

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

**EASEMENT CONVEYANCE AND LAND TRANSFER**

- \*5. Resolution approving roadway easement conveyance and land transfer to the City of West Des Moines (Great Western Trail – Maffitt Road).

**PERMITS**

6. Renewal application for Class “C” Liquor License, Sunday Sales and Outdoor Service Area Permit for Toad Valley Golf Course, 237 NE 80<sup>th</sup> Street.

7.

**PUBLIC COMMENTS**

**RESOLUTIONS**

8. Resolution approving MH/ID/DD service approvals and authorizing expenditures from the MHDS Services Fund.
- \*9. Resolution approving Cooperative Public Service Agreement with Saydel Community School District for construction of a multi-use trail.
- \*10. Resolution approving agreement with Polk County Housing Trust Fund (Healthy Homes East Bank Project).
11. Resolution canceling erroneous weed assessments (9 properties).
12. Resolution terminating tax suspensions on parcels per Iowa Code (Section 427.11).
- \*13. Resolution approving agreement with Operation Downtown for Court Avenue security.
- \*14. Resolution approving agreement with Pioneer Hi-Bred International.

**BUDGET ACTIONS**

15. Memorandum of Budget Actions.

**APPOINTMENTS**

16. 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, City of West Des Moines proposes to construct and maintain Maffitt Lake Road; and

WHEREAS, Polk County Conservation Board desires to give to the City of West Des Moines a parcel of land for road right-of-way and three temporary construction easements whereby property located within the Polk County Conservation Board-managed land known as the Great Western Trail at Maffitt Road, West Des Moines, Iowa, will be conveyed by quit claim deed and temporary easements to the City of West Des Moines for the purpose of constructing, reconstructing, repairing, replacing, enlarging, inspecting and maintaining a public roadway:

PARCEL 3 -FEE SIMPLE RIGHT-OF-WAY DESCRIPTION:

A PARCEL OF LAND LYING ENTIRELY WITHIN AND FORMING A PART OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P. M. NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4;

THENCE SOUTH 00°10'18"" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, FOR A DISTANCE OF 211.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF VETERANS PARKWAY AS PRESENTLY ESTABLISHED;

THENCE SOUTH 67°58'38" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 137.61 FEET;

THENCE SOUTH 32°33'44" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 895.18 FEET;

THENCE SOUTH 56°25'55"" EAST, FOR A DISTANCE OF 296.82 FEET, TO A POINT ON THE NORTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY THE POINT-OF-BEGINNING;

THENCE SOUTH 56°25'55" EAST, FOR A DISTANCE OF 165.40 FEET TO A POINT ON THE SOUTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE SOUTH 58°34'30" WEST, ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 165.52 FEET;

THENCE NORTH 56°25'55" WEST, FOR A DISTANCE OF 165.31 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE NORTH 58°32'49" EAST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 165.48 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 24,803 SQUARE FEET (0.569 ACRES) MORE OR LESS.

PARCEL 3 - TEMPORARY CONSTRUCTION EASEMENT "A" DESCRIPTION:

#5

A PARCEL OF LAND LYING ENTIRELY WITHIN AND FORMING A PART OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P. M. NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4;

THENCE SOUTH 00°10'18" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, FOR A DISTANCE OF 211.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE FOR VETERANS PARKWAY AS PRESENTLY ESTABLISHED;

THENCE SOUTH 67°58'38" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 137.61 FEET;

THENCE SOUTH 32°33'41" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 895.18 FEET;

THENCE SOUTH 56°25'55" EAST, FOR A DISTANCE OF 296.81 FEET, TO A POINT ON THE NORTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY THE POINT-OF-BEGINNING;

THENCE SOUTH 56°25'55" EAST, FOR A DISTANCE OF 165.40 FEET TO A POINT ON THE SOUTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE NORTH 58°34'30" EAST, ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 22.07 FEET;

THENCE NORTH 56°25'55" WEST, FOR A DISTANCE OF 165.41 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE SOUTH 58°32'49" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 22.06 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 3,308 SQUARE FEET (0.076 ACRES) MORE OR LESS.

