

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

**JULY 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.

**PUBLIC HEARING**

**DISPOSAL OF COUNTY INTEREST IN REAL ESTATE**

5. Resolution approving Quit Claim Deed to Greater Des Moines Habitat for Humanity (vacant parcel between 1715 & 1707 Franklin Avenue).

**PETITIONS**

- \*6. Petitions to suspend taxes and special assessments for the following:

K. Bruce	5564 SE Circle Dr, Carlisle
S. Waters	2319 E. 38 <sup>th</sup> Street

- \*7. Petitions to suspend taxes and special assessments and authorizing Chairperson to sign the Application and Affidavit for Redemption of Parcel for the following:

D. Bebber	1105 NW 43 <sup>rd</sup> Place
C. Castro (Crawford)	713 College
C. Dunagan	3115 E. 7 <sup>th</sup> Street
C. Lee	3016 Victoria Drive
F. Lee	1311 E. 14 <sup>th</sup> Street
L. Jones	713 SE 11 <sup>th</sup> Street
E. McQuarry	720 – 24 <sup>th</sup> Street
V. Robinson	1251 Stewart Street

8.

**PUBLIC COMMENTS**

**RESOLUTIONS**

- \*9. Resolution approving contract with Iowa Department of Public Health to provide financial assistance to citizens in addressing water quality issues (abandoned wells).
10. Resolution approving major final subdivision plat of Stage Coach Estates Plat 1.
11. Resolution approving major final subdivision plat of Stage Coach Estates Plat 2.

- \*12. Resolution approving FY 17 Local Public Health Services Contract with Iowa Department of Public Health.
- \*13. Resolution approving agreement amendment with Wesley Community Services to provide public health nursing and home care aide services.
- \*14. Resolution approving agreement with Kaplan University for provision of learning experiences.
- \*15. Resolution approving agreement with University of Iowa, State Hygienic Laboratory, for the provision of Lab Director services at the Health Department.
- 16. Resolution awarding bid "Polk County Criminal Courts" to Neumann Bros Inc, Des Moines.
- \*17. Resolution approving Community Development Grant to the Blank Park Zoo Foundation, Inc.

#### **COMMUNICATIONS**

- \*18. Notice of Consultation Meeting for proposed annexation of unincorporated territory into the City of Altoona, Iowa.
- \*19. Filing of Written Decision, City of Ankeny Voluntary Annexation within the urbanized area of the City of Alleman.

#### **BUDGET ACTIONS**

- 20. Memorandum of Budget Actions.

#### **APPOINTMENTS**

- 21. Memorandum of Appointments.

#### **ADJOURNMENT**

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

2002-3594

**RESOLUTION**

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

WHEREAS, Polk County received a proposal from Greater Des Moines Habitat for Humanity to obtain this vacant parcel located between 1715 and 1707 Franklin Avenue, Des Moines, Iowa, legally described as:

LOT 9 BLK 8 NORWOOD PARK ADDITION TO NORTH DES MOINES

WHEREAS, the Polk County Board of Supervisors desires to accept said offer and convey said property to Greater Des Moines Habitat for Humanity; and

WHEREAS, there has been proper notice and public hearing pursuant to Iowa Code §331.361.

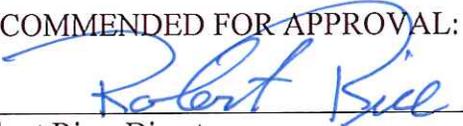
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Polk County, Iowa, that the above described proposal is accepted; and

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors approves the attached Quit Claim Deed and authorizes the Chairperson's signature.

POLK COUNTY BOARD OF SUPERVISORS:

\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:

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

FISCAL NOTE: \$5,400.00 to Real Estate Fund

#5

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Public Hearing Resolution No. 106-16 approving a Quit Claim Deed to Greater Des Moines Habitat for Humanity, File #2002-3594 (Dist. 080 Parcel 04797-000-000) vacant parcel located between 1715 and 1707 Franklin Avenue, Des Moines, IA.

**Agenda Date:** July 26, 2016

**Contact Individual:** Bret VandeLune, Planning and Development Manager, Real Estate Division, Polk County Public Works, 286-3705

**Previous Action taken by the Board:** On July 12, 2016 the Board approved a resolution for a public hearing to convey this parcel to Greater Des Moines Habitat for Humanity for \$5,400.00.

**Board/Commission Actions:** NA

**Action Requested (Recommended):** Approve a Quit Claim Deed

**Comply with Policy:** Yes, Proposal

**Background:** Polk County received a proposal from Greater Des Moines Habitat for Humanity for \$5,400.00 to purchase this parcel. Polk County received this parcel by Tax Deed in September of 2005. Parcel size is 50' x 132'. Parcel is buildable.

