto and by this reference made a part of.

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2. On February 21, 2013, the City of Alleman published in an official county newspaper notice of the City Council's meeting on March 11, 2013, to consider the application for voluntary annexation.
3. On February 15, 2013, the City of Alleman provided a copy of the application for voluntary annexation to the City of Ankeny, Polk County Board of Supervisors, Des Moines Area Metropolitan Planning Organization, Iowa Department of Transportation and affected public utilities.
4. By resolution dated March 11, 2013, which contained a legal description, the City Council of Alleman voted to annex the subject property.
5. The area to be annexed is within two miles of the City of Ankeny and is therefore within its urbanized area.
6. The area to be annexed has a common boundary with the City of Alleman of more than 50 feet.
7. The area to be annexed does not contain railroad right-of-way.
8. On May 29, 2013, the City requested the City Development Board to approve the annexation of the territory described in finding number one. Said request included a copy of the owner's application, map and City Council resolution.
9. On June 24, 2013, the City Development Board notified, by mail, the Cities of Alleman and Ankeny, Polk County Board of Supervisors, Polk County Attorney, Des Moines Area Metropolitan Planning Organization, Iowa State Attorney General, Iowa Department of Transportation and affected public utilities of the proposed annexation and request for approval. Said notice invited oral and written evidence relative to the proposed annexation.
10. The City Development Board received no response from any governmental unit, business or individual.
11. The Board considered the City's request at its July 10, 2013, meeting and found it to be complete and properly filed.
12. Based on the information favoring the annexation found in the City's request and other materials filed by the City of Alleman and the absence of evidence of any potential adverse consequences, the Board finds the annexation to be in the public interest.

### CONCLUSIONS OF LAW

1. The territory to be annexed "adjoins" the City of Alleman as the term is defined in Iowa Code Section 368.1(1) and is within the "urbanized area" of the City of Ankeny as the term is defined in Iowa Code Section 368.1(16).
2. The City published notice of the filing of the application and provided copies of the proposed annexation to parties in accordance with the requirements of Iowa Code Section 368.7.
3. The City Development Board possesses jurisdiction to approve or decline the application for annexation in accord with Iowa Code Section 368.7(3). If the application is approved by the Board, the Board is required to file portions of the proceedings in accord with Iowa Code Section 368.7.
4. The resolution by the City Council of Alleman conforms to Iowa Code Section 368.7.
5. The City of Alleman's request for Board approval and the annexation is in substantial compliance with Iowa Administrative Code r. 263—7.2.
6. In accord with the standards set forth in Iowa Code Chapter 368, including the presumption of validity for voluntary annexation approval set forth in Iowa Code Section 368.6, the annexation proposal is in the public's interest.

Dated this 12<sup>th</sup> day of July, 2013.

CITY DEVELOPMENT BOARD

for

  
\_\_\_\_\_  
Dennis Plautz, Chairperson  
Signature affixed by Matt Rasmussen, Administrator  
for City Development Board as authorized under  
Iowa Administration Code 263 - 9.11(2)

THEREFORE, IT IS ORDERED that the application of the following described territory to the City of Alleman is hereby approved:

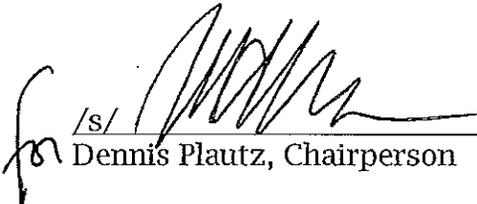
The proposed annexation territory is described in Appendix A and attached hereto and by this reference made a part of.

IT IS FURTHER ORDERED that the owner's annexation application and map, City Council resolution, notices of Board review and this Order be filed by the Board with the Alleman City Clerk and that the Board file a copy of the map and legal description with the Iowa Department of Transportation.

To complete the annexation process, the Board Administrator shall mail a copy of this Order and other relevant documents to the Polk County Recorder and Iowa Secretary of State on or after the 31<sup>st</sup> day following issuance of this Order. To request a stay of completion of the annexation process, a person or city authorized by Iowa Code Section 368.22 to appeal this Order must deliver to the Board Administrator a timely written request for a stay accompanied by notice of the filing of a petition for judicial review or intent to file a petition for judicial review. Any such request shall be referred to the Board for action at its next regularly scheduled meeting or at a special meeting.

Dated this 12<sup>th</sup> day of July, 2013.

CITY DEVELOPMENT BOARD

  
/s/ Dennis Plautz, Chairperson

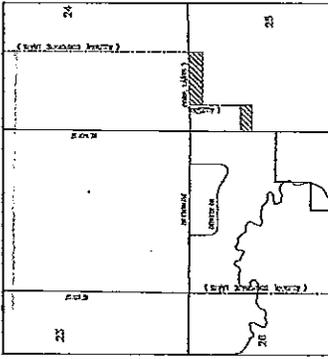
Appendix A  
Legal Description of territory proposed to be annexed  
to the City of Alleman, Iowa  
CDB Case No. UA13-11

Located in the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 25, Township 81 North, Range 24 West of the 5<sup>th</sup> P.M., City of Alleman, Polk County, Iowa.

