

**POLK COUNTY BOARD OF SUPERVISORS AGENDA  
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING  
111 COURT AVENUE - ROOM 120  
AUGUST 16, 2016 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**

CONVEYANCE OF ROAD RIGHT-OF-WAY

5. Resolution approving conveyance of interest in certain road right-of-way to the City of Ankeny.

**PERMITS**

6. Renewal application for Class "B" Native Wine, Class "C" Beer and Sunday Sales Permits for Casey's #45, 2890 E. Broadway.

7. **PUBLIC COMMENTS**

**RESOLUTIONS**

8. Resolution approving major subdivision preliminary plat of Lake Ridge Heights.
- \*9. Resolution approving agreement with Community Youth Concepts to expand drug mentoring program in Des Moines Public Schools.
10. Resolution creating a side-by-side position within the County Attorney's Office.
11. Resolution approving Community Betterment Grant awards.

**BUDGET ACTIONS**

12. Memorandum of Budget Actions.

**APPOINTMENTS**

13. Memorandum of Appointments.

**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, as part of the Iowa Department of Transportation's 2004 Interstate 35 Reconstruction project, a portion of NE 62<sup>nd</sup> Avenue from Interstate 35 to the Union Pacific Railroad right-of-way in Sections 6 and 7, T-79-N, R-23-W, was obliterated; and

WHEREAS, this road right-of-way was purchased by the Iowa Department of Transportation as part of the Interstate 35 project and Quit Claimed to Polk County in 1983; and

WHEREAS, Polk County Public Works no longer has any interest in this road right-of-way; and

WHEREAS, the City of Ankeny desires to utilize this road right-of-way from Interstate 35 to the Union Pacific Railroad and have indicated their willingness to accept possession of this road right-of-way; and

WHEREAS, the legal description of the road right-of-way within Polk County proposed to be Quit Claimed is as follows and is shown on the attached map:

A parcel of land located in the south half of the Southwest quarter of Section 6 and in the northwest quarter of Section 7, T-79N, R-23W of the 5<sup>th</sup> p.m., Delaware township, Polk County, Iowa and more specifically described as follows:

Commencing at the northwest corner of said Section 7, T-79N, R-23W; thence S90°00'E – 1032.7 feet on the north line of the northwest quarter of said Section 7 to the point of beginning; thence N09°08 1/2'E – 55.7 feet; thence S90°00'E – 624.0 feet; thence N60°20 1/2'E – 394.1 feet to the existing northwesterly right-of-way line of the Union Pacific Railroad; thence S33°18'W – 658.0 feet on said right of way line; thence N29°10 1/2'W – 269.1 feet; thence S88°50 1/2'W – 495.0 feet; thence N09°08 1/2'E – 76.0 feet to the point of beginning, said parcel containing 3.482 acres, more or less.

This conveyance is made with reservations of right-of-way easements for existing public utilities (electric, gas, communications, cable TV, water and sanitary sewer) within the above described parcel for the right to service said utilities.

WHEREAS, notice was published and a public hearing was held on August 16<sup>th</sup>, 2016 regarding the proposed transfer of Polk County interest in the road right-of-way as described above in compliance with Chapter 331.361 of the Iowa Code.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the transfer of the above-described road right-of-way to the City of Ankeny; and

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors approves the conveyance of interest in said property; and

BE IT FURTHER RESOLVED that the Chairperson of the Polk County Board of Supervisors is hereby appointed to execute and acknowledge the attached Quit Claim Deed for said parcel; and

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BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the Public Works Department to have said quit claim deed filed for record with the Polk County Recorder and send recorded documents to the City of Ankeny.

POLK COUNTY BOARD OF SUPERVISORS:

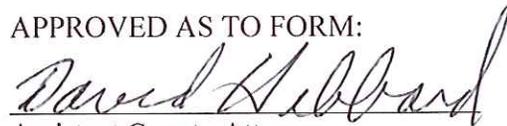
\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:

  
\_\_\_\_\_

Robert Rice, Director  
Polk County Public Works

APPROVED AS TO FORM:

  
\_\_\_\_\_

Assistant County Attorney

Fiscal Impact: None

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Public Hearing Resolution No. 124-16 to convey of interest in certain road right-of-way to the City of Ankeny.

**Agenda Date:** August 16, 2016

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

**Previous Action taken by the Board:** Resolution 116-16 dated August 2, 2016, established public hearing for said proposal to transfer said right-of-way to City of Ankeny.