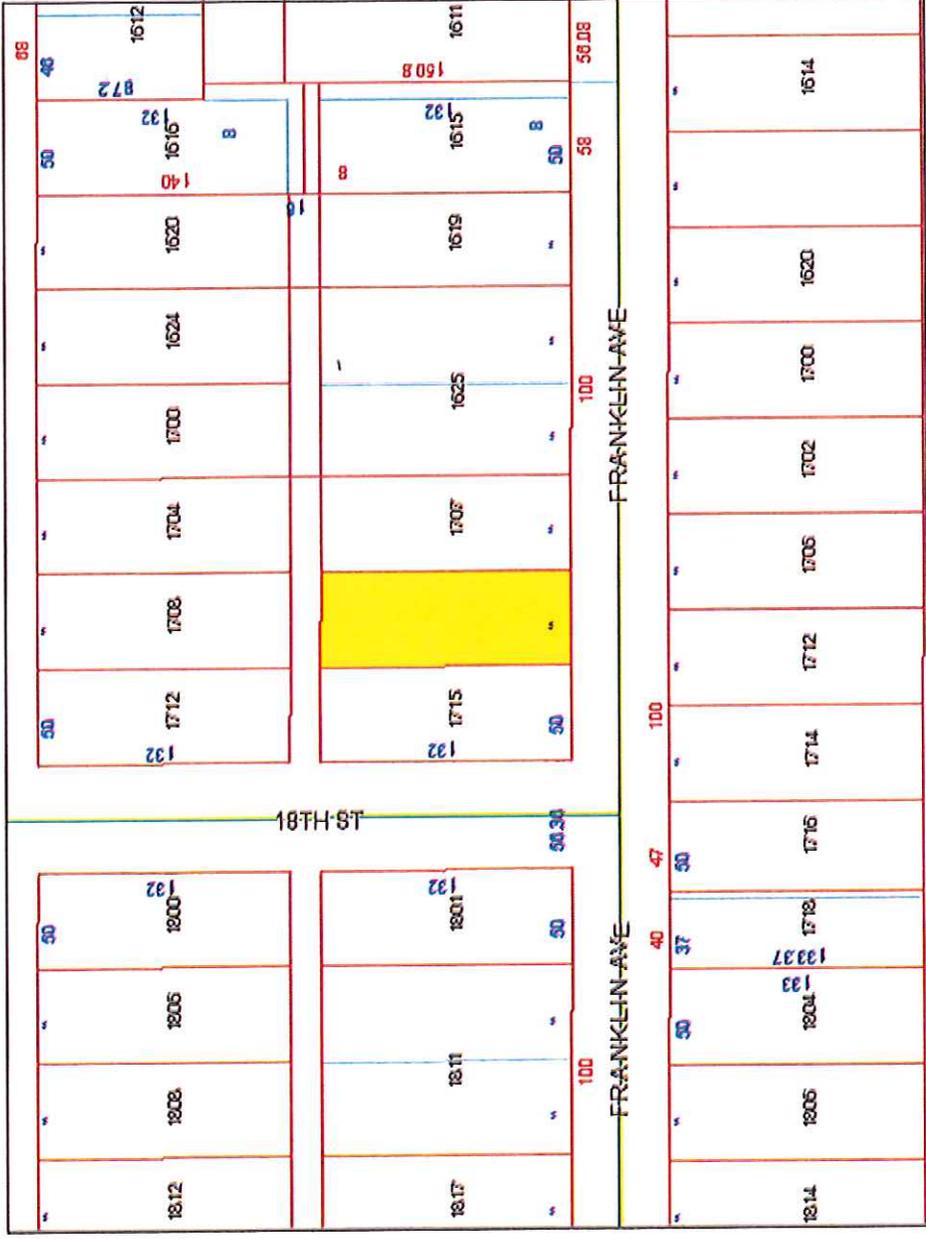
**Action Impact:** Approval of the resolution will authorize the Real Estate Office to issue the Quit Claim Deed to Greater Des Moines Habitat for Humanity.

**Fiscal Note:** \$5,400.00 to Real Estate Fund

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			\$5,400.00			

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

Click a Parcel to Highlight and Center It



Courtesy of Polk County Auditor Jamie Fitzgerald

640' x 480' -- Click to center and select a parcel

[Explanation](#)



[Zoom In](#)

- [ 0 ]
- [ 1 ]
- 2
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- [ 4 ]
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- [ 6 ]
- [ 7 ]
- [ 8 ]

[Zoom Out](#)

[Get Listing](#)

Aerial [ 2012 ▼ ]

S 32°E 335'

[ 640x480 ▼ ]

[Printable Version](#)

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**R E S O L U T I O N**

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

WHEREAS, the Iowa Code Chapter 455B, Section 190, Paragraph 2, states that all abandoned wells shall be properly plugged; and

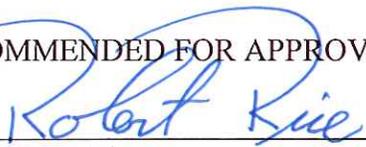
WHEREAS, the Iowa Department of Public Health has provided Polk County \$26,530 in the form of a grant to provide assistance to owners in plugging abandoned wells within Polk County. In addition, grant funds may assist owners with water well testing, cistern plugging, and well reconstruction.

NOW, THEREFORE, BE IT RESOLVED that acting as the Polk County Local Board of Health, this Board hereby authorizes the Director of Public Works to electronically sign the application/contract between the Polk County Board of Supervisors/Polk County Board of Health and the Iowa Department of Public Health for the 2016/2017 Fiscal Year.

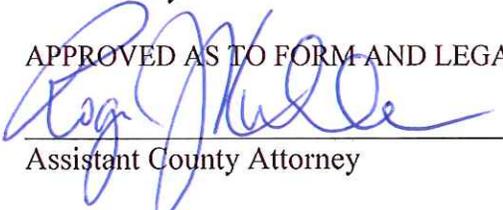
POLK COUNTY BOARD OF SUPERVISORS  
Acting in its capacity as the  
POLK COUNTY BOARD OF HEALTH:

\_\_\_\_\_  
Chairperson

RECOMMENDED FOR APPROVAL:

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

APPROVED AS TO FORM AND LEGAL MATTERS:

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

Fiscal Note: Revenue of \$26,530 from the State of Iowa including estimated administration fee for operating the program of \$5,510 and \$21,020 of expenses.

#9

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution No. 105-16 approving the application/contract between the Polk County Board of Supervisors and the Iowa Department of Public Health to provide Polk County financial assistance to citizens in addressing water quality issues.

**Agenda Date:** July 26, 2016

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

**Previous Action taken by the Board:** Annual contract

**Board/Commission Actions:** None

**Action Requested (Recommended):** Approve resolution renewing application/contract with the Iowa Department of Public Health to protect ground water quality

**Comply with Policy:** Yes

**Background:** The Polk County Board of Supervisors acting as the Polk County Board of Health has approved an application/contract with the State of Iowa on an annual basis to protect ground water quality. In addition, the County receives an administration fee for overseeing the program. The application/contract will need to be signed electronically on the Iowa Grants.Gov website.

**Action Impact:** Approval of this Resolution authorizes the renewal of the application/contract with the Iowa Department of Public Health for the Grants to Counties Program and authorizes the Director of Public Works to sign the application/contract electronically.

**Fiscal Note:** \$75 Administration fee per plugging, \$60 Administration fee per well test

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	Y	\$21,020	\$26,530	Y		

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

RESOLUTION

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

WHEREAS, the owners of land located in Section 20, Township 80 North, Range 25 West of the 5<sup>th</sup> P.M. (Jefferson Township), Polk County, Iowa, wish to subdivide and plat their land into a major final subdivision plat known as Stage Coach Estates Plat 1; and

WHEREAS, this major final subdivision plat proposes three (3) residential lots on 31.91 acres of land; and

WHEREAS, the owner has complied with all codes and ordinances for the unincorporated territory of Polk County, Iowa, except for the subdivision ordinance requirement that no lot is to exceed the four to one lot width to depth requirement, flag lots are not to exceed three (3) acres in size and that the pole portion of flag lots are not to exceed 400-feet in length; and

WHEREAS, the owner/developer requests the following waivers from the subdivision ordinance requirements: 1.) Waiver of the four to one lot width to depth requirement for Lot 2 to exceed the depth by 20-feet to allow a total approximate lot depth of 1818-feet and for Lot 3 to exceed the depth by 376-feet to allow an approximate lot depth of 2579-feet. 2.) Waiver of the maximum flag lot size of 3 acres to allow Lot 2 to contain 9.24 acres and Lot 3 to contain 12.10 acres. 3.) Waiver for the pole portion of the driveway for flag lots to exceed the maximum 400-foot length. Providing this waiver allows Lot 2 to have a driveway pole length of approximately 1051-feet and Lot 3 to have driveway pole length of approximately 1815-feet; and