More particularly described as follows: Commencing at the Northwest Corner of said Section 25; thence N88°55'17"E 446.10' along the north line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 25, to the Northeast corner of Sievers Addition Plat 1, City of Alleman, Polk County, Iowa, also being the point of beginning; Thence, N88°55'17"E 874.00' along said north line to the Northeast corner of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 25; Thence, S0°10'11"W 233.05' along the east line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 25; Thence, S88°55'17"W 873.82' to the east line of said Sievers Addition Plat 1; Thence, N0°07'23"E 233.05' along said east line to the point of beginning, containing 4.67 acres including .66 acres of presently established road right of way. Subject to Easements and Restrictions of Record, if any.

The territory extends to the center line of all  
secondary roads adjacent to the above described properties.

# PRELIMINARY PLAT ALLEMAN SUBDIVISION, CITY OF ALLEMAN, POLK COUNTY, IOWA



**DESCRIPTION:**

**1/4 SECTION 14, LOT 1A:**  
 1/4 SECTION 14, WEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14 OF TOWNSHIP 61 NORTH, RANGE 24 WEST OF THE 6TH P.M., CITY OF ALLEMAN, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25; THENCE N89°57'17"E 448.10' ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25, TO THE NORTHEAST CORNER OF SAID CORNER OF BEGINNING; SAID CITY OF ALLEMAN, POLK COUNTY, IOWA, ALSO BEING THE POINT OF BEGINNING; THENCE S89°57'17"E 14.00' ALONG THE EAST LINE OF SAID SECTION 25; THENCE S89°57'17"E 231.00' ALONG THE EAST LINE OF SAID SECTION 25; THENCE S89°57'17"E 478.20' TO THE POINT OF BEGINNING, CONTAINING 1.33 ACRES OF PRESENTLY ESTABLISHED ROAD RIGHT OF WAY, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

**1/4 SECTION 14, LOT 1B:**  
 1/4 SECTION 14, WEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14 OF TOWNSHIP 61 NORTH, RANGE 24 WEST OF THE 6TH P.M., CITY OF ALLEMAN, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25; THENCE S89°57'17"E 845.10' ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25; THENCE N89°57'17"E 80.00' TO THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE S89°57'17"E 14.00' ALONG THE EAST LINE OF SAID SECTION 25; THENCE S89°57'17"E 231.00' ALONG THE EAST LINE OF SAID SECTION 25; THENCE S89°57'17"E 478.20' TO THE POINT OF BEGINNING; THENCE S89°57'17"E 14.00' ALONG THE EAST LINE OF SAID SECTION 25; THENCE S89°57'17"E 160.00' TO THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE S89°57'17"E 160.00' TO THE EAST RIGHT OF WAY LINE OF NORTH-EAST 14TH STREET (HWY 687); THENCE N0°17'22"E 150.00' ALONG SAID EAST RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 1.33 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

**LAND SURVEYOR**  
 CLAY C. GARDNER ASSOCIATES  
 18 EAST MAIN STREET  
 MARSHALTOWN, IOWA 50158  
 (841) 795-8701

Approved \_\_\_\_\_ Date \_\_\_\_\_  
 City of Alleman

Approved \_\_\_\_\_ Date \_\_\_\_\_  
 City of Alleman

EXHIBIT 3 - MAP OF TERRITORY AND  
 PRELIMINARY PLAT

**UTILITY COMPANIES**

THE FOLLOWING UTILITIES MAY BE PRESENT ON THIS PROJECT:  
 IOWA ONE-CALL DESIGN REQUEST TICKET SYSTEM ON 11/15/2014.

- MID-AMERICAN ENERGY COMPANY  
(515) 282-0121
- CONSUMERS ENERGY  
(515) 284-1042
- SOUTHEAST POLK RURAL WATER  
(515) 253-7259
- IOWA NETWORK SERVICES  
(515) 335-0045
- CENTURY LINK LOCAL NETWORK  
(800) 334-4000
- WINDSTREAM COMMUNICATIONS  
(515) 727-2246

UNDERGROUND STRUCTURES, FACILITIES, AND UTILITIES HAVE BEEN PLATTED FROM AVAILABLE SURVEYS, RECORDS AND DEEDS. THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE DISTANCE OF WHICH IS PRESENTLY NOT KNOWN.

**OWNER**

KEITH HAUPELHÄLLER  
 12511 NE 47TH ST.  
 ALLEMAN, IA 50527

**NOTE:**

BEARINGS AND DISTANCES ARE BASED ON GPS OBSERVATIONS

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and each of us is duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Signature: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 License Number: 177152  
 My license renewal date is December 31, 2015.

Pages or sheets surveyed by this deed: \_\_\_\_\_

**CGA**  
 Clappiddle-Garber Associates, Inc.  
 16 East Main Street, P.O. Box 754  
 Marshalltown, Iowa 50158  
 Phone 841-752-3701  
 www.cgaonline.com