

**POLK COUNTY BOARD OF SUPERVISORS AGENDA
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING
111 COURT AVENUE - ROOM 120
OCTOBER 4, 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 for property located behind 311-5th Street Pl SE, Altoona (Hoy).

PUBLIC HEARING

DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

6. Resolution approving Quit Claim Deed for vacant parcel at 2500 E. Walnut Street (Willis).

ORDINANCE

(SECOND READING)

7. Ordinance amending the Polk County Zoning Ordinance to allow certain Light Industrial uses within the Mixed Use District through a Conditional Use process.

ORDINANCE

(SECOND READING)

8. Ordinance establishing a Polk County Minimum Wage.

PERMITS

9. Renewal application for Class "C" Liquor License, Sunday Sales and Outdoor Service Area Permit for Jester Park Golf Course, 11949 NW 118th Avenue.

10. **PUBLIC COMMENTS**

RESOLUTIONS

11. Resolution approving the expenditure of risk pool dollars to Broadlawns Medical Center Integrated Services Program.
12. Resolution approving the allocation of incentive dollars and transfer of monies to the development fund for the Integrated Services Agencies.

- *13. Resolution approving agreement amendment with Iowa Department of Human Services for the Commodity and Supplemental Food Program.
- *14. Resolution approving agreement with Fexsteve Limited to address lead hazard repairs at 1808 – 7th Street (Bruce).
- 15. Resolution approving major final subdivision plat of CyWalker Farms.
- 16. Resolution canceling erroneous assessment of Curb It Recycling for 5780 SE 6th Avenue.
- 17. Resolution allowing Public Works to rent necessary snow removal equipment from area dealers and contractors.
- *18. Resolution approving Sanitary Sewer Extension Agreement for property located at 5439 NE 17th Street (Powell Real Estate Management LLC).
- *19. Resolution approving Governor’s Traffic Safety Bureau Enforcement Incentive Grant Program (FFY 2017).
- *20. Resolution approving contract addendum with Trinity Services Group for commissary services.
- *21. Resolution approving contract addendum with Trinity Services Group to approve expanded commissary service at a commission rate.
- *22. Resolution approving contract addendum with Trinity Services Group to approve replacement of kiosk system at the jail with tablets.
- *23. Resolution approving parking ticket collection agreement with the City of Indianola.

COMMUNICATIONS

- 24. Iowa State Fair Manure Management Plan Annual Update (MMP).
- *25. City of Altoona Voluntary Annexation (including non-consenting owners) within the urbanized area of Pleasant Hill, Ankeny, Bondurant and Des Moines.

BUDGET ACTIONS

- 26. Memorandum of Budget Actions.

APPOINTMENTS

- 27. Memorandum of Appointments.

ADJOURNMENT

103-644

RESOLUTION

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

WHEREAS, Polk County received a proposal from Howard and Kay Hoy to obtain this vacant parcel located behind 311 5th Street Pl SE, Altoona, Iowa, legally described as:

W 53F E 135F S 40F N 285F LT 4 OP W 1/2 SW 1/4 SEC 18-79-22

WHEREAS, the Polk County Board of Supervisors desires to accept said offer and convey said property to Howard and Kay Hoy; and

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

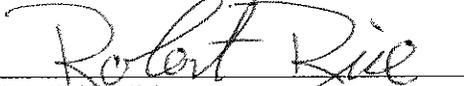
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Polk County, Iowa, that the above described proposal is accepted; and

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: \$500.00 to Real Estate Fund

#5

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Public Hearing Resolution No. 152-16 approving a Quit Claim Deed to Howard and Kay Hoy, File #103-644 (Dist. 171 Parcel 00028-003-000) vacant parcel located behind 311 5th Street Pl SE, Altoona, IA.

Agenda Date: October 4, 2016

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

Previous Action taken by the Board: On September 20, 2016 the Board approved a resolution for a public hearing to convey this parcel to Howard and Kay Hoy for \$500.00.

Board/Commission Actions: NA

Action Requested (Recommended): Approve a Quit Claim Deed

Comply with Policy: Yes, Proposal

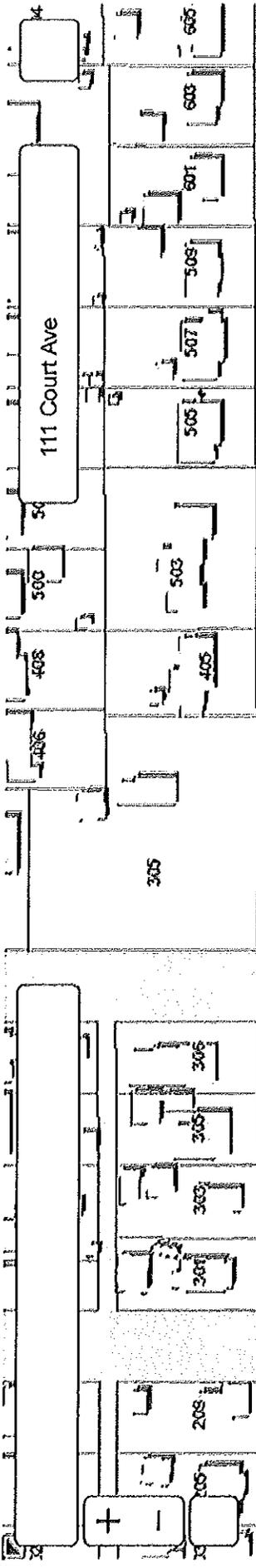
Background: Polk County received a proposal from Howard and Kay Hoy for \$500.00 to purchase this parcel. Polk County received this parcel by Tax Deed in March of 1990. Parcel size is 53' x 40'. Parcel is not buildable.

Action Impact: Approval of the resolution will authorize the Real Estate Office to issue the Quit Claim Deed to Howard and Kay Hoy.

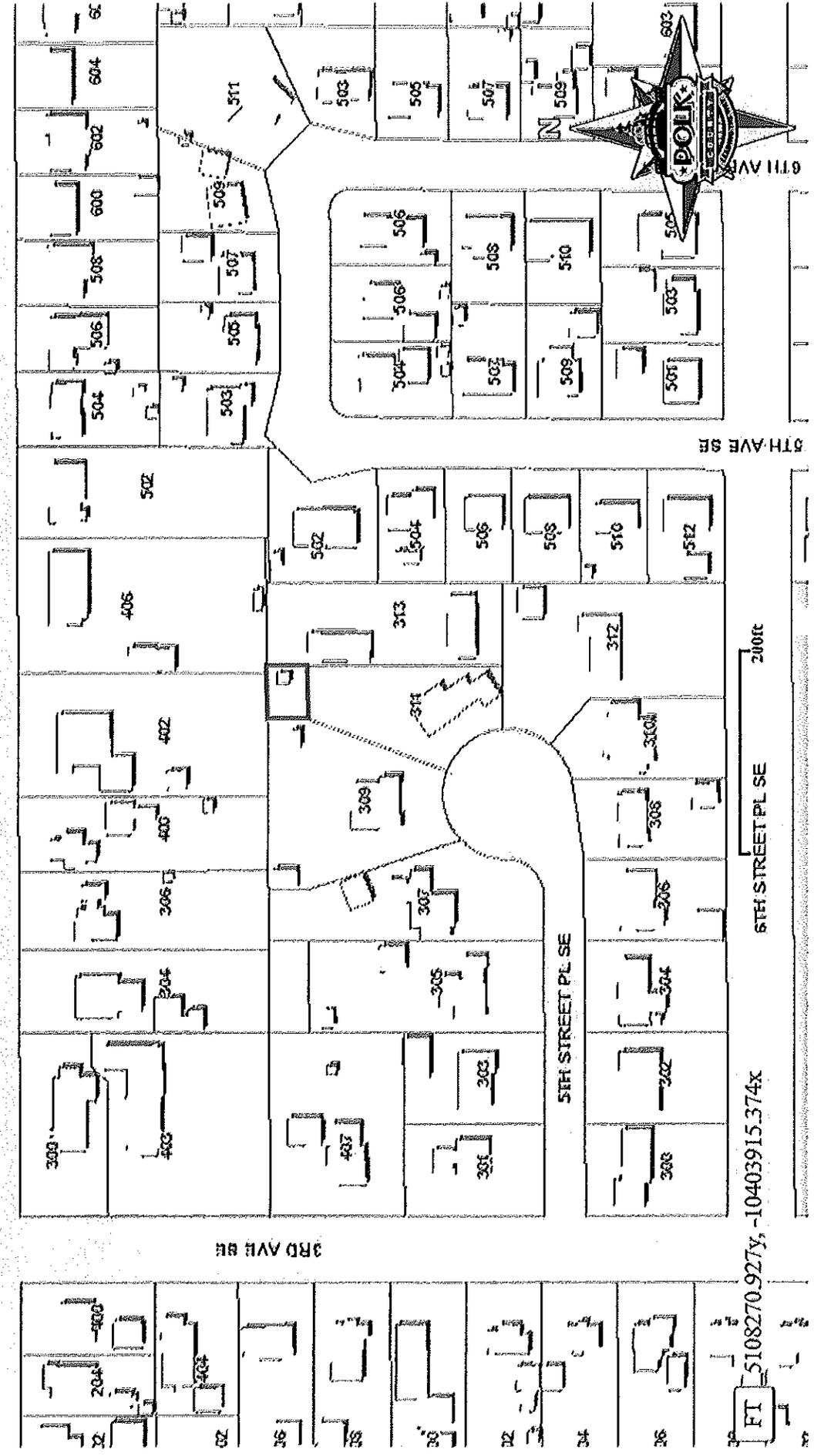
Fiscal Note: \$500.00 to Real Estate Fund