WHEREAS, the Polk County Board of Supervisors on December 8, 2015 voted unanimously, with none absent, to approve the major preliminary subdivision plat of Stage Coach Estates Plat 1 for 3 lots with the following waivers from the subdivision ordinance requirements: 1.) Waiver of the four to one lot width to depth requirement for Lot 2 to exceed the depth by 20-feet to allow a total approximate lot depth of 1818-feet and for Lot 3 to exceed the depth by 376-feet to allow an approximate lot depth of 2579-feet. 2.) Waiver of the maximum flag lot size of 3 acres to allow Lot 2 to contain 9.24 acres and Lot 3 to contain 12.10 acres. 3.) Waiver for the pole portion of the driveway for flag lots to exceed the maximum 400-foot length. Providing this waiver allows Lot 2 to have a driveway pole length of approximately 1051-feet and Lot 3 to have driveway pole length of approximately 1815-feet; and

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

WHEREAS, the Polk County Public Works Department has requested and received a warranty deed for road right-of-way, described as Lot 'A' (NW 121<sup>st</sup> Street), within the subdivision plat of Stage Coach Estates Plat 1.

NOW, THEREFORE, BE IT RESOLVED that the major final subdivision plat of Stage Coach Estates Plat 1, with the following waivers from the subdivision ordinance requirements: 1.) Waiver of the four to one lot width to depth requirement for Lot 2 to exceed the depth by 20-feet to allow a total approximate lot depth of 1818-feet and for Lot 3 to exceed the

#10

depth by 376-feet to allow an approximate lot depth of 2579-feet. 2.) Waiver of the maximum flag lot size of 3 acres to allow Lot 2 to contain 9.24 acres and Lot 3 to contain 12.10 acres. 3.) Waiver for the pole portion of the driveway for flag lots to exceed the maximum 400-foot length. Providing this waiver allows Lot 2 to have a driveway pole length of approximately 1051-feet and Lot 3 to have driveway pole length of approximately 1815-feet, is hereby approved.

Sewer Service:	Individual septic systems
Water Service:	Xenia Rural Water
Zoning:	“ER” Estate Residential District
Platted by:	Lon Horbach
Location:	Located approximately 2180 feet south of NW Towner Drive and directly west of and adjacent to NW 121 <sup>st</sup> Street
Township:	Jefferson

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors hereby:

- 1) Accept Lot ‘A’ (NW 121<sup>st</sup> Street) of Stage Coach Estates Plat 1 into the Polk County Secondary Roads System; and
- 2) Accept the warranty deed for said street and authorize the Director of the Polk County Public Works Department to have the same recorded.

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. 107-16 approving the Final Plat of Stage Coach Estates Plat 1, a major subdivision final plat.

**Agenda Date:** July 26, 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:** On December 8, 2015 the Polk County Board of Supervisors voted unanimously, with none absent, to approve the Preliminary Plat of Stage Coach Estates Plat 1.

**Action Requested (Recommended):** Final Plat Approval

**Comply with Policy:** Yes

**Background:** The Plat proposes three (3) residential lots on 31.91 acres of land zoned "ER" Estate Residential District. The lots are accessed via a shared, private driveway entrance with access to NW 121<sup>st</sup> Street. Approval of the plat involves approval of the necessary waivers related to lot width to depth requirements as well as flag lot size and flag pole length.

**Action Impact:** Approval of the Final Plat allows for its recording, and dedicates new public right-of-way adjacent to NW 121<sup>st</sup> Street to Polk County.

**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):**

**Stage Coach Estates Plat 1**  
**Final Plat**

**PLAT INFORMATION:** This subdivision plat proposes 3 lots on 31.91 acres of land zoned “ER” Estate Residential District.