PARCEL 3 - TEMPORARY CONSTRUCTION EASEMENT "B" DESCRIPTION:

A PARCEL OF LAND LYING ENTIRELY WITHIN AND FORMING A PART OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P. M. NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4;

THENCE SOUTH 00°10'18" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, FOR A DISTANCE OF 211.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE FOR VETERANS PARKWAY AS PRESENTLY ESTABLISHED;

THENCE SOUTH 67°58'38" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 137.61 FEET;

THENCE SOUTH 32°33'41" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 895.18 FEET;

THENCE SOUTH 56°25'55" EAST, FOR A DISTANCE OF 296.81 FEET, TO A POINT ON THE NORTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE SOUTH 58°32'49" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 165.48 FEET TO THE POINT-OF-BEGINNING;

THENCE SOUTH 56°25'55" EAST, FOR A DISTANCE OF 165.31 FEET TO A POINT ON THE SOUTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE SOUTH 58°34'30" WEST, ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 270.82 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 3769.70 FEET;

THENCE ALONG SAID CURVE FOR A DISTANCE OF 225.78 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 56°51'34" WEST AND A CHORD DISTANCE OF 225.75 FEET;

THENCE NORTH 34°24'02" WEST, FOR A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF THE FORMER RAILROAD RIGHT-OF-WAY AND THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 3869.70 FEET;

THENCE ALONG SAID CURVE FOR A DISTANCE OF 230.97 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 56°51'55" EAST AND A CHORD DISTANCE OF 230.94 FEET;

THENCE NORTH 58°34'30" EAST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 181.18 FEET;

THENCE NORTH 89°53'46" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 95.16 FEET;

THENCE NORTH 58°32'49" EAST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 100.87 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 51,170 SQUARE FEET (1.175 ACRES) MORE OF LESS.

PARCEL 3 - TEMPORARY CONSTRUCTION EASEMENT ADDITIONAL DESCRIPTION:

A PARCEL OF LAND LYING ENTIRELY WITHIN AND FORMING A PART OF THE SOUTHWEST 1/4 AND A PART OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P. M. NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4;

THENCE SOUTH 00°10'18" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, FOR A DISTANCE OF 211.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE FOR VETERANS PARKWAY AS PRESENTLY ESTABLISHED;

THENCE SOUTH 67°58'38" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 137.61 FEET;

THENCE SOUTH 32°33'41" WEST, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 895.18 FEET;

THENCE SOUTH 56°25'55" EAST, FOR A DISTANCE OF 296.81 FEET, TO A POINT ON THE NORTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE NORTH 58°32'49" EAST, ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 22.06 FEET TO THE POINT-OF-BEGINNING;

THENCE CONTINUING NORTH 58°32'49" EAST, ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 450.17 FEET;

THENCE SOUTH 31°25'30" EAST, FOR A DISTANCE OF 150.13 FEET TO A POINT ON THE SOUTHERLY LINE OF THE FORMER RAILROAD RIGHT-OF-WAY;

THENCE SOUTH 58°34'30" WEST, ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 380.24 FEET;

THENCE NORTH 56°25'55" WEST FOR A DISTANCE OF 165.41 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 62,291 SQUARE FEET (1.430 ACRES) MORE OR LESS.

WHEREAS, a public hearing was held February 23, 2016 at the regularly scheduled meeting of the Polk County Board of Supervisors concerning the proposed land transfer and easement conveyance on the described properties; and

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors conveys by quit claim deed the Polk County property described on the Deed attached hereto and conveys by easement the above described Polk County properties; and the Chairperson is authorized to execute any and all instruments, as attached, related to the sale and transfer of said property and the temporary easements for the purpose of constructing, reconstructing, repairing, replacing, enlarging, inspecting and maintaining a public roadway; and

BE IT FURTHER RESOLVED that the Chairperson of the Polk County Board of Supervisors authorizes the Polk County Conservation Board to record, as necessary, all necessary documents.

