

POLK COUNTY BOARD OF SUPERVISORS AGENDA
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING

111 COURT AVENUE - ROOM 120

JANUARY 26, 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.

5. **PUBLIC COMMENTS**

RESOLUTIONS

6. Resolution canceling weed assessment on property at 500 NE 54th Avenue.
7. Resolution canceling weed assessment on property at 3111 Douglas Avenue.
8. Resolution canceling weed assessment on property at 6120 E. Indianola Avenue.
9. Resolution awarding bid (no. 618-1516) "Interior Furnishings for the Polk County Justice Center" to Storey Kenworthy.
10. Resolution approving employee application for unpaid leave (M. Steinbach).
11. Resolution creating a side-by-side position within the General Services Department.
- *12. Resolution approving informal settlement agreement with AFSCME Iowa Council 61.

BUDGET ACTIONS

13. Memorandum of Budget Actions.

APPOINTMENTS

14. 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, the property owner for the following property is requesting assessment for
weed cutting be canceled: District 270 Parcel 02294-000-000; and

WHEREAS, the request has been reviewed and investigated by the Polk County Weed
Commissioner's Office; and

WHEREAS, a complete and thorough investigation of the request was conducted; and

WHEREAS, based on this investigation and documentation, the assessment was found to
be cited incorrectly to this property; and

WHEREAS, the Polk County Weed Commission recommends the request for Erroneous
Assessment be approved.

NOW, THEREFORE, BE IT RESOLVED that the request for an Erroneous Assessment
by Brittany Gilson for weed destruction assessed for the tax year 2015 is approved; and

BE IT FURTHER RESOLVED that Certificate 00113736000 which was certified for
assessment on December 8, 2015 for the above listed property for \$70.75 be canceled and that
the Polk County Auditor is directed to strike said 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 No. WC-2-16 Request for Erroneous Assessment of Special Weed Assessment - 500 NE 54th Ave., Des Moines, Iowa

Agenda Date: January 26, 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 request 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 request. The Board of Supervisors then may grant or deny the request. The Weed Commission investigated this request and found the assessment to be cited incorrectly to this property.

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	N	N/A	N/A	N		

Additional Fiscal Note Information (optional):

RESOLUTION

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, the property owner for the following property is requesting assessment for weed cutting be canceled: District 100 Parcel 08404-004-000; and

WHEREAS, the request has been reviewed and investigated by the Polk County Weed Commissioner's Office; and

WHEREAS, a complete and thorough investigation of the request was conducted; and

WHEREAS, based on this investigation and documentation, the assessment was found to be cited incorrectly to this property; and

WHEREAS, the Polk County Weed Commission recommends the request for Erroneous Assessment be approved.

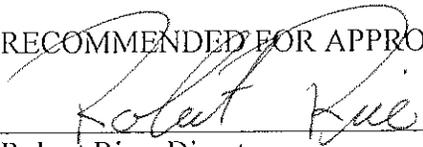
NOW, THEREFORE, BE IT RESOLVED that the request for an Erroneous Assessment by Davis Insurance Agency, Inc. for weed destruction assessed for the tax year 2015 is approved; and

BE IT FURTHER RESOLVED that Certificate 00113768500 which was certified for assessment on December 8, 2015 for the above listed property for \$70.75 be canceled and that the Polk County Auditor is directed to strike said 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 No. WC-3-16 Request for Erroneous Assessment of Special Weed Assessment - 3111 Douglas Ave, Des Moines, Iowa

Agenda Date: January 26, 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 request 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 request. The Board of Supervisors then may grant or deny the request. The Weed Commission investigated this request and found the assessment to be cited incorrectly to this property.

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	N	N/A	N/A	N		

Additional Fiscal Note Information (optional):

RESOLUTION

Moved by _____, Seconded by _____ that the following resolution be adopted:

WHEREAS, the property owner for the following property is requesting assessment for weed cutting be canceled: District 120 Parcel 03367-292-001; and

WHEREAS, the request has been reviewed and investigated by the Polk County Weed Commissioner's Office; and

WHEREAS, a complete and thorough investigation of the request was conducted; and

WHEREAS, based on this investigation and documentation, the assessment was found to be cited incorrectly to this property; and

WHEREAS, the Polk County Weed Commission recommends the request for Erroneous Assessment be approved.

NOW, THEREFORE, BE IT RESOLVED that the request for an Erroneous Assessment by Thoa Nguyen for weed destruction assessed for the tax year 2015 is approved; and

BE IT FURTHER RESOLVED that Certificates 00113766200; 00113779000; and 00113734000 which were certified for assessment on December 8, 2015 for the above listed property for a total of \$419.00 be canceled and that the Polk County Auditor is directed to strike said 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 No. WC-4-16 Request for Erroneous Assessment of Special Weed Assessment - 6120 E. Indianola Ave, Des Moines, Iowa

Agenda Date: January 26, 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 request 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 request. The Board of Supervisors then may grant or deny the request. The Weed Commission investigated this request and found the assessment to be cited incorrectly to this property.