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

**Action Requested (Recommended):** Approve the transfer of the road right-of-way to the City of Ankeny, approve the conveyance of interest in said property, appoint Chairperson of the Polk County Board of Supervisors to execute and acknowledge the Quit Claim Deed for said parcel, and authorize the Public Works Department to have said quit claim deed filed for record with the Polk County Recorder and send recorded documents to the City of Ankeny.

**Comply with Policy:** Yes – complies with Chapter 331.361 of the Iowa Code

**Background:** As part of the Iowa Department of Transportation’s 2004 Interstate 35 Reconstruction project, a portion of NE 62nd Avenue from Interstate 35 to the Union Pacific Railroad right-of-way in Sections 6 and 7, T-79-N, R-23-W, was obliterated. This road right-of-way was purchased by the Iowa Department of Transportation as part of the Interstate 35 project and Quit Claimed to Polk County in 1983. Polk County Public Works no longer has any interest in this road right-of-way and the City of Ankeny desires to utilize this road right-of-way between Interstate 35 and the Union Pacific Railroad.

**Action Impact:** Finalizes transfer of said road right-of-way to the City of Ankeny.

**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
16/17		N	N	N		

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

Applicant License Application ( BC0015099 )

Name of Applicant: <u>Casey's Marketing Company</u>		
Name of Business (DBA): <u>Casey's General Store #45</u>		
Address of Premises: <u>2890 East Broadway</u>		
City <u>Des Moines</u>	County: <u>Polk</u>	Zip: <u>5031700</u>
Business <u>(515) 262-2874</u>		
Mailing <u>PO Box 3001</u>		
City <u>Ankeny</u>	State <u>IA</u>	Zip: <u>500218045</u>

Contact Person

Name <u>Penny Patrick, Store Operations</u>		
Phone: <u>(515) 965-6572</u>	Email	<u>penny.patrick@caseys.com</u>

Classification Class C Beer Permit (BC)

Term: 12 months

Effective Date: 10/01/2016

Expiration Date: 09/30/2017

Privileges:

- Class B Native Wine Permit
- Class C Beer Permit (BC)
- Sunday Sales

Status of Business

Business Type: <u>Publicly Traded Corporation</u>	
Corporate ID Number: <u>184278</u>	Federal Employer ID <u>42-1435913</u>

Ownership

Michael Richardson

First Name: Michael Last Name: Richardson  
City: Pleasant Hill State: Iowa Zip: 50327  
Position: President  
% of Ownership: 0.00% U.S. Citizen: Yes

42-0935283 Casey's General Stores, Inc

First Name: 42-0935283 Last Name: Casey's General Stores, Inc  
City: Ankeny State: Iowa Zip: 50021-804  
Position: Owner  
% of Ownership: 100.00% U.S. Citizen: No

Robert C Ford

First Name: Robert C Last Name: Ford  
City: Dallas Center State: Iowa Zip: 50063

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Position: Vice President

% of Ownership: 0.00%

U.S. Citizen: Yes

Julia L Jackowski

First Name: Julia L

Last Name: Jackowski

City: Urbandale

State: Iowa

Zip: 50322

Position: Assistant Secretary

% of Ownership: 0.00%

U.S. Citizen: Yes

James Pistillo

First Name: James

Last Name: Pistillo

City: Urbandale

State: Iowa

Zip: 50323

Position: Treasurer

% of Ownership: 0.00%

U.S. Citizen: Yes

#### Insurance Company Information

Insurance Company: First Western Insurance

Policy Effective Date:

Policy Expiration

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

RESOLUTION

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

WHEREAS, the owner of land located in Section 18, Township 80 North, Range 24 West of the 5<sup>th</sup> P.M., Polk County, Iowa, wishes to subdivide and plat their land into a major preliminary subdivision plat known as Lake Ridge Heights; and

WHEREAS, the owner has complied with all codes and ordinances for the unincorporated territory of Polk County, Iowa, except the subdivision ordinance requirement that the length of the cul-de-sac/dead end roadway not exceed 600-feet; and

WHEREAS, the owner/developer requests a waiver from the subdivision ordinance requirement to permit the subdivision roadway to have a total length of 893-feet; and

WHEREAS, the Polk County Zoning Commission on June 27, 2016, voted unanimously, with one (1) absent, to approve the major preliminary subdivision plat of Lake Ridge Heights for 28 lots, including a waiver of the 600-foot roadway/cul-de-sac length of the subdivision ordinance to allow an approximate 893' cul-de-sac; and

WHEREAS, the Polk County Public Works Department has reviewed the major preliminary subdivision plat and recommends that it be approved with the above noted waiver from the Polk County subdivision ordinance; and

WHEREAS, the subdivision road right-of-way, Lot 'A' (NW Lake Drive) and Lot 'B' (NW 46th Court) are proposed to be dedicated and deeded to Polk County for roadway purposes once all subdivision construction improvements are approved and completed.