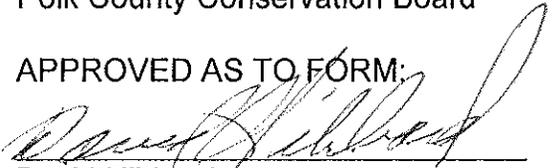
POLK COUNTY BOARD OF SUPERVISORS

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

RECOMMENDED FOR APPROVAL:

  
\_\_\_\_\_  
Richard Leopold, Director  
Polk County Conservation Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
David Hibbard  
Assistant Polk County Attorney

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

### February 23, 2016

**Item Type & Title:** Easement - Evergreen Avenue Roadway Easement

**Agenda Date:** February 23, 2016

**Contact Individual:** Rich Leopold

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

**Board/Commission Actions:** Polk County Conservation Board recommendation to grant temporary easements (3) and to transfer a portion of the old trail corridor needed for the extension of Maffitt Lake Road to West Des Moines

**Action Requested (Recommended):** Public Hearing held by Board of Supervisors to grant temporary construction easements (3) required for construction and to transfer a .569 acre parcel needed for roadway construction to the City of West Des Moines.

**Comply with Policy:**

**Background:** The City of West Des Moines working in conjunction with Polk County Conservation and the area developer have determined that moving the trail to a new alignment will benefit the City and the developer of the adjoining property while maintaining and improving access and safety to the users of the Great Western Trail. The City is constructing a new underpass for the trail and this section of .569 acres is no longer needed for park purposes.

**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
07/15	N	None	None	N		
08/16						

Applicant License Application ( LC0035194 )

Name of Applicant: <u>Toad Valley Golf Course, Inc.</u>		
Name of Business (DBA): <u>Toad Valley Golf Course</u>		
Address of Premises: <u>237 NE 80th Street</u>		
City <u>Pleasant Hill</u>	County: <u>Polk</u>	Zip: <u>50327</u>
Business	<u>(515) 967-9575</u>	
Mailing	<u>237 NE 80th Street</u>	
City <u>Pleasant Hill</u>	State <u>IA</u>	Zip: <u>50327</u>

Contact Person

Name	<u>Allison George</u>		
Phone:	<u>(515) 559-3998</u>	Email	<u>allison@toadvalley.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 03/01/2016

Expiration Date: 02/28/2017

Privileges:

Class C Liquor License (LC) (Commercial)

Outdoor Service

Sunday Sales

Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>40580</u>	Federal Employer ID	<u>42-1057543</u>

Ownership

Thomas Brady

First Name: Thomas

Last Name: Brady

City: Pleasant Hill

State: Iowa

Zip: 50327

Position: President

% of Ownership: 100.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company:	<u>Continental Western Insurance Company</u>		
Policy Effective Date:	<u>03/01/2016</u>	Policy Expiration	<u>03/01/2017</u>
Bond Effective		Dram Cancel Date:	
Outdoor Service Effective		Outdoor Service Expiration	
Temp Transfer Effective Date		Temp Transfer Expiration Date:	

RESOLUTION

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

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

THAT THE FOLLOWING RESOLUTION BE ADOPTED:

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

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

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

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

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

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

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

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

POLK COUNTY BOARD OF SUPERVISORS

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

Log #332

SUBMITTED BY:

POLK COUNTY HEALTH SERVICES, INC.