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
16/17			\$500.00			

Additional Fiscal Note Information (optional):



4TH ST SE



FT 5108270.927y, -10403915.374x

5TH STREET PL SE 200ft

2002-3551

RESOLUTION

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

WHEREAS, Polk County received a proposal from Patrick and Tierra Willis to obtain this vacant parcel located at 2500 E Walnut Street, Des Moines, Iowa, legally described as:

S 1/2 LTS 97 & 99 BLK 6 GRANT PARK

WHEREAS, the Polk County Board of Supervisors desires to accept said offer and convey said property to Patrick and Tierra Willis; and

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

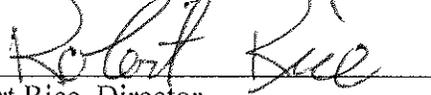
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Polk County, Iowa, that the above described proposal is accepted; and

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: \$5,800.00 to Real Estate Fund

#6

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Public Hearing Resolution No. 151-16 approving a Quit Claim Deed to Patrick and Tierra Willis, File #2002-3551 (Dist. 050 Parcel 01870-001-000) vacant parcel located at 2500 E Walnut Street, Des Moines, IA.

Agenda Date: October 4, 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 September 20, 2016 the Board approved a resolution for a public hearing to convey this parcel to Patrick and Tierra Willis for \$5,800.00.

Board/Commission Actions: NA

Action Requested (Recommended): Approve a Quit Claim Deed

Comply with Policy: Yes, Proposal

Background: Polk County received a proposal from Patrick and Tierra Willis for \$5,800.00 to purchase this parcel. Polk County received this parcel by Tax Deed in February of 2008. Parcel size is 50' x 73.5'. Parcel is buildable.

Action Impact: Approval of the resolution will authorize the Real Estate Office to issue the Quit Claim Deed to Patrick and Tierra Willis.

Fiscal Note: \$5,800.00 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
16/17			\$5,800.00			

Additional Fiscal Note Information (optional):

ORDINANCE NO.

WHEREAS, the Polk County Board of Supervisors adopted the Zoning Ordinance on August 28, 2007 and most recently amended on April 13, 2010; and

WHEREAS, a text amendment to the Polk County Zoning Ordinance to allow certain light industrial uses within the Mixed Use District zone through a Conditional Use process has been initiated by County staff; and

WHEREAS, the text amendment resulted from numerous inquiries from the public and past rezoning requests to allow additional commercial and industrial uses in the Mixed Use District zone; and

WHEREAS, the Text Amendment was reviewed and heard by the Polk County Zoning Commission on Monday, August 22, 2016 at 7:00 P.M., at the meeting room of the Polk County Public Works Department, Planning Division, 5885 N.E. 14th Street, Des Moines, Iowa, due and timely notice published as provided by law; and

WHEREAS, the Polk County Zoning Commission met on August 22, 2016, and voted four (4) for, zero (0) against with three (3) absent to recommend **approval** of the Polk County Zoning Ordinance Text Amendment to the Polk County Board of Supervisors; and

WHEREAS, the Text Amendment was heard by the Polk County Board of Supervisors on Tuesday, September 27, 2016 at 9:30 A.M., in Room 120 of the Polk County Administrative Office Building, 111 Court Avenue, Des Moines, Iowa, due and timely notice published as provided by law.

NOW, THEREFORE, BE IT ORDAINED that the Text Amendments (Attachment A) to the Polk County Zoning Ordinance for the Unincorporated Area of Polk County, Iowa be amended and become effective upon publication.

POLK COUNTY BOARD OF SUPERVISORS:

Chairperson

ATTEST:

County Auditor

#7

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Ordinance No. 1st reading on a Text Amendment to the Polk County Zoning Ordinance to allow certain Light Industrial uses within the Mixed Use District through a Conditional Use process.

Agenda Date: September 27, 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: At their August 22, 2016 meeting, the Zoning Commission voted four (4) for, zero (0) against with three (3) absent to recommend approval of the Text Amendment to the Polk County Zoning Ordinance to allow certain Light Industrial uses within the Mixed Use District through a Conditional Use process.

Action Requested (Recommended): Approval

Comply with Policy: Yes

Background: As a result of a recent rezoning application and numerous inquiries over time, County staff has had an opportunity to review the Mixed Use District zone. This review focused on the allowed uses and how the district has developed over time. Due to the numerous residential homes and variety of uses in this district, staff is suggesting a Conditional Use process to provide for notification, review and conditions on industrial use requests.

Action Impact: If the Text Amendment to the Polk County Zoning Ordinance is approved, certain Light Industrial uses will be allowed on properties zoned Mixed Use through the approval of a Conditional Use permit from the Polk County Board of Adjustment.

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		

ORDINANCE
September 27, 2016
(as amended)

AN ORDINANCE ESTABLISHING A POLK COUNTY MINIMUM WAGE

WHEREAS, SEC. 39A of the Iowa Constitution grants counties the power and authority to determine their local affairs and government so far as not inconsistent with the laws of the general assembly and it also expressly disavows the proposition that a county can exercise only those powers granted in express words; and

WHEREAS, Section 331.301(1), Iowa Code, permits counties, except as expressly limited by the Constitution of the State of Iowa, and if not inconsistent with the laws of the general assembly, to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the county or of its residents and to set standards and requirements which are higher and more stringent than those imposed by state law; and

WHEREAS, Polk County, Iowa has one of the highest costs of living in the state; and

WHEREAS, many working families and individuals in Polk County are unable to adequately sustain themselves due to wages being below the cost of living in this county whether a person is single, married with children or single with children; and

WHEREAS, payment of a higher minimum wage will advance Polk County's interests by creating jobs that help workers and their families avoid poverty, economic hardship and hunger, reduce residents' reliance upon public and private aid, and better enable residents to meet basic needs; and

WHEREAS, increasing the minimum wage increases consumer purchasing power which stimulates the economy and increases all workers' standards of living which will improve the peace, safety, health, welfare, comfort, prosperity and convenience of Polk County residents;

WHEREAS, certain "youth employees" (defined herein as between the ages of 14 and 17) are treated differently under Federal and Iowa law from other hourly paid employees for minimum wage purposes (§91D.1(c), Iowa Code) but it is well recognized that many of said employees are legally restricted in performing many job tasks and they are unable to commit to full time availability due to safety, school, family and developmental reasons which truly distinguishes a "youth employee" from those aged 18 to 20; further, many working teens receive value in employment far beyond financial necessity, e.g., teenage workers may develop attributes such as a stronger work ethic, increased responsibility and time management skills which also present employers with opportunities to develop the teens into future full-time employees; and,

WHEREAS, such differences attending “youth employees“ mitigate against requiring employers to pay them the same minimum wage paid other workers as set forth herein; and,

WHEREAS, “tipped wage employees” (as defined by state and federal law) are treated differently under Federal and Iowa law than other hourly paid employees for minimum wage purposes (§91D.1(c), Iowa Code); and,

WHEREAS, the fact that “tipped wage employees” earn total wages higher than the current minimum wage established by State and Federal law mitigates against including them under a Polk County Minimum Wage ordinance without employers receiving a corresponding increase in the current “tipped wage employee” credit.

NOW, THEREFORE, BE IT RESOLVED BY THE POLK COUNTY BOARD OF SUPERVISORS, as follows:

SECTION I. Purpose.

The purpose of this ordinance shall be to establish a meaningful minimum hourly wage applicable to all employees and employers within the geographical boundaries of Polk County, Iowa except as otherwise set forth herein.

SECTION II. Authority.