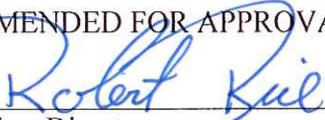
NOW, THEREFORE, BE IT RESOLVED that the major preliminary subdivision plat of Lake Ridge Heights, with the above noted waiver of the subdivision ordinance requirement, is hereby approved.

Sewer Service:	Individual septic systems
Water Service:	Des Moines Water Works
Zoning:	"RR" Rural Residential District
Platted by:	Lake Ridge Heights, LLC
Engineer:	Snyder & Associates, Inc.
Location:	Located on the south side of NW Polk City Drive (Highway 415) at the south west corner of NW Lake Drive and NW 44th Street.
Township:	Crocker

POLK COUNTY BOARD OF SUPERVISORS:

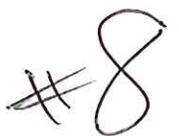
\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:



Robert Rice, Director  
Polk County Public Works

FISCAL NOTE: No cost to the County



# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution No. 125-16 approving the Preliminary Plat of Lake Ridge Heights, a major subdivision preliminary plat.

**Agenda Date:** August 16, 2016

**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 Polk County Zoning Commission recommended approval of the major preliminary subdivision plat on June 27, 2016 by a unanimous vote with one (1) absent. The approval recommendation was also based on the following waiver of the subdivision ordinance requirement: 1) Waiver of the maximum 600-foot subdivision roadway length to allow an approximate 893' cul-de-sac.

**Action Requested (Recommended):** Approve the major preliminary subdivision plat with the above noted waiver of the subdivision ordinance.

**Comply with Policy:** This major preliminary subdivision plat complies with all the zoning and subdivision ordinances regulations except for the above requested subdivision ordinance waiver.

**Background:** This major preliminary subdivision plat proposes twenty-eight (28) single-family residential lots on 32.55 acres of land and is zoned "RR" Rural Residential District. The subdivision will be served by Des Moines Water Works and individual septic systems.

**Action Impact:** Approval of the Preliminary Plat allows for the construction of improvements to commence. Once the improvements have been completed and inspected, the final plat may be submitted for review.

**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
16/17	N	N	N	N		

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



RESOLUTION

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

That the following Resolution be adopted:

WHEREAS, the US Department of Justice's Byrne/ JAG program provided funds to states to support a broad range of activities to prevent and control crime and improve the criminal justice system; and

WHEREAS, the Governor's Office of Drug Control Policy is the state of Iowa recipient of federal Byrne/JAG funds and is required to distribute most of these funds to local grantees; and

WHEREAS, Polk County Health Department, acting as fiscal agent, in partnership with Community Youth Concepts, submitted and an application that was approved to expand CYC's mentoring programming for Des Moines students at high-risk to develop substance-use issues; and

WHEREAS, this agreement with Community Youth Concepts to carry out their work plan is for the period July 1, 2016 through June 30, 2017 and shall not exceed \$19,000.

NOW, THEREFORE, BE IT RESOLVED: That the Polk County Board of Supervisors approves this agreement with Community Youth Concepts and authorizes the Chairperson to sign the agreement.

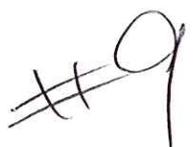
NOW, THEREFORE, BE IT FURTHER RESOLVED: That the Director of the Polk County Health Department, or his designee, be authorized to execute any and all documents in furtherance of this Application or distribution.