  
\_\_\_\_\_  
Susan Osby, Program Planner

**Fiscal Impact \$38,244.96 from the  
MHDS Services Fund.**

#8

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

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

**Agenda Date:** 2/23/2016

**Contact Individual:** Annie Uetz, Director of Case Management

**Previous Action taken by the Board:** NA

**Board/Commission Actions:** Approved by Service Appeal Board

**Action Requested (Recommended):** Approval

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

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

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

**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
15/16	Y	\$38,244.96	\$0	N		
16/17	Y	\$38,244.96	\$0	N		

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

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

Tuesday, February 16, 2016

Page 1 of 1

<b>Client ID</b>	66757	<b>County Portion</b>	100%	<b>Unit Rate</b>	\$20.79
<b>Provider</b>	Iowa Home Care LLC, Clive			<b>Maximum Monthly Cost</b>	\$249.48
<b>Service</b>	3220a Homemaker/Home Health (Non-Waiver)			<b>Maximum Cost of</b>	\$2,993.76
<b>Units</b>	12 Monthly	<b>Start and End Date</b>		1 /1 /2016 to	12/31/2016
<b>Client ID</b>	70515	<b>County Portion</b>	100%	<b>Unit Rate</b>	\$9.05
<b>Provider</b>	Comfort Keepers (QHealth LLC), Pleasant Hill			<b>Maximum Monthly Cost</b>	\$724.00
<b>Service</b>	3229ae 3229C3Q 1/4-hour SCL 81-600 1/4-hours/mo			<b>Maximum Cost of</b>	\$8,688.00
<b>Units</b>	80 Monthly	<b>Start and End Date</b>		2 /1 /2016 to	1 /31/2017
<b>Client ID</b>	77970	<b>County Portion</b>	100%	<b>Unit Rate</b>	\$27.00
<b>Provider</b>	Budget Taxi, Des Moines			<b>Maximum Monthly Cost</b>	\$1,188.00
<b>Service</b>	3100a Transportation			<b>Maximum Cost of</b>	\$14,256.00
<b>Units</b>	44 Monthly	<b>Start and End Date</b>		1 /25/2016 to	12/31/2016
<b>Client ID</b>	82046	<b>County Portion</b>	100%	<b>Unit Rate</b>	\$12.82
<b>Provider</b>	Premier Payee, Des Moines			<b>Maximum Monthly Cost</b>	\$1,025.60
<b>Service</b>	3229ad 3229C2Q 1/4-hour SCL 0-80 1/4-hours/mo			<b>Maximum Cost of</b>	\$12,307.20
<b>Units</b>	80 Monthly	<b>Start and End Date</b>		1 /1 /2016 to	12/31/2016
<b>SUBMITTED BY:</b>					\$38,244.96

  
Susan Osby, Program Planner

RESOLUTION

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

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

WHEREAS, the Saydel Community School District (Saydel CSD) proposes to construct a multi-use trail that will ultimately connect the Saydel High School campus, Woodside Middle School, and Cornell Elementary; and

WHEREAS, the Saydel CSD has requested funding, engineering services, and contract administration assistance from Polk County, through its Public Works Department, to complete this project; and

WHEREAS, the project will also include storm sewer improvements that will improve drainage from neighboring residential properties; and

WHEREAS, the Public Works Department has developed an "Agreement for Cooperate Services" with the Saydel CSD for the multi-use trail project which details the funding and project development responsibilities of each party.

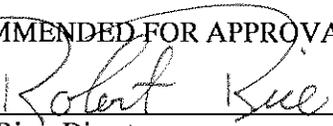
NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the terms of the attached agreement, adopts the agreement, and authorizes the Chairperson to execute the agreement on behalf of Polk County; and

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

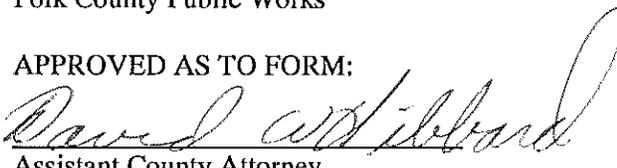
POLK COUNTY BOARD OF SUPERVISORS:

\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:

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

APPROVED AS TO FORM:

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

FISCAL NOTE: None at this time.

Estimated Project Cost and Funding sources

FY 2016 Polk County Public Works Budget	\$40,000
FY 2017 Polk County Public Works Budget	\$40,000
Saydel CSD costs	\$126,510
<hr/> Total Estimated Project Cost	<hr/> \$206,510

#9

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution No. 16-16 to approve a Cooperative Public Service Agreement with the Saydel Community School District (Saydel CSD) for construction of a multi-use trail.

**Agenda Date:** February 23, 2016

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

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

**Board/Commission Actions:** None Required

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

**Comply with Policy:** Yes

**Background:** The Saydel Community School District (Saydel CSD) proposes to construct a multi-use trail that will ultimately connect the Saydel High School campus, Woodside Middle School, and Cornell Elementary. The Saydel CSD has requested funding, engineering services, and contract administration assistance from Polk County, through its Public Works Department, to complete this project. The project will also include storm sewer improvements that will improve drainage from neighboring residential properties. The Public Works Department has developed an "Agreement for Cooperate Services" with the Saydel CSD for the multi-use trail project which details the funding and project development responsibilities of each party.