This ordinance is adopted pursuant to Polk County’s home rule authority as set out in Article III, Section 39A of the Iowa Constitution, §331.30, Iowa Code and the power of the county to adopt standards that exceed standards set forth by the legislature, both as set out in Iowa Code §§331.301(1) through §331.301(5) and with emphasis on §331.301(3) and also §331.301(6).

SECTION III. Applicability Within Polk County Municipalities.

This ordinance shall be applicable within the unincorporated areas of Polk County, Iowa, and any Polk County municipality that has not adopted a conflicting ordinance.

SECTION IV. The Polk County Minimum Wage Ordinance.

The Polk County Code of Ordinances is hereby amended to add a new ordinance to be numbered 315 which shall read as follows:

POLK COUNTY MINIMUM WAGE ORDINANCE

Minimum Wage Requirements

- (a) The Polk County minimum hourly wage for all employees not exempted by State and Federal law shall be at least **\$8.75** as of April 1, 2017, **\$9.75** as of January 1, 2018, and **\$10.75** as of January 1, 2019. Further, the minimum wage then in effect beginning

January 1, 2020 shall be increased by an amount corresponding to the previous calendar year's increase (e.g., January 1, 2019 through December 31, 2019), if any, in the Consumer Price Index for the Midwest region as published by the Bureau of Labor Statistics, U. S. Department of Labor or its successor index. The adjusted Polk County hourly wage shall be announced by the Board of Supervisors by April 1 of each year and become effective beginning July 1, 2020 and each July 1st, thereafter.

(b) Every employer as defined in the federal Fair Labor Standards Act of 1938, as amended to January 1, 2007, shall pay to each of the employer's employees as defined in the federal Fair Labor Standards Act of 1938, as amended to January 1, 2007, the Polk County hourly wage stated in paragraph "a" above, the current state hourly wage pursuant to Iowa Code §91D.1, or the current federal minimum wage, pursuant to 29 U.S.C. §206 whichever is greater.

(c) **Training wage:** An employer is not required to pay an employee the applicable Polk County hourly wage provided in paragraph "a" above until the employee has completed ninety calendar days of employment with the employer. An employee who has completed ninety calendar days of employment with the employer prior to April 1, 2017, January 1, 2018, and January 1, 2019 or as thereafter determined by future resolution shall earn the applicable Polk County hourly minimum wage as of that date. Except as provided in subsection (d) hereof, such hourly wage shall not be less than \$6.25 an hour.

(d) **Youth employees:** The "youth minimum wage" provided for in Section 6(g) of the Federal Fair Labor Standards Act Amendments of 1996 and incorporated into Iowa law in Section 91D.2(a), Iowa Code, which permits 14-20 year olds to be paid \$4.25 an hour for their first 90 days of employment is not affected by this Ordinance, provided however, after their first 90 days of employment, employees who are at least 14 years of age but not over 17 years of age can be paid 85% of the hourly Polk County minimum wage rate provided for in this Ordinance provided the current Iowa minimum wage does not exceed 85% of the Polk County minimum wage.

(e) **"Tipped wage employee" credit.**

i. For purposes of determining whether an employee of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receives more than thirty dollars a month in tips ("tipped wage employees") is receiving the minimum hourly wage rate prescribed in this section, the amount paid the employee by the employer shall be deemed to be increased on account of the tips by an amount determined by the employer not to exceed \$5.00 per hour at every Polk County Minimum Wage level. Barring anything to the contrary in Iowa or Federal law (which limitation under current Iowa and Federal law is considered to be a credit and expressed as 40 percent of the minimum wage) employers are obligated to pay employees any hourly wage amount less than the Polk County Minimum Wage.

ii. An employee may file a written appeal with the Iowa Labor Commissioner if the amount of tips received by the employee is less than the amount

determined by the employer under this subsection. If the Commissioner does not act on the appeal, the employee may file an appeal with the Polk County Attorney for investigation and enforcement of the remedies under Ch. 91A. Iowa Code.

iii. All Iowa and Federal statutes, regulations and administrative rules applicable to “tipped wage employees” shall apply equally to the Polk County Minimum Wage ordinance, as applicable.

(f) **Covered employees:** Employees are covered by this ordinance for each hour worked within the geographic boundaries of Polk County or one of the municipalities located therein, provided that an employee who performs work in the geographic boundaries of Polk County or one of the municipalities located therein on an occasional basis is covered by this ordinance in a two-week period only if the employee performs more than two hours of work within Polk County or an applicable municipality during that two-week period.

(g) **Exceptions.** The exemptions and exceptions from the minimum wage requirements stated in Iowa Code §§91D.1 and 91D.2 (which incorporate all or parts of the Federal Fair Labor Standards Act and its exemptions {29 USC 206 et seq.}) and the Iowa Administrative Rules shall apply to this ordinance except as modified herein. The exemption for tipped wage employees as defined in §91D.1(c), Iowa Code, (which differs from the FLSA exception) is specifically adopted by this ordinance except as set forth herein.

(h) **Anti-discrimination:** Employers may not take any action to displace any employee (including partial displacements such as a reduction in hours, wages, or employment benefits) for the purpose of employing someone at the youth wage. Violation of this anti-displacement provision a violation of 29 USC §15(a)(3).

(i) **Enforcement of Violations.** Any violation of this ordinance may be enforced pursuant to Iowa Code Chapter 91A and the remedies provided therein whether pursued by the Iowa Labor Commissioner, the County Attorney or the aggrieved employee acting independently as set forth in §91A.8, Iowa Code. Any violation of this ordinance shall also be considered a county infraction, punishable and enforceable as provided by §331.307, Iowa Code, and the County Attorney may enforce the affected employee’s remedies available under Ch. 91D, Iowa Code provided the employee consents thereto

(j) **Applicability.** Notwithstanding the above, this ordinance shall not be applicable within the geographic boundaries of any Polk County municipality that has adopted a conflicting ordinance, or to work performed by covered employees within said Polk County municipality.

SECTION V. Repealer. All other Polk County ordinances or parts of Polk County ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI. Savings Clause. If any section, provision, or part of this ordinance shall be adjudged invalid, illegal or unconstitutional, such adjudication shall not affect the validity of

the Ordinance as a whole or any section, provision or part thereof not adjudged invalid, illegal or unconstitutional.

SECTION V. **Effective Date.** This ordinance shall be in effect on the later of April 1, 2017, or after its final passage and publication as part of the proceedings of the Board of Supervisors.

Applicant License Application (LC0035694)

Name of Applicant: <u>GREEN GOLF PARTNERS LLC</u>		
Name of Business (DBA): <u>Jester Park Golf Course</u>		
Address of Premises: <u>11949 NW 118 Avenue</u>		
City <u>Granger</u>	County: <u>Polk</u>	Zip: <u>50109</u>
Business	<u>(515) 999-2903</u>	
Mailing	<u>11949 NW 118 Avenue</u>	
City <u>Granger</u>	State <u>IA</u>	Zip: <u>50109</u>

Contact Person

Name	<u>Toby Bonar</u>		
Phone:	<u>(317) 745-9004</u>	Email	<u>toby@greengolfpartners.com</u>

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 11/01/2016

Expiration Date: 10/31/2017

Privileges:

- Class C Liquor License (LC) (Commercial)
- Outdoor Service
- Sunday Sales

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>463032</u>	Federal Employer ID	<u>45-1015007</u>

Ownership

Thomas Rodems

First Name: Thomas Last Name: Rodems
City: Camargo State: Illinois Zip: 61919
Position: Managing Member
% of Ownership: 0.00% U.S. Citizen: Yes

Michael Shaw

First Name: Michael Last Name: Shaw
City: Coatesville State: Indiana Zip: 46121
Position: CFO
% of Ownership: 0.00% U.S. Citizen: Yes

Anthony Rodems

First Name: Anthony Last Name: Rodems
City: Tolono State: Illinois Zip: 61880

#9

Position: Marketing Director

% of Ownership: 0.00%

U.S. Citizen: Yes

Matthew McIntee

First Name: Matthew

Last Name: McIntee

City: Chicago

State: Illinois

Zip: 60625

Position: Principal

% of Ownership: 0.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: <u>General Casualty</u>	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

RESOLUTION

Moved by _____ Seconded by _____

THAT THE FOLLOWING RESOLUTION BE ADOPTED:

WHEREAS, Polk County has the responsibility to pay for services to certain persons with mental illness, intellectual disabilities, or developmental disabilities; and

WHEREAS, Polk County, Polk County Health Services, Inc., and Broadlawns Medical Center have entered into a three-party agreement to provide services within the integrated services program; and

WHEREAS, that contract contains a provision establishing a Risk Pool administered by Polk County Health Services, and outlines the conditions under which an Integrated Service Agency may request funds from the Risk Pool; and

WHEREAS, Broadlawns Medical Center program has requested to access the risk pool for the amount of \$6,297.59 for services for one individual client; and

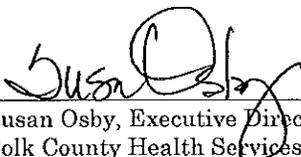
WHEREAS, the Board of Directors of Polk County Health Services, Inc., has reviewed that request and determined that it meets the contractual provisions to access Risk Pool funds.