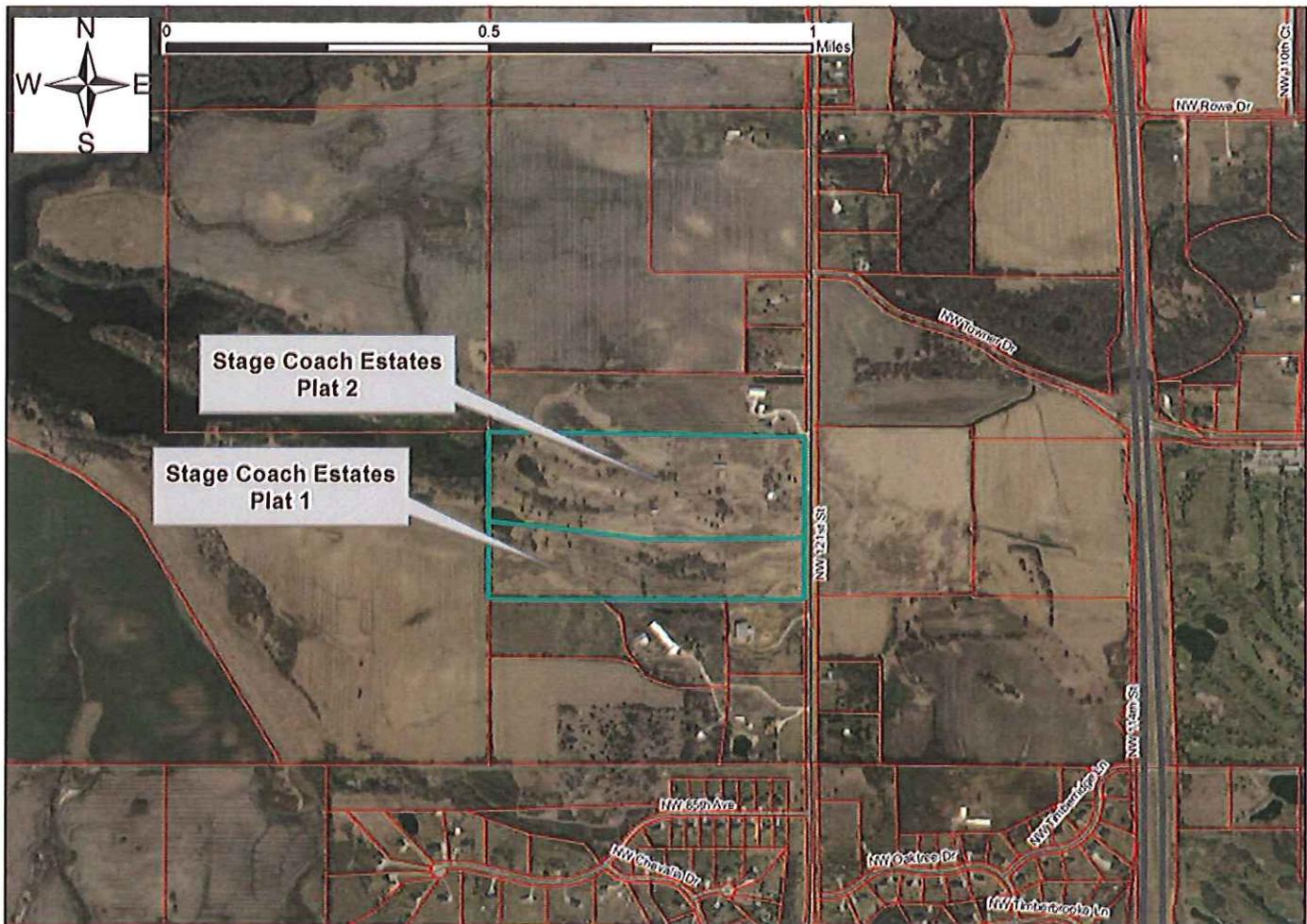
**SEWER:** Individual septic systems

**WATER:** Xenia Rural Water

**TOWNSHIP:** Jefferson

**OWNER/DEVELOPER:** Lon Horbach

**Vicinity Map:**



RESOLUTION

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

WHEREAS, the owners of land located in Section 20, Township 80 North, Range 25 West of the 5<sup>th</sup> P.M. (Jefferson Township), Polk County, Iowa, wish to subdivide and plat their land into a major final subdivision plat known as Stage Coach Estates Plat 2; and

WHEREAS, this major final subdivision plat proposes seven (7) residential lots on 49.29 acres of land; and

WHEREAS, the owner has complied with all codes and ordinances for the unincorporated territory of Polk County, Iowa, except for the following subdivision ordinance requirements: No subdivision roadway shall exceed the 600-foot maximum cul-de-sac length requirement, flag lots are not to exceed the maximum lot size of 3 acres, no lot is to exceed the four to one lot width to depth requirement, and public utility easements shall be placed along the side and rear yards; and

WHEREAS, the owner/developer requests the following waivers from the subdivision ordinance requirements: 1.) Waiver of the maximum cul-de-sac length of 600 feet to allow a total length of 870 feet. 2.) Waiver of the maximum flag lot size of 3 acres to allow Lot 3 to contain a total of 12.83 acres. 3.) Waiver of the four to one lot width to depth requirement for Lot 3 to exceed the depth by 830 feet to allow a total approximate lot depth of 1730 feet. The waiver for Lot 4 is to exceed the depth by 810 feet to allow a total approximate lot depth of 1710 feet. Waiver of the requirement that public utility easements be placed along the side and rear yards to allow 20 foot public utility easements to be located along the frontage of the lots; and

WHEREAS, the Polk County Board of Supervisors on November 3, 2015 voted unanimously, with none absent, to approve the major preliminary subdivision plat of Stage Coach Estates Plat 2 for 7 lots with the following waivers from the subdivision ordinance requirements: 1.) Waiver of the maximum cul-de-sac length from 600-feet to allow a total length of 870-feet. 2.) Waiver of the maximum flag lot size of 3-acres to allow Lot 3 to contain a total of 12.83 acres. 3.) Waiver of the four to one lot width to depth requirement for Lot 3 to exceed the depth by 830-feet to allow a total approximate lot depth of 1730-feet. The waiver for Lot 4 is to exceed the depth by 810-feet to allow a total approximate lot depth of 1710-feet. 4.) Waiver of the 20-foot public utility easements, which are required by ordinance along the side and rear yards, to allow 20-foot public utility easements along the front of the lots; and

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

WHEREAS, the subdivision road right-of-way, Lot 'A' (NW 89<sup>th</sup> Place) is proposed to be dedicated and deeded to Polk County for roadway purposes once all subdivision construction improvements are approved and completed; and

WHEREAS, Lot 'B' (NW 121<sup>st</sup> Street) is proposed to be dedicated and deeded to Polk County for right-of-way purposes; and

WHEREAS, the Polk County Public Works Department inspected said construction under the Subdivision Inspection Agreement with Lon Horbach, dated November 18, 2015, with said agreement stating that Polk County will accept the proposed roadway, storm sewer systems and associated appurtenances upon satisfactory completion of construction and upon receiving all required documentation; and

WHEREAS, the Polk County Public Works Department has conducted a traffic and engineering investigation and recommends that the following traffic control conditions be established:

- 1) A "25 mph" speed limit on NW 89<sup>th</sup> Place
- 2) A "STOP" condition be placed on NW 89<sup>th</sup> Place for east bound traffic at the intersection with NW 121<sup>st</sup> Street
- 3) A "NO PARKING" condition be established on both sides of NW 89<sup>th</sup> Place, extending through the cul-de-sac

NOW, THEREFORE, BE IT RESOLVED that the major final subdivision plat of Stage Coach Estates Plat 2, with the following waivers from the subdivision ordinance requirements: 1.) Waiver of the maximum cul-de-sac length of 600 feet. 2.) Waiver of the maximum flag lot size of 3 acres for Lot 3. 3.) Waiver of the four to one lot width to depth requirement for Lots 3 and 4. 4.) Waiver of the requirement that public utility easements be placed along the side and rear yards of the lots, is hereby approved.

Sewer Service:	Individual septic systems
Water Service:	Xenia Rural Water
Zoning:	"ER" Estate Residential District
Platted by:	Lon Horbach
Location:	Located approximately ¼ mile south of NW Towner Drive and directly west of and adjacent to NW 121 <sup>st</sup> Street
Township:	Jefferson

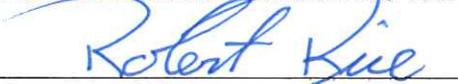
BE IT FURTHER RESOLVED that the Polk County Board of Supervisors hereby:

- 1) Accept Lot 'A' (NW 89<sup>th</sup> Place) of the new interior subdivision roadway of Stage Coach Estates Plat 2, and accept Lot 'B' (NW 121<sup>st</sup> Street), into the Polk County Secondary Roads System; and
- 2) Accept the warranty deed for said streets (Lots 'A' and 'B') and authorize the Director of the Polk County Public Works Department to have the same recorded; and
- 3) Establish a "25 mph" speed limit on NW 89<sup>th</sup> Place; and
- 4) Establish a "STOP" condition on NW 89<sup>th</sup> Place for east bound traffic at the intersection with NW 121<sup>st</sup> Street; and
- 5) Establish a "NO PARKING" condition on both sides of NW 89<sup>th</sup> Place, extending through the cul-de-sac

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. 108-16 approving the Final Plat of Stage Coach Estates Plat 2, a major subdivision final plat.