**Action Impact:** Allows development of the project to continue.

**Fiscal Note:**

Estimated Project Cost and Funding sources	
FY 2016 Polk County Public Works Budget	\$40,000
FY 2017 Polk County Public Works Budget	\$40,000
<u>Saydel CSD costs</u>	<u>\$126,510</u>
Total Estimated Project Cost	\$206,510

Fiscal Year	Budget ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
15/16	Y	\$40,000		N		
16/17	Y	\$40,000		N		

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

RESOLUTION

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

WHEREAS, the Polk County Public Works Department, Housing Services Section, on behalf of the Polk County Board of Supervisors, has successfully administered housing programs with various organizations; and

WHEREAS, the Polk County Housing Trust Fund desires to enter into an agreement with the Polk County Board of Supervisors for the field portion of repairs administration of the Healthy Homes East Bank Project by the Housing Services Section of the Public Works Department.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves this agreement and authorizes the Chairperson to sign agreement; and

BE IT FURTHER RESOLVED that the Polk County Department of Public Works is herein authorized to administer the agreement and the Public Works Director to sign any amendments and/or necessary documents to fulfill the agreement on behalf of Polk County.

POLK COUNTY BOARD OF SUPERVISORS:

\_\_\_\_\_  
Chairperson

~~RECOMMENDED FOR APPROVAL:~~

Robert Rice  
Robert Rice, Director  
Polk County Public Works

APPROVED AS TO FORM:

David Hubbard  
Assistant County Attorney

Fiscal Note: Revenue of \$140,000 from Polk County Housing Trust Fund and offset by \$100,000 of expenditures.

#10

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution No. 17-16 approving agreement with Polk County Housing Trust Fund.

**Agenda Date:** February 23, 2016

**Contact Individual:** Dave Williamson, Housing Services/Code Enforcement Manager, Polk County Public Works, 286-3726

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

**Board/Commission Actions:** NA

**Action Requested (Recommended):** Approve agreement with Polk County Housing Trust Fund.

**Comply with Policy:** Yes

**Background:** Polk County operates various housing programs to make the homes of low-income residents more energy efficient, make emergency repairs to homes, and operates a major home rehabilitation program. Polk County Housing Trust Fund, Polk County Public Works Department, Polk County Health Department and area Hospitals have formulated a program designed to identify children in the community that have respiratory issues and look into possible asthma related triggers within residences. The Trust Fund has received a grant to operate Healthy Homes East Bank Project. The Housing Services Section of the Public Works Department staff are certified by the National Environmental Association as Healthy Homes Specialist and have already implemented many of these measures into the other housing programs provided to citizens. Polk County Housing Trust Fund has expressed a desire for the Housing Services Section of the Public Works Department to assist with the field portion for the repairs of this program. The Housing Services Section will assist by coordinating the work specifications, bidding, and inspection portions within the program.

**Action Impact:** The proposed resolution will approve the agreement with Polk County Housing Trust Fund authorizes the Chairperson to sign the agreement. In addition, authorizes the Public Works Department to administer the agreement and the Public Works Director to sign any further documents to fulfill the agreement.

**Fiscal Note:** \$140,000 from Polk County Housing Trust Fund with \$100,000 in expenditures.

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
15/16	N	\$50,000	\$70,000	Y	10266314.74080	10266314.58190
16/17	N	\$50,000	\$70,000	Y	10266314.74080	10266314.58190

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

**RESOLUTION**

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

WHEREAS, the Polk County Weed Commissioner has been notified that the properties listed on Attachment A (attached hereto) have been erroneously assessed for weed destruction and should be canceled; and

WHEREAS, the assessments have been reviewed and thoroughly investigated by the Polk County Weed Commissioner's Office; and

WHEREAS, based on the investigation and documentation, the assessments were found to be cited incorrectly to these properties; and

WHEREAS, the Polk County Weed Commissioner recommends that the weed assessments identified on Attachment A be canceled.

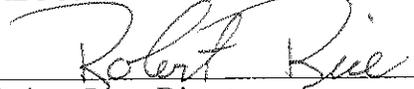
NOW, THEREFORE, BE IT RESOLVED that the requests for erroneous weed destruction assessments identified on Attachment A for the 2015 tax year are approved and the assessments canceled; and

BE IT FURTHER RESOLVED that Certificate Numbers listed on Attachment A which were certified for assessment on December 8, 2015 be canceled and the Polk County Auditor is directed to strike the assessments from the tax books of Polk County.