NOW THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors approves accessing the risk pool for \$6,297.59 for services for one client within the Broadlawns Medical Center integrated services program.

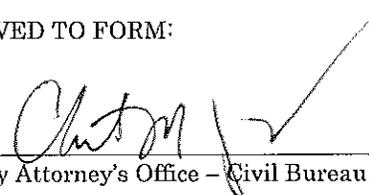
POLK COUNTY BOARD OF SUPERVISORS

By _____
Chairperson

SUBMITTED BY:

By 
Susan Osby, Executive Director
Polk County Health Services, Inc.

APPROVED TO FORM:

By 
County Attorney's Office - Civil Bureau

Fiscal Note: No change in total service costs

F:\Word\Supvrs\Resol\BMCRiskPoolRequest100416

#11

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving the expenditure of risk pool dollars to Broadlawns Medical Center Integrated Services Program.

Agenda Date: October 4, 2016

Contact Individual: Susan Osby, Executive Director
 Polk County Health Services
 243-4560

Previous Action taken by the Board: Approval of 3-party contracts with PCHS and Integrated Services Agency providers

Board/Commission Actions: Reviewed and recommended by PCHS Board

Action Requested (Recommended): Approval of award of risk pool funds and authorization for PCHS to pay funds previously withheld from provider payments

Comply with Policy:

Background: Effective July 1, 2016, Polk County entered into a three year contract with Broadlawns Medical Center, Community Support Advocates, Easter Seal Society, and Golden Circle Behavioral Health to participate in the integrated services project to provide services to 520 individuals. The contract contains a provision establishing a Risk Pool with funds to be utilized for individuals needing a high level of services. Expenditures from the Risk Pool Fund must be requested by the Integrated Service Agencies and approved by the Polk County Health Services Board of Directors and the Board of Supervisors. Broadlawns Medical Center is requesting \$6,297.59 from the risk pool for services for one individual client.

Action Impact: PCHS will award funds from the risk pool which were previously withheld from provider payments.

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/A	0				

Additional Fiscal Note Information (optional): No additional expense in current FY. These funds were withheld from payments made to Integrated Service Agencies during prior years, and deposited in a Risk Fund Account held by Polk County Health Services.

RESOLUTION

Moved by _____ Seconded by _____

THAT THE FOLLOWING RESOLUTION BE ADOPTED:

WHEREAS, Polk County has the responsibility to pay for services to certain persons with mental illness, intellectual and/ or developmental disabilities; and

WHEREAS, in its FY15/16 Budget, Polk County continued an integrated services project to provide services for 550 consumers by assigning integrated service agencies to serve those individuals; and

WHEREAS, the Polk County Board of Supervisors and Polk County Health Services previously approved three-party contracts with Broadlawns Medical Center, Community Support Advocates, Easter Seal Society, Eyerly Ball, and Golden Circle Behavioral Health (a coalition of Eyerly-Ball and Goodwill Industries); and

WHEREAS, the contracts contain a provision establishing an Incentive Fund administered by Polk County Health Services, and outline the conditions under which an Integrated Service Agency will receive these funds; and

WHEREAS, the yearly evaluation was completed by an outside independent evaluator, contracted by Polk County Health Services; and

WHEREAS, the Board of Directors of Polk County Health Services, Inc., has approved and has recommended that the Board of Supervisors approve the allocation of Incentive Funds; and

WHEREAS, the integrated service project contracts provide that any balance in the Incentive Fund following such payments be transferred to a Development Fund to be administered by PCHS.

NOW THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors approves the following Incentive Fund payments: Broadlawns Medical Center PATH (77%) \$47,821, Community Support Advocates (73%) \$39,373, CSA KEY (92%) \$15,115, Easter Seal (86%) \$37,553, Golden Circle (75%) \$29,237.25 and Eyerly Ball FACT (67%) \$14,972; and

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby approve the transfer of \$53,394 from the FY15/16 Incentive Fund to the Integrated Services Project Development Fund as provided in the contracts.

POLK COUNTY BOARD OF SUPERVISORS

By _____
Chairperson

SUBMITTED BY:

By Susan Osby
Susan Osby, Executive Director
Polk County Health Services, Inc.

APPROVED AS TO FORM:

By Chaton
County Attorney's Office - Civil Bureau

Fiscal Note: No change in total service costs

#12

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving the allocation of incentive dollars and transfer of monies to the development fund for the Integrated Services Agencies.

Agenda Date: October 4, 2016

Contact Individual: Susan Osby, Executive Director
Polk County Health Services, Inc.
243-4560

Previous Action taken by the Board: Contracts previously approved by Board

Board/Commission Actions: Recommendation approved by Polk County Health Services Board

Action Requested (Recommended): Approval of award of incentive funds and authorization for PCHS to pay funds previously withheld from provider payments.

Comply with Policy:

Background: Polk County contracts with five agencies (Broadlawns, Community Support Advocates, Easter Seal, Eyerly Ball, and Golden Circle) to serve approximately 550 clients through an integrated services approach. The contracts, which are 3-party agreements among Polk County, PCHS, and each provider, require that 3.5% of each provider's monthly reimbursement be withheld and deposited in an incentive fund administered by PCHS. At the end of each fiscal year, an independent evaluation of the projects is completed by the University of Iowa to evaluate the consumer outcomes achieved by each contractor. Examples of outcomes measured are employment, independent housing, minimized jail and hospital days, etc. Each program earns back the amount of its incentive fund based on their score, e.g. 90% of the money for a score of 90%, etc. The contracts require that distribution of the incentive funds be approved by both the PCHS Board and the Board of Supervisors. Any funds remaining in the incentive funds are then transferred to a Development Fund used to improve or expand the integrated services projects. Expenditures from the Development Fund must be approved by both the PCHS Board and the Board of Supervisors.

Action Impact: PCHS will award previously withheld incentive funds in accordance with outcome scores.

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	N/A				

Additional Fiscal Note Information (optional): No additional expense in current FY. These funds were withheld from payments made to Integrated Service Agencies during FY15/16, and deposited in an Incentive Fund Account held by Polk County Health Services.

RESOLUTION

Moved by _____, Seconded by _____, that the following Resolution be approved:

WHEREAS, the Polk County Commodity and Supplemental Foods Program distributes commodity food items to low-income seniors citizens in Polk County and five surrounding counties; and,

WHEREAS, the Iowa Department of Human Services has presented an amendment to the intergovernmental agreement to continue this program; and,

WHEREAS, this agreement allows Polk County to be reimbursed for administrative and program operating costs up to \$300,000 for the term of this agreement; and,

WHEREAS, this agreement allows Polk County to serve up to an average of 3095 households with nutritional and varied commodity foods for the period of October 1, 2016 through September 30, 2017 with possible extensions through September 2019; and,

WHEREAS, it is in the best interest of the County to continue this agreement to benefit residents of Polk County.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the attached agreement amendment with the Iowa Department of Human Services and authorizes the County Auditor to take the necessary steps to effectuate said agreement.

POLK COUNTY BOARD OF SUPERVISORS

Tom Hockensmith, Chairperson

SUBMITTED BY

Betty Devine
Betty Devine, Director
Community, Family and Youth Services

APPROVED AS TO FORM

Greg Miller
Assistant Polk County Attorney
Civil Division

Fiscal impact:

#13

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Agreement amendment between Polk County and the Iowa Department of Human Services (IDHS) for the Commodity and Supplemental Food Program.

Agenda Date: October 4, 2016

Contact Individual: Doug Stodgel, Program Administrator
(515) 286-3407

Previous Action taken by the Board: September 15, 2015

Board/Commission Actions

Action Requested (Recommended): Approval is recommended

Comply with Policy: Yes

Background: Polk County administers the Commodity and Supplemental Food Program in Polk, Boone, Dallas, Jasper, Story and Warren counties. The program provides a monthly allotment of commodities that include protein, vegetables, cheese, milk products, rice, cereal, fruits and fruit juices. Participants are seniors who are income eligible. Commodities are available at the warehouse located at River Place or delivered to clients in all counties served. The term of this contract amendment is October 1, 2016 through September 30, 2017.

Action Impact: Approval of this contract amendment will allow Polk County Community, Family & Youth Service to continue providing Commodities and Supplemental Food to Polk, Boone, Dallas, Jasper, Story and Warren counties. This is the third contract extension with the option for two additional extensions.