**Agenda Date:** July 26, 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:** On November 3, 2015 the Polk County Board of Supervisors voted unanimously, with none absent, to approve the Preliminary Plat of Stage Coach Estates Plat 2.

**Action Requested (Recommended):** Final Plat Approval

**Comply with Policy:** Yes

**Background:** The Plat proposes seven (7) residential lots on 49.29 acres of land zoned "ER" Estate Residential District. The lots are served by a new cul-de-sac street (NW 89<sup>th</sup> Place) approximately 870 feet in length. Approval of the plat involves approval of the necessary waivers related to cul-de-sac length, flag lot size, lot width to depth ratio, and placement of public utility easements along front yards.

**Action Impact:** Approval of the Final Plat allows for its recording, and dedicates the public street and related improvements to Polk County.

**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):**

**Stage Coach Estates Plat 2**  
**Final Plat**

**PLAT INFORMATION:** This subdivision plat proposes 7 lots on 49.29 acres of land zoned “ER” Estate Residential District.

**SEWER:** Individual septic systems

**WATER:** Xenia Rural Water

**TOWNSHIP:** Jefferson

**OWNER/DEVELOPER:** Lon Horbach

**Vicinity Map:**



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

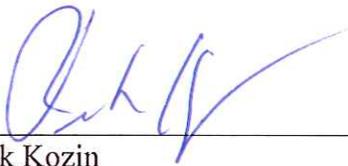
WHEREAS, IDPH has allocated combined program funding in the amount of \$900,662 for the period July 1, 2016 through June 30, 2017. Three percent of programs funds will be held back until final written approval from IDPH has been granted for their release.

NOW, THEREFORE, BE IT RESOLVED: That the Polk County Board of Supervisors /Board of Health approves the FY 17 LPHS contract #5887CO77 with Iowa Department of Public Health for the provision of public health services in Polk County 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 contract or distribution.

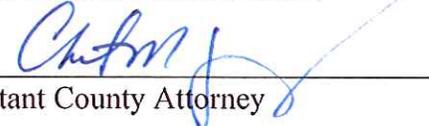
POLK COUNTY BOARD OF SUPERVISORS

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



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

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

BY   
Assistant County Attorney

Fiscal Impact: \$900,662

#12

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Approval of FY17 Local Public Health Services Contract with the Iowa Department of Public Health

**Agenda Date:** 7/26/2016

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

**Previous Action Taken by the Board:**

**Board/Commission Actions:** None

**Action Requested:** Approval

**Comply with Policy:** Yes

**Background:** Historically, 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.

Sources at the State level include funding from the Health Aging and Community Capacity appropriations.

**Action Impact:** These funds will enable Polk County to provide in home health care aide and in-home nursing care; staffing to assist with communicable disease services; health education in the community; health coaching; home hazard investigations (lead inspections) and community partnership participation. This year's contract amount is \$900,662 which represents a 1.5% decrease from the previous year.

**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	Y	900,662	900,662	Y	10223404.74460 10223404.77440	10223404.52110

Additional Fiscal Note Information (optional): Funding sources: State \$900,662

R E S O L U T I O N

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

That the following Resolution be adopted:

WHEREAS, the Iowa Department of Public Health (IDPH) has allocated funds to Polk County, through the Local Public Services Contract, to provide public health nursing and home care aide services; and

WHEREAS, Polk County traditionally subcontracts these services to a qualified agency to provide them in the community; and

WHEREAS, in March of 2014, Polk County undertook a Request for Proposal (RFP) bid process to determine the most qualified provider in the community; and

WHEREAS, Wesley Community Services was recommended to provide the services outlined in the RFP for a period of four years, with years two through four contingent on availability of state funding and subcontractors' continued ability to meet contract requirements; and

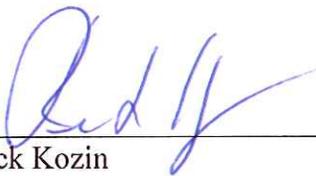
WHEREAS, this agreement provides for the purchase of year three services in the aggregate amount not to exceed \$500,000 for the period July 1, 2016 through June 30, 2017; and

WHEREAS, Polk County Health Services has allocated \$241,827 in MH/MR/DD funds for home care aide services to be provided by Wesley Community Services under this contract for the same period. For all services, the total contract amount shall not exceed \$741,827.

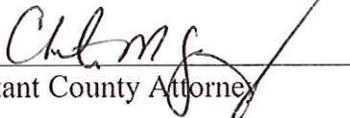
NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors / Board of Health approves this subcontract with Wesley Community Services to provide home care aide services and public health nursing services on behalf of Polk County and authorizes the chairperson to sign the agreement.

POLK COUNTY BOARD OF SUPERVISORS

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

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

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

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

Fiscal Impact: \$741,827

#13

**POLK COUNTY BOARD OF SUPERVISORS**  
**Tuesday Agenda Memorandum**

**Item Type & Title:** Amendment to Agreement with Wesley Community Services to provide public health nursing and home care aide services

**Agenda Date:** July 26, 2016

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

**Previous Action taken by the Board:**

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

**Action Requested:** Approval

**Comply with Policy:** Local public health services grant dollars assist with assuring core public health functions and essential public health services are delivered in the community.

**Background:** Historically, the Iowa Department of Public Health has provided funding to Polk County for public health nursing and home care aide services. A bid process was undertaken in 2014 to determine the most qualified provider. Wesley Community Services (WCS) was recommended to be the provider of these services on behalf of Polk County for a four year period, with years two through four contingent on availability of state funding and subcontractors' continued ability to meet contract requirements.

**Action Impact:** This agreement for fiscal year 1617 (year three) will provide for WCS to provide home care aide and public health nursing services on behalf of Polk County. Reimbursement for these services shall not exceed \$500,000. WCS will also provide home care aide services for mental health/developmental disability clients on behalf of Polk County Health Services not to exceed \$241,827. The total amount of the contract shall not exceed \$741,827.

**Fiscal Note:**

Fiscal Year	Budget-ed? (Y/N)	Anticipat ed Expense	Anticipat ed Revenue	Ongoing Commitme nt? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
1617	Y	500,000	500,000	Y	10223404.77460	10223404.52190
1617	Y	241,827	241,827	Y	100444030.84032.320.5336 100444130.84132.320.5336 100444230.84232.320.5336 100444330.84332.320.5336	Health Service

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

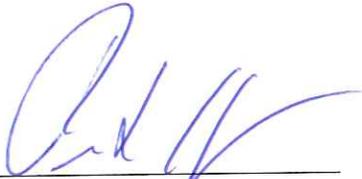
R E S O L U T I O N

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

WHEREAS, assuring a competent public and personal health care workforce is one of the ten essential public health functions; and

WHEREAS, Polk County, through the Health Department, has the knowledge and expertise to provide learning experiences for students enrolled in public health and health education programs through Kaplan University.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Health/Board of Supervisors approves the agreement with Kaplan University and authorizes the chairperson to sign the agreement.