POLK COUNTY BOARD OF SUPERVISORS:

\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:

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

FISCAL NOTE: None

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# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution WC-6-16 Requests for Erroneous Assessment of Special Weed Assessments

**Agenda Date:** February 23, 2016

**Contact Individual:** Bret VandeLune, Weed Commissioner, Polk County Public Works, 286-3005

**Previous Action taken by the Board:** Certified Weed Assessment on December 8, 2015

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

**Action Requested (Recommended):** Approve requests for Erroneous Assessment of Special Weed Assessment

**Comply with Policy:** Yes

**Background:** Each year the County assesses property owners for destruction of noxious weeds pursuant to Iowa Code Chapter 317 and Iowa Code §331.384. Pursuant to Iowa Code §427.8, the property owner can petition the Board of Supervisors for cancellation of the assessment. The Polk County Weed Commissioner's Office makes a recommendation after investigating and reviewing the requests. The Board of Supervisors then may grant or deny the request. The Weed Commission investigated these requests and found the assessments to be cited incorrectly to these properties.

**Action Impact:** Approval of the resolution approves the Erroneous Assessment request and cancels the special Weed assessment.

**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
15/16						

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

	A	B	C	D	E
1			<b>ATTACHMENT A</b>		
2	<b>Certificate No.</b>	<b>Property Owner</b>	<b>District/Parcel</b>	<b>Assessed Amount</b>	<b>Weed Commission Case No.</b>
3	00113745800	Kimberly Clark	050.01270.000.000	\$146.00	WCC-2015-10358
4	00113746200	City of Des Moines	080.02018.000.000	\$136.50	WCC-2015-10372
5	00113746600	Dan Stanbrough	221.00212.923.001	\$268.00	WCC-2015-10377
6	00113746500	Adair Holdings, LLC	110.01022.000.000	\$70.75	WCC-2015-10376
7	00113746700	State of Iowa	221.00001.102.001	\$399.50	WCC-2015-10378
8	00113746800	State of Iowa	221.00001.113.002	\$136.50	WCC-2015-10379
9	00113746900	City of Pleasant Hill	221.00212.909.000	\$136.50	WCC-2015-10381
10	00113747100	141 Partners, LLC	311.00304.556.002	\$136.50	WCC-2015-10383
11	00113747200	DLE Fourway, LC	311.00304.551.001	\$136.50	WCC-2015-10384

RESOLUTION

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

THAT THE FOLLOWING RESOLUTION BE ADOPTED:

WHEREAS, pursuant to Iowa Code Section 427.11, if a person sells any parcel upon which the taxes, special assessments, and rates or charges, including interest, fees, and costs, have been suspended, or if any parcel, or any part of the parcel, upon which the taxes, special assessments, and rates or charges, including interest, fees, and costs, have been suspended, passes by devise, bequest, or inheritance to any person other than the surviving spouse or minor child of the person, the total amount due that has been suspended becomes due and payable with the next semiannual installment of taxes, and;

WHEREAS, the Polk County Treasurer has determined that the parcels listed in Exhibits 'A' and 'B', being listed as parcels without taxes due and no longer qualify for tax suspension pursuant to Iowa Code Section 427.11.

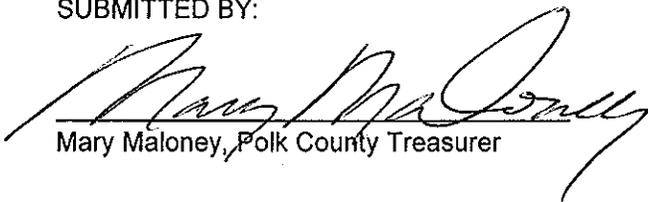
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors directs the Treasurer to terminate the property tax suspension for the parcels listed in Exhibits 'A' and 'B'.

POLK COUNTY BOARD OF SUPERVISORS

By \_\_\_\_\_

Chairperson

SUBMITTED BY:

  
Mary Maloney, Polk County Treasurer

#12

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution to Terminate Tax Suspensions

**Agenda Date:** February 23, 2016

**Contact Individual:** Ben Lacey

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

**Action Requested (Recommended):** Approval to terminate tax suspensions

**Comply with Policy:** Iowa Code Section 427.11

### Background:

Remove parcels from 'suspended' status in compliance with 427.11 Code of Iowa.