Fiscal Note:

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	\$761,569	\$237,365*	Y	10233113.	10233113.52470

Additional Fiscal Note Information (optional): *Revenue is based on number of households served (approx 3095). Additional revenue of (approx \$30,000) comes from Boone, Dallas, Jasper, Story and Warren Counties.

RESOLUTION

Moved by _____ Seconded by _____

That the following Resolution be adopted:

WHEREAS, Polk County is committed to the reduction of Elevated Blood Lead levels in children and lead paint hazards found in homes located in Polk County; and

WHEREAS, Polk County operates a Metropolitan Partnership for Lead Safe Housing Program to assist in providing lead-safe homes for children; and

WHEREAS, through Polk County's Lead Remediation program, qualified homeowners in Polk County are eligible for lead remediation grants to assist with costs of remediating lead hazards in their homes; and

WHEREAS, lead paint hazards and the necessary corrective actions have been identified at 1808 7th Street, Des Moines, IA 50314; and

WHEREAS, bids were solicited through public notice, were received by 2:00 PM on 07/21/2016; and publicly opened and read by the General Services Department; and

WHEREAS, the following bids were received:

Fexsteve Limited	\$42,850.00
B & G Construction	\$46,000.00

WHEREAS, the lowest responsive bid was submitted by **Fexsteve Limited**; and

WHEREAS, the bids were reviewed and approved by Polk County Health Department; and

WHEREAS, the Polk County Health Department has reviewed the bid proposal and recommends acceptance of the bid for **\$42,850.00** from **Fexsteve Limited**.

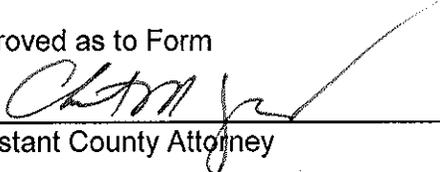
NOW, THEREFORE, BE IT RESOLVED that the bid for **\$42,850.00** from **Fexsteve Limited** is hereby accepted and the Chairperson is authorized to sign the contract.

By _____
Chair
Polk County Board of Supervisors



Scott Slater
Health Department Deputy Director

Approved as to Form

By 

Assistant County Attorney

Fiscal Note: FY 16/17 revenue \$0.00
FY 16/17 expenses \$42,850.00

#14

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Approval of agreement to address lead hazard repairs at 1808 7th Street, Des Moines, IA 50314.

Agenda Date: 10/04/2016

Contact Individual: Joelle Stolte, 286-3749

Previous Action taken by the Board: Board of Supervisors approved a program for lead hazard control program in June of 2006.

Board/Commission Actions:

Action Requested (Recommended): Approval

Comply with Policy: Lead poisoning prevention falls within a priority area for Healthy Polk, Polk County Health Department and Polk County.

Background: In 2006, Polk County began a Lead-Based Paint Hazard Control Program for remediation of housing units in Polk County for the purpose of remediating lead hazards in homes with children less than six years of age. The program was established as both a collaborative program with funding partners as well as an independent program controlled by Polk County.

Jodi Bruce owns a property at 1808 7th Street, Des Moines, IA 50314. There is one child under the age of six who resides at the property. A lead inspection conducted by Polk County Health Department identified lead hazards on the exterior, and interior of the home. A directors exception has been made due to the costs of construction on the property located at 1808 7th Street, Des Moines IA 50314 being in excess of \$35,000. Bids were solicited through a public notice and publicly opened on 07/21/2016. The following bids were received:

Fexsteve Limited	\$42,850.00
B & G Construction	\$46,000.00

The Polk County Health Department reviewed these bids and recommends acceptance of the lowest responsive bid: submitted by **Fexsteve Limited** in the amount of **\$42,850.00**. **Fexsteve Limited** is a Certified Lead Abatement Contractor in the State of Iowa.

Action Impact: With this assistance a unit of lead-safe housing will be created.

Fiscal Note:

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required	
					Expense Account Code	Revenue Account Code
2016-17	Y	\$42,850.00		N	10223017.77490.04	

RESOLUTION

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

WHEREAS, the owners of land located in Section 10, Township 79 North, Range 24 West of the 5th P.M. (Saylor Township), Polk County, Iowa, wish to subdivide and plat their land into a major subdivision final plat known as CyWalker Farms; and

WHEREAS, this major subdivision final plat proposes two (2) residential lots on 5.01 acres of land; and

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

WHEREAS, the Polk County Board of Supervisors on March 8, 2016 voted unanimously, with none absent, to approve the preliminary plat of CyWalker Farms; and

WHEREAS, the Polk County Public Works Department has reviewed the major subdivision final plat and recommends that it be approved; 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 60th Avenue), within the subdivision plat of CyWalker Farms.

NOW, THEREFORE, BE IT RESOLVED that the major subdivision final plat of CyWalker Farms, is hereby approved.

- Sewer Service: Individual septic systems
- Water Service: Des Moines Water Works
- Zoning: "MDR" Medium Density Residential District
- Platted by: Brian and Emily Beltrame (owners/developers)
- Location: Northwest corner of NW 2nd Street (Hwy 415) and NW 60th Avenue
- Township: Saylor

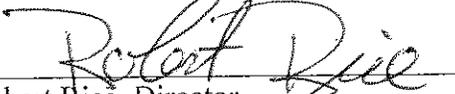
BE IT FURTHER RESOLVED that the Polk County Board of Supervisors hereby:

- 1) Accept street Lot 'A' (NW 60th Avenue) of CyWalker Farms subdivision 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

#15

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 155-16 approving the Final Plat of CyWalker Farms, a major subdivision final plat located in Section 10 of Saylor Township in unincorporated Polk County, IA.

Agenda Date: October 4, 2016

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

Previous Action taken by the Board: None

Board/Commission Actions: The Polk County Board of Supervisors met on March 8, 2016 and voted unanimously with none absent to approve the Preliminary Plat of CyWalker Farms.

Action Requested (Recommended): Approval of the Final Plat of CyWalker Farms.

Comply with Policy: Yes. The Plat proposes two (2) residential lots on 5.01 acres of land zoned "MDR" Medium Density Residential District. The Plat complies with the requirements of the Polk County Zoning and Subdivision Ordinances.

Background: Currently the property contains one (1) single-family dwelling. The proposed Plat would create two (2) new lots, with Lot 1 containing the existing house and accessory buildings, and Lot 2 creating a new development right for a single-family dwelling.

Action Impact: Approval of the Final Plat allows for its recording and the transfer of deeds.

Fiscal Note: None

Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
16/17	N	N	N	N		

Additional Fiscal Note Information (optional):

RESOLUTION

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

WHEREAS, the property owner for the property located at 5780 SE 6th Ave and identified in the county system as District 220 Parcel 00566-011-002 is requesting the assessment for the Curb It Recycling Program be abated; and

WHEREAS, the request has been reviewed and investigated by the Polk County Public Works Department; and

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

WHEREAS, based on this investigation and documentation, the Curb It assessment was found to be assessed incorrectly to this property on December 15, 2015; and

WHEREAS, the Polk County Public Works recommends the assessment be abated.

NOW, THEREFORE, BE IT RESOLVED that the assessment for 2015 Curb It recycling for 5780 SE 6th Ave be abated; and

BE IT FURTHER RESOLVED that Certificate 110328500 which was certified for assessment on December 15, 2015 for the above listed property in the amount of \$27.05 be canceled and that the Polk County Auditor is directed to strike said assessment 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

#16

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 150-16 Request for Erroneous Assessment of Curb It Recycling for 5780 SE 6th Ave

Agenda Date: October 4, 2016

Contact Individual: Bret VandeLune, Planning & Development Manager, Polk County Public Works, 286-3705

Previous Action taken by the Board: Certified Curb It Assessment on December 15, 2015

Board/Commission Actions: N/A

Action Requested (Recommended): Approve request for Erroneous Assessment of Curb It Recycling Account

Comply with Policy: Yes

Background: Each year the County assesses property owners for unpaid Curb It Recycling Accounts. The property owner can petition the Board of Supervisors for cancellation of the assessment. The Polk County Public Works Department makes a recommendation after investigating and reviewing the request. The Board of Supervisors then may grant or deny the request. Public Works staff 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 Curb It Recycling Assessment for 5780 SE 6th Ave

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						

Additional Fiscal Note Information (optional):

R E S O L U T I O N

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

WHEREAS, the Polk County Public Works Department has experienced large winter snow storms in the past; and

WHEREAS, it is in the best interest of public safety to accomplish snow removal operations in a timely manner; and

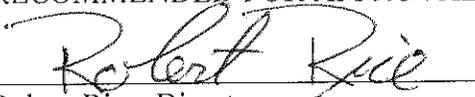
WHEREAS, it may be necessary for the Polk County Public Works Department to temporarily rent snow removal equipment from area equipment dealers and contractors in order to accomplish snow removal operations.