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	N	N/A	N/A	N		

Additional Fiscal Note Information (optional):

RESOLUTION

Moved by _____ Seconded by _____ that the following Resolution be adopted:

WHEREAS, on December 17, 2015 Polk County received four (4) bids for the "Interior Furnishings for the Polk County Justice Center"; and

WHEREAS, on January 4, 2016 the Polk county Board of Supervisors awarded Section 6 of Bid No. 618-1516 to Piggot ; and

WHEREAS Piggot notified Polk County of an error and/or omission in the bid submitted; and

WHEREAS, the error and/or omission resulted in Piggot no longer having the lowest responsive and responsible bid; and

WHEREAS, it is recommended to rescind the award from Piggot and award to the next lowest bidder; and

WHEREAS, it is recommended to award Section 6 to Storey Kenworthy in the amount of \$5,653.95; and

WHEREAS, General Services concurs with the Architect's recommendation.

NOW, THEREFORE, BE IT RESOLVED the Polk County Board of Supervisors herein rescinds the award of Bid No. 618-1516, "Interior Furnishings for the Polk County Justice Center," Section 6 to Piggot.

BE IT FURTHER RESOLVED the Polk County Board of Supervisors herein awards Bid No. 618-1516, "Interior Furnishings for the Polk County Justice Center," Section 6 to Storey Kenworthy.

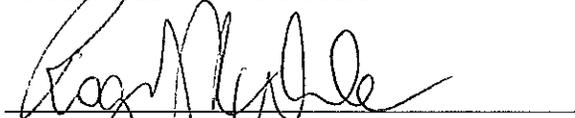
POLK COUNTY BOARD OF SUPERVISORS

Chairperson
1516 - 010

SUBMITTED BY:


John Rowen, Director
Polk County General Services

APPROVED AS TO FORM:


Assistant County Attorney

FISCAL NOTE:

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POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution awarding Bid No. 618-1516 “Interior Furnishings for the Polk County Justice Center.”

Agenda Date: January 26, 2016

Contact Individual: John Rowen
 Director, General Services
 286-3131

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

Action Requested (Recommended): Approval

Comply with Policy:

Background: On December 17, 2015 Polk County received four (4) bids for Bid 618-1516, “Interior Furnishings for the Polk County Justice Center.” On January 4, 2016, bids were awarded to the three vendors with the best pricing for each of the eight (8) sections, Storey Kenworthy, Business Interiors By Staples and Pigott. However, an error and omission was discovered by Pigott, which had revealed the wrong pricing had been submitted.

Action Impact: This Resolution rescinds the award to Pigott and amends the award to Storey Kenworthy.

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
1516	Y	\$5,653.95				

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED BY _____, SECONDED BY _____,

That the following Resolution be adopted:

WHEREAS, the incumbent of a Building Attendant position (M. Steinbach) has applied for an unpaid leave due to a health condition, and

WHEREAS, the employee has exhausted time off under the FLMA (Family Medical Leave Act) program, and

WHEREAS, the AFSCME contract states applications for unpaid leave will be approved or disapproved by the Board of Supervisors, and

WHEREAS, the Human Resources Department has reviewed the request and recommends granting a four month unpaid leave of absence with the option for Human Resources to grant an additional two (2) months, for a total of six (6) months, based upon certification from a physician.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors hereby approves the application for unpaid absence submitted by M. Steinbach and authorizes the Labor Relations Manager to grant an unpaid leave of absence not to exceed six (6) months contingent on the employee's ability to return to work.

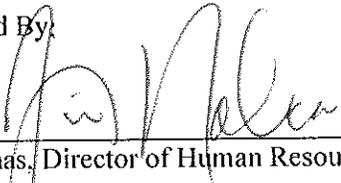
BE IT FURTHER RESOLVED, the Board of Supervisors directs the County Auditor and the Director of Human Resources to take the necessary steps to implement this resolution.

Approved this _____ Day of _____ 2016

POLK COUNTY BOARD OF SUPERVISORS

Chairperson

Submitted By:



Jim Nahas, Director of Human Resources

#10

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Approval of Employee Application for Unpaid Leave.

Agenda Date: 1/26/16

Contact Individual: Jim Nahas, Director of Human Resources

Previous Action taken by the Board:

Action Requested (Recommended): Approve employee's request for unpaid absence and authorize the Human Resources Department to grant up to a six (6) month unpaid leave of absence.

Comply with Policy:

Background: Michael Steinbach, Building Attendant position (#2739) in the General Services Department, has applied for unpaid leave due to a health condition. He has exhausted his time off under the FLMA (Family Medical Leave Act) program. He does not expect to return to work prior to May. The AFSCME contract states "applications for leave shall be approved or disapproved by the Board of Supervisors" and such leave shall "terminate after six (6) months or when the Employee's physician certifies he/she is able to return to his/her regular duties, whichever occurs first".