  
Rick Kozin  
Public Health Director

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

Approved as to Form  
By   
Assistant County Attorney

FISCAL NOTE: FY1617 Revenue/Expense: \$19,000



# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Agreement with Community Youth Concepts to expand drug mentoring program in Des Moines Public Schools

**Agenda Date:** August 16, 2016

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

**Previous Action taken by the Board:** Funding application approved by BOS 4/13/2016

**Board/Commission Actions:** None

**Action Requested (Recommended):** Approval

**Comply with Policy:** Identifying health priorities is one of the Core Functions of Public Health.

**Background:** The US Department of Justice's Byrne/JAG program provided funds to the Governor's Office of Drug Control Policy to support a broad range of activities to prevent and control crime and improve the criminal justice system. These funds are required to be distributed to local grantees and the applicant must be a state or local unit of government.

Polk County Health Department, acting as fiscal agent, in partnership with Community Youth Concepts, was awarded funding of \$19,000 to expand CYC's mentoring program for Des Moines Public School students at high risk to develop substance abuse issues.

**Action Impact:** These efforts will help make Iowans healthy and drug- free.

**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
1617	Y	19,000	19,000	N	10223014.77440.10	10223014.52460

**Additional Fiscal Note Information (optional):** None

RESOLUTION

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

That the following Resolution be adopted:

WHEREAS, the County Attorney's Office has requested a side-by-side Legal Secretary position due to the extended absence of an employee, and

WHEREAS, the County Attorney's Office indicates the side-by-side position is needed to continue the current level of service, and

WHEREAS, the side-by-side position will continue until the employee returns to work or terminates employment, and

WHEREAS, no additional costs are associated with the creation of this side-by-side position, and

WHEREAS, the Human Resources Department recommends:

- Create one (1) Side-by-side Legal Secretary position, AFSCME grade 15, range \$44,584-58,272 effective 9/1/16 until the employee returns from leave or terminates.

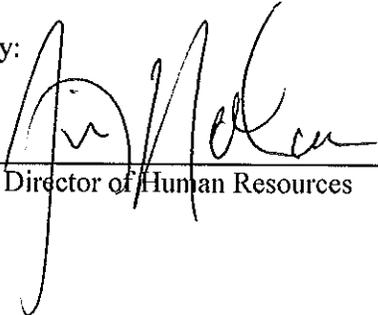
NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors hereby adopts the recommendation to create a side-by-side position and directs the County Auditor and the Director of Human Resources to take the necessary steps to implement this resolution.

Approved this \_\_\_\_\_ Day of \_\_\_\_\_ 2016

POLK COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Chairperson

Submitted By:



\_\_\_\_\_  
Jim Nahas, Director of Human Resources

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# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Creation of a Side-By-Side Position within the County Attorney's Office.

**Agenda Date:** 8/16/16

**Contact Individual:** Jim Nahas, Director of Human Resources

**Previous Action taken by the Board:**

**Action Requested (Recommended):** Create one (1) side-by-side Legal Secretary position effective 9/1/16, AFSCME grade 15, range \$44,584-\$58,272 until the employee returns from leave or terminates.

**Comply with Policy:**

**Background:** The incumbent of a Legal Secretary position (#1241) in the County Attorney's Office is on an extended absence. The employee is on unpaid leave but will be covered for insurances until 9/30/16. The side-by-side position will not be appointed until 9/1/16 with insurances effective 10/1/16. Current budgeted general funds will be available to cover the costs of the side-by-side position.

**Action Impact:** Creates one (1) side-by-side Legal Secretary position (#1241SBS) effective 9/1/16, AFSCME grade 15, range \$44,584-\$58,272 until the employee returns from leave or terminates.

**Fiscal Note:** No additional costs are associated with creation of the side-by-side position.

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
16/17	Y	1	0			10051102	

**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 16-17 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 \$7,000.00 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*

Lisa Moody-Tunks  
Grant Administrator

Fiscal Impact: \$7,000.00 from the Community Betterment fund, FY 16-17

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# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

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

**Agenda Date:** August 16, 2016

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

**Previous Action taken by the Board:** Community Betterment Awards August 2, 2016-\$13,500.00.

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

**Action Requested (Recommended):** Approval of the attached August 16, 2016 Community Betterment Grant Award List.

**Comply with Policy:** Yes

**Background:** Polk County has funding for Community Betterment projects in the FY16-17 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 \$7,000.00 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
16/17		\$7,000.00		N		40109033.79410

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

Community Betterment Awards  
August 16, 2016

Best Buddies of Central Iowa	\$2,000.00
Drake University	\$2,000.00
Tai Village, Inc.	\$3,000.00

<b>TOTAL</b>	<b>\$7,000.00</b>
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