NOW, THEREFORE, BE IT RESOLVED that during large snow storms the Polk County Public Works Department be authorized to rent the necessary snow removal equipment from area equipment dealers and contractors in order to accomplish snow removal operations in a timely manner.

POLK COUNTY BOARD OF SUPERVISORS:

Chairperson

RECOMMENDED FOR APPROVAL:



Robert Rice, Director
Polk County Public Works

FISCAL IMPACT: Equipment rental costs to be drawn from the FY 2016/2017 Secondary Road Budget.

#17

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 153-16 to allow the Public Works Department to rent necessary snow removal equipment from area dealers and contractors in order to accomplish snow removal operations in a timely manner.

Agenda Date: October 4, 2016

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

Previous Action taken by the Board: N/A

Board/Commission Actions: N/A

Action Requested (Recommended): Authorizes the rental of snow removal equipment.

Comply with Policy: Yes

Background: Polk County has experienced large winter snow storms in the past and in the interest of public safety, the Polk County Public Works Department has found it necessary to rent equipment from area dealers and contractors in order to complete snow removal and open roads in a timely manner.

Action Impact: This resolution authorizes the Polk County Public Works Department to rent the necessary snow removal equipment from area equipment dealers and contractors in order to accomplish the snow removal operations in a timely manner.

Fiscal Note: None at this time. Any necessary equipment rental costs to be drawn from the FY 2016/2017 Secondary Road Budget.

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/A	N	N		

Additional Fiscal Note Information (optional):

RESOLUTION

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

WHEREAS, Powell Real Estate Management LLC, desires to obtain public sanitary sewer service from the Polk County Sanitary Sewer System in accordance with the attached Sanitary Sewer Extension Agreement between Polk County and Powell Real Estate Management LLC for the property described as: BEG 100F N OF S 1/4 COR OF SEC 12-79-24 THN W 426.55F NLY 350F E 430.24F S 350.01F TO POB LOT 41 UPI INDUSTRIAL PRK PLT 3 in Polk County, Iowa; and

WHEREAS, Powell Real Estate Management LLC desires to pay the sewer usage fee over a 10-year period in accordance with the County Water and Sewer Policy adopted in 2004.

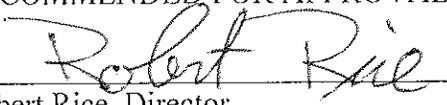
NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors approves the terms of the attached agreement, adopts the agreement, and authorizes the Chairperson to execute the agreement on behalf of Polk County; and

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to record the agreement and the Polk County Public Works Department shall administer the terms of the agreement on behalf of Polk County.

POLK COUNTY BOARD OF SUPERVISORS:

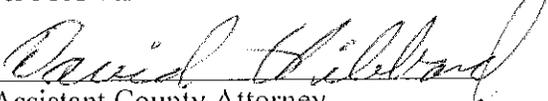
Chairperson

RECOMMENDED FOR APPROVAL:



Robert Rice, Director
Polk County Public Works

APPROVED AS TO FORM AND LEGAL MATTERS:



Assistant County Attorney

FISCAL NOTE: No affect on county budget. 25,505.50 plus 2.6% interest to be reimbursed to County Sanitary Sewer Fund

#18

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 154-16 approving Sanitary Sewer Extension Agreement with Powell Real Estate Management LLC to provide Polk County sanitary sewer service to property located at 5439 NE 17th Street.

Agenda Date: October 4, 2016

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

Previous Action taken by the Board: None

Board/Commission Actions: None

Action Requested (Recommended): Approve the terms of the agreement, adopt the agreement, and authorize the Chairperson to execute the agreement on behalf of Polk County. Also, direct the Polk County Auditor to record the agreement, and the Polk County Public Works Department to administer the terms of the agreement on behalf of Polk County.

Comply with Policy: Yes- Complies with County Water and Sewer Policy adopted in 2004.

Background: Current Health Ordinance requires this property to connect to the public sanitary sewer main.

Action Impact: Provides county sanitary sewer service to property at 5439 NE 17th Street and facilitates payment of the sewer usage fee by Powell Real Estate Management LLC using installment payments over a 10-year period as permitted by the Polk County Water and Sewer Policy.

Fiscal Note: Sewer usage fee of \$25,505.50 plus 2.6% interest to be reimbursed to the County Sanitary Sewer Fund.

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/A	N/A	N		
17/18						

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED By _____ **SECONDED** By _____
that the following Resolution be adopted.

WHEREAS, the Polk County Sheriff's Office has participated annually with the Governor's Traffic Safety Bureau of the Iowa Department of Public Safety for specialized enforcement programs; and

WHEREAS, such agreement becomes a contract to accomplish provisions contained within the Fiscal Year 2017 Highway Safety Plan; and

WHEREAS, such agreement is provided for by the National Highway Traffic Safety Administration (NHTSA) Public Law 114-94; and

WHEREAS, the Polk County Sheriff's Office will receive from the Governor's Traffic Safety Bureau a grant in the amount up to \$27,500, which will be in the form of reimbursements for overtime, training, and equipment.

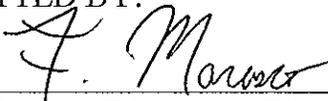
NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors approves the agreement and authorizes the Polk County Sheriff to sign said agreement.

Approved this _____ day of _____, 2016.

POLK COUNTY BOARD OF SUPERVISORS

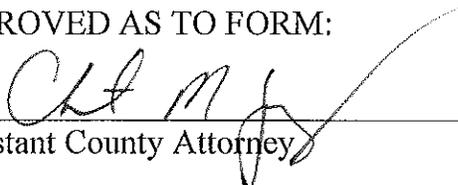
Chairperson

SUBMITTED BY:



Frank Marasco, Director of Planning and Development
Polk County Sheriff

APPROVED AS TO FORM:



Assistant County Attorney

#19

POLK COUNTY BOARD OF SUPERVISORS Tuesday Agenda Memorandum

Item Type & Title: Resolution approving Governor’s Traffic Safety Bureau FFY 2017 Enforcement Incentive Grant Program

Agenda Date: 10/4/2016

Contact Individual: Frank Marasco, Director of Planning and Development
515-286-3943, Frank.Marasco@polkcountyiowa.gov

Previous Action taken by the Board: Annual agreements have been approved.

Action Requested (Recommended): Resolution approves agreement and authorizes the Sheriff to sign the Agreement.

Background: Polk County Sheriff’s Office has participated in specialized traffic enforcement programs with the Governor’s Traffic Safety Bureau on an annual basis. The FFY 2017 Incentive Grant Program Agreement provides reimbursement for Sheriff’s staff to participate in multi-jurisdictional traffic enforcement operations directed at occupant restraint, impaired driving, and other traffic violations. Additionally, the Sheriff’s Office will receive reimbursement for training, and equipment, as specified within the agreement.

Action Impact: Polk County Sheriff’s Office will participate in multi-jurisdictional traffic enforcement operations, traffic safety training, and also purchase equipment as specified within the agreement.

Fiscal Note:

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	\$27,500	\$27,500	N	N/A	N/A

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED By _____ **SECONDED** By _____ that the following Resolution be adopted.

WHEREAS, Polk County is responsible for providing inmate commissary services at the Polk County Jail and the current provider is Trinity Services Group Inc. (TSG); and

WHEREAS, the initial term of the agreement was for three (3) years and included the provision to allow for up to Two (2) additional one (1) year terms; and

WHEREAS, the Parties agreed to exercise the first option to extend for an additional one (1) year now ending the 30th day of June, 2017.

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors approves the option to extend the existing agreement with TSG to June 30, 2017.

Approved this _____ day of _____, 2016.

POLK COUNTY BOARD OF SUPERVISORS

Chairperson

SUBMITTED BY:

F. Marasco
Director Frank Marasco, Polk County Sheriff's Office

APPROVED AS TO FORM:

Reg Mull
Assistant County Attorney

#20

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Polk County Jail Inmate Commissary Extension

Agenda Date: 10 /16

Contact Individual: Director Frank Marasco, 515-286-3943 or
Frank.Marasco@polkcountyowa.gov

Action Requested (Recommended): Approve the contract addendum with Trinity Services Group Inc. to extend commissary service to the jail for an additional one (1) year term.

Background: Trinity Services Group Inc. has been the inmate commissary service provider since July 1, 2013. TSG has worked with the PCSO to provide services to inmates, families and friends of inmates.