Action Impact: Approves employee's application for unpaid leave and authorizes the Human Resources to grant an unpaid leave of absence up to six months contingent on the employee's ability to return to work.

Fiscal Note: No costs are associated with this action.

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	N	0					

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED BY _____, SECONDED BY _____,

That the following Resolution be adopted:

WHEREAS, the General Services Department has requested a side-by-side Building Attendant position due to the extended absence of an employee, and

WHEREAS, the employee is on unpaid status and is requesting approval of an unpaid leave of absence from the Board of Supervisors by resolution dated 1/26/16, and

WHEREAS, contingent upon approval of the leave of absence, general funds will be available to cover the costs of the side-by-side position, and

WHEREAS, the Director of General Services 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 Building Attendant position, AFSCME grade 15, range \$43,392-\$56,712 until the employee returns from leave or terminates.

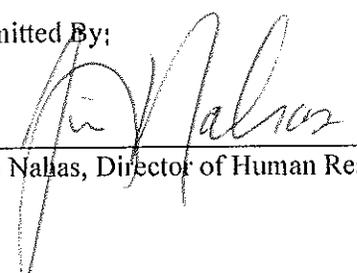
NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors hereby adopts the recommendation to create a side-by-side position and directs the County Auditor and the Director of Human Resources to take the necessary steps to implement this resolution,

Approved this _____ Day of _____ 2016

POLK COUNTY BOARD OF SUPERVISORS

Chairperson

Submitted By:



Jim Nallas, 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 General Services Department.

Agenda Date: 1/26/16

Contact Individual: Jim Nahas, Director of Human Resources

Previous Action taken by the Board:

Action Requested (Recommended): Create one (1) side-by-side Building Attendant position, AFSCME grade 15, range \$43,391-\$56,712 until the employee returns from leave or terminates.

Comply with Policy:

Background: The incumbent of the Building Attendant position (#2739) in the General Services Department has requested an unpaid leave of absence. Contingent upon the Board of Supervisors approving the unpaid leave on 1/26/16, general funds will be available to cover the costs of the side-by-side position.

Action Impact: Creates one (1) side-by-side Building Attendant position (#2739SBS), AFSCME grade 15, range \$43,391-\$56,712 until such time as 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
15/16	Y	1					

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED BY _____ SECONDED BY _____

that the following resolution be adopted:

WHEREAS, AFSCME Iowa Council 61 filed a Prohibited Practice Complaint before the Public Relations Board No. 100066 on or about September 16, 2015;

WHEREAS, Polk County, Iowa, has denied any violation of the Public Employee Relations Law;

WHEREAS, the Polk County, Iowa Human Resources Department, being desirous of maintaining good relations with the members of the bargaining unit and wishing to avoid the risks and expenses of litigation, has recommended that the board of Supervisors enter into an Informal Settlement Agreement in the attached form;

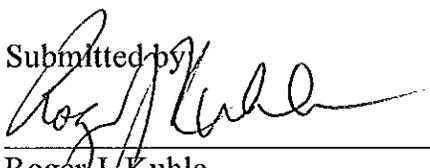
WHEREAS, it is in the best interest of all concerned to resolve the Complaint without further delay;

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors approve the signing of the Informal Settlement Agreement and authorizes the Chair of the Board of Supervisors to sign the attached agreement.

POLK COUNTY BOARD OF SUPERVISORS

Chairperson

Submitted by



Roger J. Kuhle
Assistant Polk County Attorney

#12

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving and authorizing Chair to sign informal settlement agreement with AFSCME Iowa Council 61.

Agenda Date: January 26, 2016

Contact Individual: Michael Campbell

Previous Action taken by the Board: None

Board/Commission Actions: Resolve a Prohibited Practice Complaint filed before the Public Relations Board by AFSCME Iowa Council 61. Polk County, Iowa denies any violation of the Public Employee Relations law and being desirous of maintaining good relations with the members of the bargaining unit enter into an informal Settlement Agreement.

Action Requested (Recommended): Approval

Comply with Policy: Iowa Public Employment Relations Act; Polk County Policy Union Affiliation

Background: AFSCME Iowa Council 61 filed a Prohibited Practice Complaint before the Public Relations Board NO. 100066 on or about September 16, 2015. Polk County, Iowa has denied any violation of the Public Employee Relations Law. Polk County, Iowa Human Resources Department and AFSCME Iowa Council 61, being desirous of maintaining good relations with each other have agreed to an informal Settlement Agreement to resolve the Complaint in the best interest of all concerned.

Action Impact: It is in the best interest of all concerned to resolve the Complaint without further delay.

Fiscal Note:

Fiscal Year	Budgeted?	Anticipated Expense	Anticipated Revenue	Ongoing Commitment	If Amendment is Required
2016	N/A	N/A	N/A	Yes	N/A