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

\_\_\_\_\_  
Chairperson  
Polk County Board of Supervisors/Board of Health

Approved as to Form

By   
Assistant County Attorney

Fiscal Note: None

#14

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Agreement with Kaplan University for provision of learning experiences

**Agenda Date:** 7/26/2016

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

**Previous Action taken by the Board:**

**Board/Commission Actions:** None

**Action Requested (Recommended):** Approval

**Comply with Policy:** Providing a competent public and personal health care workforce is one of the ten essential public health functions.

**Background:** Over the years, the Polk County Health Department has provided opportunities for students from many educational institutions enrolled in public health and allied health fields to obtain practical training to further their educational goals.

**Action Impact:** Kaplan University students will gain knowledge and experience that will enhance their future professional careers.

**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

**RESOLUTION**

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

That the following Resolution be adopted:

WHEREAS, the Polk County Health Department laboratory provides testing which aids in the diagnosis of communicable diseases and other medical conditions; and

WHEREAS, oversight of the laboratory must be done by a qualified Lab Director; and

WHEREAS, the University of Iowa, State Hygienic Laboratory has the knowledge and expertise to provide such oversight; and

WHEREAS, this agreement is in effect for the period July 1, 2016 through June 30, 2018 and reimbursement shall not exceed \$5,000 per year.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors/Board of Health approves the Agreement with University of Iowa, State Hygienic Laboratory for the provision of lab director services and authorizes the Chairperson to sign the agreement.

POLK COUNTY BOARD OF SUPERVISORS

By \_\_\_\_\_  
Chair

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

Approved as to Form:

JOHN P. SARCONI  
Polk County Attorney

By   
\_\_\_\_\_  
Assistant Polk County Attorney

Fiscal Note: \$5,000

#15

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Agreement with University of Iowa, State Hygienic Laboratory for the provision of Lab Director Services at the Polk County Health Department

**Agenda Date:** 7/26/2016

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

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

**Board/Commission Actions:** None.

**Action Requested (Recommended);**

**Comply with Policy:** N/A

**Background:** The Polk County Health Department operates a licensed laboratory that provides testing to aid in the diagnosis of communicable diseases and other medical conditions. In order to maintain its license, the laboratory must be overseen by a qualified laboratory director. The University of Iowa, State Hygienic Laboratory (SHL) has the experience and expertise necessary to provide that oversight.

For several years, laboratory oversight was provided by the Polk County Medical Examiner, Dr. Gregory Schmunk. This new agreement with SHL will provide a better fit for current needs of the laboratory.

**Action Impact:** The University of Iowa, State Hygienic Laboratory will provide a lab director for oversight, including policy review, onsite visits and consultation services.

**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	N	5,000		Y	10223040.76260	
17/18	N	5,000		Y	10223040.76260	

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

RESOLUTION

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

WHEREAS, on June 30, 2016 Polk County received three (3) bids for the Polk County Criminal Courts project; and

WHEREAS, Architect, OPN recommends accepting the lowest responsive and responsible base bid and alternates 3, 6 and 7 in the amount of \$34,962,400 submitted by Neumann Bros. Inc. of Des Moines, ; and

WHEREAS, General Services concurs with the Architects recommendation.

NOW, THEREFORE, BE IT RESOLVED the Polk County Board of Supervisors herein awards Bid No. 468-1516, Polk County Criminal Courts project to Neumann Bros. Inc., and directs General Services to prepare appropriate contractual documents for the Chairperson to sign.

BE IT FURTHER RESOLVED, the Polk County Board of Supervisors authorizes the Polk County Administrator to approve all necessary change orders.

POLK COUNTY BOARD OF SUPERVISORS

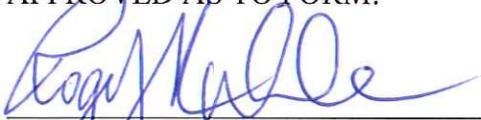
\_\_\_\_\_  
Chairperson

SUBMITTED BY:

1617/003

  
\_\_\_\_\_  
John Rowen, Director  
Polk County General Services

APPROVED AS TO FORM:

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

FISCAL NOTE:

#16

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution awarding Bid No. 468-1516 “Polk County Criminal Courts” to Neumann Bros. Inc, of Des Moines, Iowa

**Agenda Date:** July 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 June 30, 2016 Polk County received three (3) bids for Bid No. 468-1516 “Polk County Criminal Courts” to Neumann Bros. Inc, of Des Moines, Iowa

**Action Impact:** **This Resolution awards the project to Neumann Bros. Inc, of Des Moines, Iowa** in the amount of \$34,962,400 which includes the base bid and 3 alternates.

**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	Y	\$34,962,400				

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

June 21, 2016



Polk County Board of Supervisors, 111 Court Avenue, Des Moines, Iowa 50309

RE: Polk County Bid No. 468-1516, Polk County Criminal Courts Project

**BOARD OF SUPERVISORS:** Upon reviewing the bids submitted for the above referenced project, OPN Architects recommends the Polk County Board of Supervisors accept the lowest responsive, responsible bid of Neumann Brothers, Inc. OPN also recommends accepting bid alternates #3, #6 and #7 and recommends the County proceed with the execution of a contract for general construction services with Neumann Brothers, Inc. for the work as bid.

Based on acceptance of the base bid plus recommended bid alternates, the total construction cost of the work is \$34,962,400. Although higher than estimated, in consideration of the Master Plan budget, available County funds, the current bid and construction claimants, and the inability to remove meaningful scope from the project to justify a rebid, OPN believes it is in the best interest of Polk County to move forward with the project as bid at this time.

Construction would begin soon after the execution of the construction contract and is projected to be complete on or about June 30, 2018.

OPN Architects is pleased to offer this recommendation and is looking forward to embarking on the next important phase of Polk County's 5<sup>th</sup> Judicial District Master Plan. Please feel free to contact me with any questions.