Action Impact: Commissary service provided by TSG to the jail would be extended by a one (1) year term expiring on June 30, 2017.

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				n/a	
17/18	Y				n/a	

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED By _____ **SECONDED** By _____ that the following Resolution be adopted.

WHEREAS, Polk County is responsible for providing inmate commissary services at the Polk County Jail and the current provider is Trinity Services Group Inc. (TSG); and

WHEREAS, the Polk County Sheriff's Office (PCSO) seeks to expand the services available for inmate commissary to include additional ready-to-eat food items, and TSG will provide these services; and

WHEREAS, the County shall receive 10% commission of the sales of these items from TSG for the length of the existing contract.

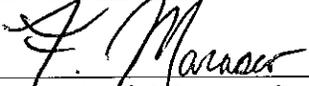
NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors approves the addendum of the contract with TSG, and authorizes the Chair of the Board of Supervisors to sign said document.

Approved this _____ day of _____, 2016.

POLK COUNTY BOARD OF SUPERVISORS

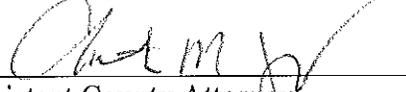
Chairperson

SUBMITTED BY:



Director Frank Marasco, Polk County Sheriff's Office

APPROVED AS TO FORM:



Assistant County Attorney

#22

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Polk County Jail Expanded Commissary Services

Agenda Date: 10/4/2016

Contact Individual: Director Frank Marasco, 515-286-3943 or
Frank.Marasco@polkcountyiowa.gov

Action Requested (Recommended): Approve the contract addendum with Trinity Services Group Inc to approve expanded commissary service at a commission rate of 10% to the County.

Background: Trinity Services Group Inc. has been the inmate commissary service provider since July 1, 2013. TSG has worked with the PCSO to provide services to inmates, families and friends of inmates. SSC has made enhancements to services available by expanding commissary items to include delivery of ready-to-eat items such as hamburgers, burritos and other hot sandwiches as well as frozen dessert items. These items will be used as a behavior modification tool by jail administration. Items purchased by inmates will earn a commission rate of 10% to the county. Existing commissary items delivered in the conventional way will remain at the current commission rate of 41%.

Action Impact: Trinity Services Group Inc. shall be allowed to develop a mobile commissary service for sale of expanded commissary items agreed upon by the Sheriff's Office to inmates. The term of this Addendum shall be the same term as applies to the Agreement. TSG shall pay a commission of ten (10%) percent to the County for all net sales made by TSG on the premises for the expanded service.

Fiscal Note: Commissary revenue is already budgeted and this action is not anticipated to have a significant effect on current revenue projections.

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				n/a	
17/18	Y				n/a	

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED By _____ **SECONDED** By _____ that the following Resolution be adopted.

WHEREAS, Polk County is responsible for providing inmate commissary services at the Polk County Jail and the current provider is Trinity Services Group Inc. (TSG); and

WHEREAS, the Polk County Sheriff's Office (PCSO) seeks to expand the services available for inmates including use of legal materials and access to family members; and

WHEREAS, TSG through its business partner Telmate shall provide expanded services via access to tablets for inmates at the Polk County Jail; and

WHEREAS, the tablets shall replace current kiosks at no charge to the County.

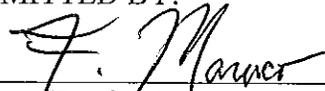
NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors approves the addendum of the contract with TSG, and authorizes the Chair of the Board of Supervisors to sign said document.

Approved this _____ day of _____, 2016.

POLK COUNTY BOARD OF SUPERVISORS

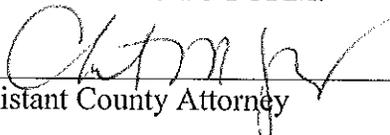
Chairperson

SUBMITTED BY:



Director Frank Marasco, Polk County Sheriff's Office

APPROVED AS TO FORM:



Assistant County Attorney

#22

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Polk County Jail Inmate Tablet Services

Agenda Date: 10/4/2016

Contact Individual: Director Frank Marasco, 515-286-3943 or
Frank.Marasco@polkcountyiowa.gov

Action Requested (Recommended): Approve the contract addendum with Trinity Services Group Inc. to approve replacement of kiosk system at the Polk County Jail with tablets.

Background: Trinity Services Group Inc. has been the inmate commissary service provider since July 1, 2013. TSG has worked with the PCSO to provide services to inmates, families and friends of inmates. TSG is replacing the current kiosk system that has been in place since 2013 with a certain number of secure use tablets per housing unit. These tablets offer the same abilities as the kiosk as well as expanded services such as legal library and posted health information at no cost to the inmate. In addition, inmates would have the ability to rent time on the tablets on a .05 per-minute basis to send and receive secure emails, watch designated movies, listen to music, and perform other recreational activities.

Action Impact: Trinity Services Group Inc. shall be allowed to replace the existing kiosk system with tablets in inmate housing units.

Fiscal Note: The County earns no commission from this service. This action will provide a benefit to inmates, families and operations at the Polk County Jail.

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				n/a	
17/18	N				n/a	

Additional Fiscal Note Information (optional):

RESOLUTION

MOVED BY _____ SECONDED BY _____

That the following resolution be adopted:

Whereas, Iowa Code Section 331.553(8) provides that a county may enter into an agreement with a city pursuant to the provisions of Iowa Code Chapter 28E whereby the county treasurer agrees to collect or enforce delinquent parking tickets on behalf of a city in conjunction with renewal of vehicle registrations pursuant to Iowa Code Sections 321.40(7) and 321.236; and

Whereas, the City of Indianola has requested the Polk County Treasurer to enter into such an agreement; and

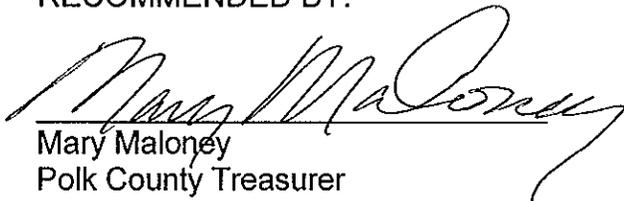
Whereas, it is the desire of Polk County and the City of Indianola to enter into such an agreement.

Now, therefore, be it resolved by the Polk County Board of Supervisors that Polk County enter into an agreement with the City of Indianola whereby the Polk County Treasurer agrees to collect or enforce delinquent parking tickets on behalf of a city in conjunction with renewal of vehicle registrations, the terms of which agreement are embodied in the attached Cooperative Agreement between the Iowa County of Polk and the City of Indianola, Iowa.

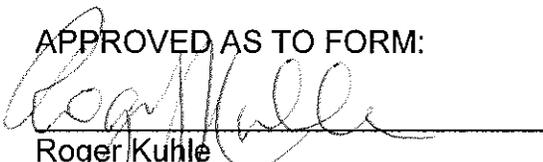
POLK COUNTY BOARD OF SUPERVISORS

Chairperson

RECOMMENDED BY:


Mary Maloney
Polk County Treasurer

APPROVED AS TO FORM:


Roger Kuhle
Assistant Polk County Attorney

#23

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Parking Ticket Collection Agreement

Agenda Date: October 4, 2016

Contact Individual: Ben Lacey

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

Action Requested (Recommended): Approval of the Agreement with the City of Indianola to collect delinquent parking tickets on their behalf for a fee.

Comply with Policy: Iowa Code Section 331.553(8)

Background:

The City of Indianola has requested the Polk County Treasurer to assist in the collection of delinquent parking tickets. Iowa Code allows a County Treasurer to refuse the renewal of a vehicle registration if the individual has outstanding delinquent parking tickets. The individual may pay the amount of delinquent parking tickets to the County Treasurer and then proceed with the renewal of their vehicle registration. The Polk County Treasurer will receive a fee for providing this service.

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

Additional Fiscal Note Information (optional):



MMP Short Form for Annual Updates

Iowa law requires confinement feeding operations to submit updated manure management plans (MMPs) and fees on an annual basis. The update, which must be submitted on this form, may be submitted any time in the 45 days prior to the due date. If the update is not submitted to the appropriate DNR field office by the due date, a Notice of Violation will be issued. If a **complete update, including fees, is not submitted by the end of the month in which it is due, the matter will be referred to our legal services section for enforcement action, including a \$3,000 penalty.** The postmark is considered the submittal date for mailed updates.