**Action Impact:** N/A

### 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
15/16						
16/17						

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

**Exhibit 'A'- County Suspensions to be Terminated  
Prepared February 3, 2016**

District/Parcel	Address	Explanation	Suspended Tax Amount
181.00522.005.060	409 Se Delaware Ankeny	Changed ownership	\$0.00
100.03873.050.000	3507 Lindlavista Way	Deceased	\$0.00
050.00027.008.000	128 E 36th St. Des Moines	Changed ownership	\$0.00
050.00214.000.000	420 E. 24th St. Des Moines	Changed ownership	\$0.00
030.05325.000.000	681 25th St. Des Moines	Deceased	\$0.00
010.00806.000.000	715 Davis Ave. Des Moines	Deceased	\$0.00
320.00749.000.000	528 5th St. West Des Moines	Deceased	\$0.00
320.04412.000.000	212 3rd St. West Des Moines	Changed ownership	\$0.00
312.01996.163.000	8805 Hammonree Cir. Urbandale	No longer deployed	\$0.00
320.00520.203.000	3509 Boulder Dr. West Des Moines	No longer deployed	\$0.00
221.00029.001.001	4340 E.Oakwood Dr. Pleasant Hill	Changed ownership	\$0.00
010.01948.000.000	229 E. Park Ave. Des Moines	Deceased	\$0.00
030.03796.003.000	1169 14th Pl. Des Moines	Changed ownership	\$0.00
171.00370.000.000	703 2nd Ave Se Altoona	Changed ownership	\$0.00
190.00589.000.000	4737 NE 27th Ct. Des Moines	Changed ownership	\$0.00
131.00012.603.000	6825 SE 52nd St. Carlisle	Changed ownership	\$0.00
141.00126.000.000	309 5th St. NW Mitchellville	Changed ownership	\$0.00
160.00221.000.000	9179 SE 6th Ave. Runnells	Changed ownership	\$0.00
120.03892.000.000	6206 SW 2nd St. Des Moines	Changed ownership	\$0.00
120.05142.000.000	313 E. Diehl Ave. Des Moines	No longer in home	\$0.00
120.01826.512.001	4430 SE 16th St. Des Moines	Deceased	\$0.00
120.03367.104.000	6230 SE 16th Ct. Des Moines	Deceased	\$0.00
110.05121.001.001	1428 Dixon St. Des Moines	Changed ownership	\$0.00
110.05051.000.000	1259 Stewart St. Des Moines	Changed ownership	\$0.00
110.01845.001.000	1520 Alpha Ave. Des Moines	Changed ownership	\$0.00
110.03057.000.000	701 Morton Ave. Des Moines	Changed ownership	\$0.00
110.03250.000.000	2342 E. 13th St. Des Moines	Changed ownership	\$0.00
100.06346.000.000	4711 Hickman Rd. Des Moines	Changed ownership	\$0.00
<b>TOTAL COUNTY TO BE TERMINATED</b>			<b>\$0.00</b>

**Exhibit 'B' - State Suspensions to be Terminated  
Prepared February 3, 2016**

<b>District/Parcel</b>	<b>Address</b>	<b>Explanation</b>	<b>Suspended Tax Amount</b>
181.00275.000.000	223 Se East Lawn Dr. Ankeny	Changed Ownership	\$0.00
100.11536.000.000	2721 48th Pl. Des Moines	Changed Ownership	\$0.00
080.04695.000.000	1812 Hickman Rd. Des Moines	Changed Ownership	\$0.00
070.01574.541.000	2804 Oxford St. Des Moines	Changed Ownership	\$0.00
050.01384.000.000	2952 Maple St. Des Moines	Changed Ownership	\$0.00
<b>TOTAL STATE TO BE TERMINATED</b>			<b>\$0.00</b>

**RESOLUTION**

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

that the following Resolution be adopted:

**WHEREAS**, the Polk County Board of Supervisors has supported numerous downtown Des Moines revitalization initiatives; and,

**WHEREAS**, the Polk County Board of Supervisors wish to provide a safe and secure downtown atmosphere where residents and visitors can enjoy Court Avenue establishments; and,

**WHEREAS**, Polk County, the City of Des Moines, Operation Downtown, the Historic Court District Association and private businesses have created a plan to enhance security on Court Avenue through increased police presence, improved lighting, and the addition of an exterior camera system; and,

**WHEREAS**, Polk County, the City of Des Moines, Operation Downtown, the Historic Court District Association and private businesses have agreed to share the costs of implementing these security measures and commit to providing funding for three years; and,

**WHEREAS**, it is the desire of the Polk County Board of Supervisors to enter into an agreement for Court Avenue security services upon the terms and conditions of the attached agreement.