Sincerely,

OPN ARCHITECTS, INC.  
David C. Hill, AIA  
Project Manager

Daniel J. Thies, AIA

Steven K. Klierim, AIA

Bradd A. Brown, AIA

Terry L. Gebard, AIA

David J. Sorg, AIA

Roger B. Worm, AIA

Richard S. Seely, AIA

Wesley T. Reynolds, AIA

Cedar Rapids  
200 Fifth Ave SE, Ste. 201  
Cedar Rapids, IA 52401  
Phone (319) 363 6018

Des Moines  
100 Court Ave, Ste. 100  
Des Moines, IA 50309  
Phone (515) 309 0722

Madison  
301 N. Broom, Ste. 100  
Madison, WI 53703  
Phone (608) 819 0260

[www.opnarchitects.com](http://www.opnarchitects.com)

Insight + Passion

RESOLUTION

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

that the following Resolution be adopted:

WHEREAS, the Blank Park Zoo Foundation mission is to inspire an appreciation of the natural world through conservation, education, and recreation; and,

WHEREAS, the Blank Park Zoo Foundation is seeking a Polk County Community Development Grant to assist with a capital improvement project at the Blank Park Zoo. The capital improvement project will connect the rhinoceros exhibit area to the existing African exhibit. In addition an indoor giraffe viewing area, a second giraffe exhibit and feeding deck, as well as, educational pavilion space. They will also develop a walking pathway that will provide better accessibility to view the exhibits; and,

WHEREAS, the Polk County Board of Supervisors specifically desires to participate in and assist in the physical construction costs of the Blank Park Zoo capital improvement project located at 7401 SW 9<sup>th</sup> Street, Des Moines, Iowa; and,

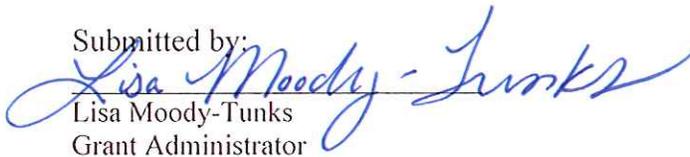
NOW, THEREFORE, BE IT RESOLVED, that the Polk County Board of Supervisors hereby approves a grant in the amount of \$100,000.00 to the Blank Park Zoo Foundation, Inc. to support the construction costs related to their capital improvement project; and,

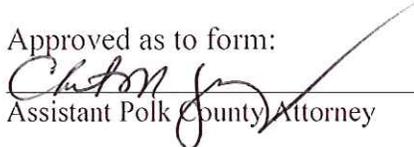
BE IT FURTHER RESOLVED, that only physical public improvements be paid for from these funds and that recognition will be given to the "Citizens of Polk County" at the completion of expenditures.

BE IT FURTHER RESOLVED, that the Polk County Board of Supervisors directs staff to transfer the necessary funds in fiscal year 16/17 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:  
  
Assistant Polk County Attorney

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

#17

# POLK COUNTY BOARD OF SUPERVISORS

## Tuesday Agenda Memorandum

**Item Type & Title:** Resolution approving a Community Development Grant to the Blank Park Zoo Foundation, Inc.

**Agenda Date:** July 26, 2016

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

**Previous Action taken by the Board:** Community Development Grant Award-April 14, 2015 for \$100,000.00.

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

**Action Requested (Recommended):** Approval of a \$100,000.00 Community Development Grant to the Blank Park Zoo Foundation.

**Comply with Policy:** Yes

**Background:** The Blank Park Zoo Foundation Inc. has requested a grant in the amount of \$100,000.00 from Polk County to assist with physical construction costs for a capital improvement project at the Blank Park Zoo located at 7401 SW 9<sup>th</sup> Street, Des Moines, Iowa. The capital improvement project will focus on the connectivity of the rhinoceros exhibit area to the existing African exhibit; add an indoor giraffe viewing area, a second giraffe exhibit and feeding deck, as well as educational pavilion space.

**Action Impact:** This resolution will award \$100,000.00 to the Blank Park Zoo Foundation and authorizes the Chair to sign the attached agreement.

**Fiscal Note:**

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated		Budget Amendment Required? (Y/N)	If Amendment is Required,	
			Expense	Revenue		Expense Account Code	Revenue Account Code
16/17			\$100,000.00			40109032.79410	

Additional Fiscal Note Information (optional):

# FRANK SMITH LAW OFFICE

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4215 Hubbell Avenue  
Des Moines, Iowa 50317  
Phone: (515) 265-6210  
Fax: (515) 265-4584  
Email: [franksmith@franksmithlawoffice.com](mailto:franksmith@franksmithlawoffice.com)

Frank Murray Smith  
*Attorney and Counselor at Law*

July 19, 2016

Tom Hockensmith  
Chairman of the Board  
Board of Supervisors  
111 Court Avenue, Room #300  
Des Moines, IA 50309

Angela Connolly  
Board of Supervisors  
County Administration Building  
111 Court Avenue, Room #300  
Des Moines, IA 50309

John Mauro  
Board of Supervisors  
County Administration Building  
111 Court Avenue, Room #300  
Des Moines, IA 50309

Debbie S. Wise  
Trustee of Delaware Township  
3960 NE 46<sup>th</sup> Street  
Des Moines, IA 50317

William Pearce  
Trustee of Delaware Township  
6868 NE Berwick Drive  
Ankeny, IA 50021

Robert Brownell  
Board of Supervisors  
County Administration Building  
111 Court Avenue, Room #300  
Des Moines, IA 50309

Steve Van Oort  
Board of Supervisors  
County Administration Building  
111 Court Avenue, Room #300  
Des Moines, IA 50309

Ted Griffieon  
Trustee of Delaware Township  
6561 NE 46<sup>th</sup> Street  
Altoona, IA 50009

Kim Overton  
Clerk of Delaware Township  
5069 NE 29<sup>th</sup> Street  
Des Moines, IA 50317

Jamie Fitzgerald  
Polk County Auditor  
County Administrative Building  
111 Court Avenue, Room #300  
Des Moines, IA 50309

RECEIVED  
16 JUL 20 PM 12:35

Re: Notice of Consultation Meeting for Proposed Annexation of Unincorporated Territory in Polk County into the City of Altoona, Iowa

#18

Dear All:

I represent the City of Altoona, Iowa, in regard to the above referenced matter. Pursuant to Iowa Code §368.7(b)(1) you are hereby notified that the City of Altoona will conduct a consultation meeting regarding the proposed annexation of territory to the City of Altoona as hereinafter described. Said consultation meeting will be held at 9:00 a.m. on August 2, 2016, at the Altoona City Hall, 407 8<sup>th</sup> Street SE, Altoona, IA 50009.

Enclosed are copies of the following documents, to wit:

1. Copies of the Voluntary Annexation Petitions to the City of Altoona received from each of the consenting property owners. These documents are marked Exhibit 1.
2. A map of the annexation territory showing its general relationship to Altoona and the surrounding communities. This document is marked as Exhibit 2.
3. A more localized map showing the proposed annexation territory and identifying the consenting property owners in purple shading and the non-consenting property owners in light green shading. This document is marked as Exhibit 3.
4. The combined legal descriptions of the properties owned by both the consenting and the non-consenting property owners in the territory proposed for annexation. This document is marked as Exhibit 4.