Instructions:

1. Fill in the facility information including name, ID number, location, and owner/contact information. Check the box(es) below that apply to your operation. Sign and date the form.
2. Make copies of this form for yourself, the appropriate county or counties, and the DNR field office.
3. Submit a copy of this form and the changes to the plan to the appropriate county or counties.
4. Submit a copy of this form [signed and dated by the facility owner and by the county representative(s)] to the appropriate DNR field office. You do not need to submit the changes to the DNR field office. Submit only this form.
5. Attach a copy of the compliance fee form (542-8064) along with a check made out to the DNR.

Facility Name: IOWA STATE FAIR Facility ID #: 660416

Facility Address: IOWA STATE FAIR (Address) P.O. BOX 57130 (City) DES MOINES (State) IA. (Zip) 50317

Location: $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 6 T 70N R 23W DES MOINES (Township Name) POLK (County)

* Owner's Name: BOARD OF DIRECTORS IOWA STATE FAIR Phone Number: 515-262-3111

Mailing Address: IOWA STATE FAIR (Address) PO BOX 57130 (City) IA. (State) 50317 (Zip)

Contact Name: SCOTT WORTH (if different than owner) Phone Number: 515-262-3111 Ext 200

Mailing Address: * SAME AS ABOVE. (Address) (City) (State) (Zip)

Changes indicated below must be included in your current, on-site copy of the MMP (kept within 30 miles of the site). Prior to making changes in manure management practices, the on-site copy must be updated to show the proposed changes.

- I have made no changes to my MMP.
- I have made the following changes to my MMP:
- I have added acres.
 - I have changed my crop rotation or optimum yields.
 - My type of feeding system has changed.
 - I used a different method of application.
 - I am using a manure analysis for determining application rates when applying manure
 - I am electing to be a small animal feeding operation (SAFO)
 - The manure has been removed/applied effective _____ (date)
 - The animal unit capacity of my facility has changed to _____ (AUCs)
 - Compliance Fee Form (542-8064) to be submitted with original election (no check required)
 - The animal unit capacity of my facility has changed. (Contact your local DNR field office.)
 - I have made (other) changes to my MMP. Describe: _____

Signature of Facility Owner: [Signature] Date: 9-27-16.

VERIFICATION OF COUNTY RECEIPT: I have received a complete copy of the annual MMP update.

County: POLK Signature: [Signature] Date: 9-28-16

County: _____ Signature: _____ Date: _____

County: _____ Signature: _____ Date: _____

To be approved, the update must be submitted on this form, at least one of the boxes above must be checked, the form must be signed and dated by the county representative(s) and the facility owner, and the correct fees must be paid.

#24

CITY DEVELOPMENT BOARD
STATE OF IOWA

IN THE MATTER OF THE CITY OF ALTOONA) NO. NC16-20 / ALTOONA
VOLUNTARY ANNEXATION INCLUDING)
NON-CONSENTING OWNERS WITHIN THE) NOTICE OF MEETING TO CONSIDER
URBANIZED AREA OF THE CITIES OF) VOLUNTARY ANNEXATION
PLEASANT HILL, ANKENY, BONDURANT AND)
DES MOINES)

TO: Cities of Altoona, Pleasant Hill, Ankeny, Bondurant and Des Moines, Polk County Board of Supervisors, Polk County Attorney, Des Moines Area Metropolitan Planning Organization, Iowa Attorney General, Iowa Department of Transportation, Public Utilities and Interested Persons.

You and each of you are hereby notified that the City Development Board will, pursuant to Iowa Code Section 368.7, consider the above captioned matter at its regular meeting at 1:00 p.m. on October 12, 2016, in the 2nd Floor Main Conference Room, Iowa Economic Development Authority, 200 East Grand Avenue, Des Moines, Iowa. A copy of a map and legal description of the annexation territory is enclosed.

To participate in this meeting via teleconference, dial 866-685-1580; when prompted, enter conference code 5152424815 followed by #. You should then be connected to the meeting.

This proposal includes some land without the consent of the owners. The Board will review the proposal for compliance with Iowa Code Section 368.7 and schedule a public hearing for a later date if it is found to be in proper form. You will be notified of the hearing date. Should you have questions regarding this notice, please call 515/725-3126.

CITY DEVELOPMENT BOARD



Matt Rasmussen, Administrator
City Development Board

Appendix A
Legal Description of Territory Proposed to be
Annexed to the City of Altoona, Iowa
CDB Case No. NC16-20

The Northwest Quarter (NW1/4) and the North 36 acres of the West One-Half of the Southwest Quarter (W1/2 SW1/4) 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.

And,

25 foot driveway strip North of and adjacent to Interstate 80 in the Southwest 1/4 of the Southwest 1/4 in Section 10, Township 79 North, Range 23, West of the 5th P.M., Polk County, Iowa, except beginning 658.5 feet North and 76.1 feet East of the Southwest corner; thence Northeasterly 133.1 feet; thence Northerly 30.6 feet; thence Southwesterly 115.5 feet; thence Southeasterly 25 feet to the point of beginning.

And,

The South 44 acres of the West 1/2 of the Southwest 1/4 of Section 10, Township 79 North, Range 23 West of the 5th P.M., all in Polk County, Iowa, which lies North of Interstate 80, except a 25 foot driveway lying North of and immediately adjacent to Interstate 80, and except that part thereof conveyed to the State of Iowa by Warranty Deed recorded in Book 6503 Page 890.

And,

That part of the Southwest 1/4 of the Northwest 1/4 of Section 10, Township 79 North, Range 23, West of the 5th P.M., Polk County, Iowa, described as follows: Beginning at a point 745.0 feet North 0°00' and 33.0' North 89°18' East of the West 1/4 corner of said Section 10; thence North 89°18' East 218.3 feet; thence North 0°00' 317.0 feet; thence South 89°18' West 218.3 feet; thence South 0°00' along a line parallel with and 33.0 feet East of the West line of said Northwest 1/4, 317.0 feet to the point of beginning.

And,

A parcel of land located in the SW 1/4 of the SW 1/4 of Section 10, Township 79 North, Range 23, West of the 5th P.M., Polk County, Iowa, more particularly described as: Commencing at the SW corner of said Section 10; thence N00°21 1/2'E, 684.0 feet on the west line of said SW 1/4; thence N79°01'E, 186.6 feet to the Point of Beginning; thence continuing N79°01'E, 91.2 feet; thence N50°49'W, 307.3 feet to the easterly right of way line of the existing county road; thence S00°21 1/2'W, 50.1 feet on said easterly right of way line; thence S10°59'E, 47.4 feet on said easterly right of way line; thence southeasterly 181.2 feet along a 1341.2 foot radius curve, concave southwesterly, the chord for which bears S50°37'E, and has a length of 181.1 feet to the Point of Beginning; containing 0.39 acres.

And,

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

Appendix A
Legal Description of Territory Proposed to be
Annexed to the City of Altoona, Iowa
CDB Case No. NC16-20

Annexation includes Right-of-way owned by the State of Iowa:

A parcel of land located in the SW 1/4 of the SW 1/4 of Section 10, Township 79 North, Range 23, West of the 5th P.M., Polk County, Iowa, more particularly described as: Commencing at the SW corner of said Section 10; thence N00°21 1/2'E, 684.0 feet on the west line of said SW 1/4; thence N79°01'E, 71.1 feet to the easterly right of way line of the existing county road, the Point of Beginning; thence continuing N79°01'E, 115.5 feet; thence northwesterly 181.2 feet to said easterly right of way line along a 1341.2 foot radius curve, concave southwesterly, the chord for which bears N50°37'W, and has a length of 181.1 feet; thence S10°59'E, 139.5 feet on said easterly right of way line to the Point of Beginning; containing 0.19 acres.

And,

A parcel of land located in the SW 1/4 of the SW 1/4 of Section 10, Township 79 North, Range 23, West of the 5th P.M., Polk County, Iowa, more particularly described as: Commencing at the SW corner of said Section 10; thence N00°21 1/2'E, 658.5 feet on the west line of said SW 1/4; thence N79°01'E, 76.1 feet to the intersection of the easterly right of way line of the existing county road with the existing northerly right of way line of Interstate Route No. 80, the Point of Beginning; thence continuing N79°01'E, 133.1 feet on said northerly right of way line; thence northwesterly 30.6 feet on a 1341.2 foot radius curve, concave southwesterly, the chord for which bears N46°05 1/2'W 30.6 feet; thence S79°01'W, 115.5 feet to the easterly right of way line of the existing county road; thence S10°59'E, 25.0 feet on said easterly right of way line to the Point of Beginning; containing 0.07 acres.

The annexation includes all abutting road right-of-way to the centerline of the roadways of NE 46th Street and NE 62nd Avenue.

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

NE 62nd Avenue

Annexation territory
215.716 acres

Altoona 8" sanitary sewer main

NE 46th Street

Altoona 16" water main