**NOW, THEREFORE BE IT RESOLVED** that the Polk County Board of Supervisors hereby approves and authorizes the Chair to sign the attached agreement with the City of Des Moines, Operation Downtown, the Historic Court District Association, and private business owners to provide security services for Court Avenue for three years.

**POLK COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Chairperson

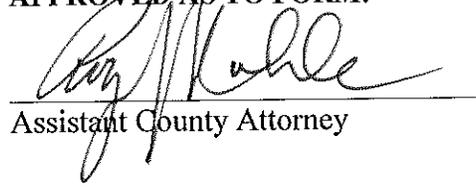
#13

**SUBMITTED BY:**



Sarah Boese  
Board Executive Assistant

**APPROVED AS TO FORM:**



Assistant County Attorney

FY15/16-FY17/18  
Fiscal Impact: \$20,000

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution approving an agreement between Polk County and Operation Downtown for Court Avenue security.

**Agenda Date:** February 23, 2016

**Contact Individual:** Sarah Boese, Board Executive Assistant  
Board of Supervisors  
286-3895

**Previous Action taken by the Board:** 5/5/2015

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

**Comply with Policy:** Yes

**Background:** Polk County has been working with Operation Downtown, the City of Des Moines, private business owners and the Historic Court District Association to create a three year plan to improve security on Court Avenue. The Polk County Board of Supervisors has assisted in promoting economic development in the downtown area and wishes to provide a safe environment for patrons to enjoy the many improvements in the downtown area.

**Action Impact:** The passage of this resolution approves the agreement between Polk County, the City of Des Moines, the Historic Court District Association and Operation Downtown for Court Avenue security and authorizes the Chair to sign the attached agreement.

**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
15/16	Y		\$20,000		N	50106320.79410	
16/17	Y		\$20,000			50106320.79410	
17/18	Y		\$20,000			50106320.79410	

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

**RESOLUTION**

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

that the following Resolution be adopted:

**WHEREAS**, the Polk County Board of Supervisors are committed to supporting economic development in Polk County; and,

**WHEREAS**, Pioneer Hi-Bred International, a subsidiary of DuPont, is one of the largest employers in Polk County and has recently announced a merger with The Dow Chemical Company ; and,

**WHEREAS**, Polk County, the City of Johnston, and the Iowa Economic Development Authority wish to provide an economic development incentive for the newly merged company to retain certain research and development facilities and a minimum number of jobs in Polk County; and,

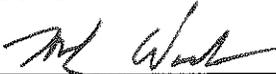
**WHEREAS**, the Polk County Board of Supervisors agree to the terms of the attached agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Polk County Board of Supervisors approve and authorize the Chair to sign the attached agreement with Pioneer Hi-Bred International.

**POLK COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
Chair

**SUBMITTED BY:**

  
\_\_\_\_\_  
Mark Wandro  
County Administrator

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Roger Kuhle  
Assistant County Attorney

FY15/16  
Fiscal Impact: \$238,000

#14

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution approving agreement with Pioneer Hi-Bred International.

**Agenda Date:** February 23, 2016

**Contact Individual:** Sarah Boese, Board Executive Assistant  
Board of Supervisors  
286-3895

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

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

**Comply with Policy:** Yes

**Background:** Pioneer Hi-Bred International is one of the largest employers in Polk County and has recently announced a merger with The Dow Chemical Company. In order to retain certain research and development facilities and a minimum number of jobs in Polk County, the City of Johnston, Polk County and the Iowa Economic Development Authority to provide Pioneer Hi-Bred International an economic development incentive package. If approved, Polk County will provide a \$238,000 forgivable loan over five years.

**Action Impact:**

**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
15/16	Y		\$238,000		N	50106320.79400	

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