City personnel will be present to answer any questions you have and to receive any objections to the proposed annexation at the consultation meeting on August 2, 2016. You make written recommendations for modification to the proposed annexation no later than August 11, 2016. Further, no later than 30 days after the consultation meeting, the Board of Supervisors shall, by resolution, state whether or not it supports the annexation or whether it takes no position either in support of or against the annexation.

Should you have any questions regarding any of the foregoing please consult with your attorney or ask him or her to contact me. Thank you for your attention to this matter.

Sincerely,



Frank Murray Smith

FMS\abz  
Enclosures

16 JUL 20 PM 12:35

ANNEXATION PETITION  
TO THE CITY COUNCIL  
ALTOONA, IOWA

MAYOR AND COUNCIL MEMBERS:

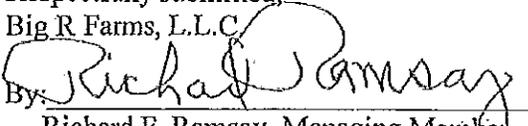
We, the undersigned, hereby make application to the City of Altoona, Iowa, pursuant to Code Section 368.7 of the 2015 CODE OF IOWA for annexation by voluntary petition the following described real estate to-wit:

The Northwest Quarter (NW1/4) and the North 36 acres of the West One-Half of the Southwest Quarter (W1/2SW1/4) of Section 10, Township 79 North, Range 23 West of the 5th P.M., Polk County, Iowa, except established highways, and except: Beginning at a point 745.0 feet North 0 degrees 00 minutes and 33.0 feet North 89 degrees 18 minutes East of the West 1/4 corner of said Section 10; thence North 89 degrees 18 minutes East 218.3 feet; thence North 0 degrees 00 minutes 317.0 feet; thence South 89 degrees 18 minutes West, 218.3 feet; thence South 0 degrees 00 minutes along a line parallel with and 33.0 feet East of the West line of the Northwest Quarter (NW1/4) of said Section 10, 317.0 feet to the point of beginning.

The annexation also includes any and all county road right-of-way to the centerline of the abutting roads, if any.

We hereby respectfully request and solicit the Council of the City of Altoona, Iowa to adopt a resolution assenting to the annexation of the above-described real estate to the City of Altoona, Iowa.

Respectfully submitted,  
Big R Farms, L.L.C.

By:   
Richard E. Ramsay, Managing Member

June 27, 2016  
Date Signed

16 JUL 20 PM 12:35  
RECEIVED

CITY DEVELOPMENT BOARD  
STATE OF IOWA

---

IN THE MATTER OF THE CITY OF ANKENY	)	NO. UA16-12 / ANKENY
VOLUNTARY ANNEXATION WITHIN THE	)	
URBANIZED AREA OF THE CITY OF ALLEMAN	)	FILING OF WRITTEN DECISION
	)	
	)	

---

TO: Cities of Ankeny and Alleman, Polk County Board of Supervisors, Polk County Attorney, Des Moines Area Metropolitan Planning Organization, Iowa Attorney General, Affected Public Utilities and Parties of Record.

You and each of you are hereby notified that the City Development Board has approved the annexation of territory to the City of Ankeny under City Development Board Case File No. UA16-12.

Please find enclosed the Findings of Fact, Conclusions of Law, Determination, and Final Order by the City Development Board approving the annexation. An appeal of the Board's decision may be filed within 30-days of the date of the enclosed Order.

If no appeal is filed within 30-days of the date of this Order, the City Development Board will file with the Iowa Secretary of State and record with the Polk County Recorder to complete this annexation.

CITY DEVELOPMENT BOARD



---

Matt Rasmussen, City Development Board Administrator  
Phone: 515-725-3126

BEFORE THE CITY DEVELOPMENT BOARD  
STATE OF IOWA

---

IN THE MATTER OF THE VOLUNTARY	)	NO. UA16-12 / ANKENY
ANNEXATION OF THE CITY OF ANKENY	)	FINDINGS OF FACT AND
WITHIN THE URBANIZED AREA OF THE	)	CONCLUSIONS OF LAW AND
CITY OF ALLEMAN	)	DETERMINATION

---

TO: Cities of Ankeny and Alleman, 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 Ankeny (hereinafter the "City") filed its request for City Development Board approval of annexation of territory within the urbanized area of Alleman on June 24, 2016. Notice of City Development Board review of the request and owner's application was given on June 27, 2016, and the Board considered the matter at its July 13, 2016, 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 18, 2016, Dennis and Manda Elwell; on February 22, 2016, Chris Murray, Denny Elwell Family, LC; by written application, which included a map, requested the City of Ankeny 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.

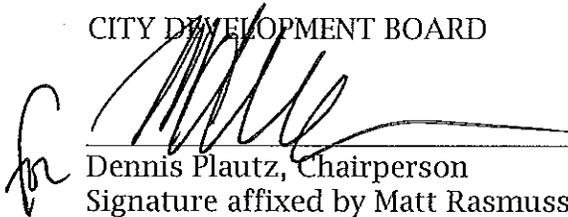
2. On May 13, 2016, the City of Ankeny published in an official county newspaper notice of the City Council's meeting on June 6, 2016, to consider the application for voluntary annexation.
3. On May 11, 2016, the City of Ankeny provided a copy of the application for voluntary annexation to the City of Alleman, Polk County Board of Supervisors, Des Moines Area Metropolitan Planning Organization, Iowa Department of Transportation and affected public utilities.
4. By resolution dated June 6, 2016, which contained a legal description, the City Council of Ankeny voted to annex the subject property.
5. The area to be annexed is within two miles of the City of Alleman and is therefore within its urbanized area.
6. The area to be annexed has a common boundary with the City of Ankeny of more than 50 feet.
7. The area to be annexed does not contain railroad right-of-way.
8. On June 24, 2016, 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 27, 2016, the City Development Board notified, by mail, the Cities of Ankeny and Alleman, 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 13, 2016, 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 Ankeny 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 Ankeny as the term is defined in Iowa Code Section 368.1(1) and is within the "urbanized area" of the City of Alleman 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 Ankeny conforms to Iowa Code Section 368.7.
5. The City of Ankeny'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 14<sup>th</sup> day of July, 2016.

CITY DEVELOPMENT BOARD

  
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 Ankeny 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 Ankeny 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 14<sup>th</sup> day of July, 2016.

CITY DEVELOPMENT BOARD

*for* /s/   
Dennis Plautz, Chairperson