

**POLK COUNTY BOARD OF SUPERVISORS AGENDA
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING
111 COURT AVENUE - ROOM 120
AUGUST 17, 2021 9:30 A.M.**

1. Roll Call.
2. Action on the Minutes of the Previous Meeting(s).
3. Special Claims as submitted by the County Auditor, if any.
4. Action on the Bill List as submitted by the County Auditor.

5. **PUBLIC COMMENTS**

PERMITS

6. New application for 5-day Class “C” Liquor License for Your Private Bartender, 5251 NE 94th Avenue.
7. Renewal application for Class “C” Liquor License, Sunday Sales and Outdoor Service Area Permit for Smokey D’s BBQ, 5055 NW 2nd Avenue.
8. Renewal application for Class “C” Liquor License, Sunday Sales and Outdoor Service Area Permit for Sonny’s Pizza Bistro, 6594 NW 6th Drive.

RESOLUTIONS

9. Resolution authorizing the Auditor’s Office to publish Notice of Public Hearing for August 31, 2021 on Disposal of County Interest in Real Estate (1800 Martin Luther King Jr Parkway).
10. Resolution approving preliminary plat of Woodland Hills East.
- *11. Resolution approving agreement with Precision Builders to address lead hazard repairs at 1617 Carpenter Avenue (Alcantara, Flores, Gonzalez).
- *12. Resolution approving agreement with FAB Rehab to address lead hazard repairs at 3211 Crestmoor Place (Reh).
- *13. Resolution approving agreement with FAB Rehab to address lead hazard repairs at 1653 Dean Avenue (Swdi).
- *14. Resolution approving amendment 7 to Memorandum of Understanding with Iowa Department of Public Health for tuberculosis program funding.

15. Resolution approving property tax suspension (parcel #7923.28.476.008).
16. Resolution approving hourly rate increase for court appointed attorneys representing individuals in various legal proceedings (guardianships, conservatorships, guardian ad litem, mental health and substance abuse commitments, child custody investigators/child and family reporters).
- *17. Resolution adopting a Temporary Suitable Work Policy.
- *18. Resolution approving Memorandum of Agreement with Iowa Legal Aid.

BUDGET ACTIONS

19. Memorandum of Budget Actions.

APPOINTMENTS

20. Memorandum of Appointments.

ADJOURNMENT

**Asterisk denotes attachments to items are on file in the Auditor's Office, 111 Court Avenue,
Des Moines, 515-286-3080 Monday through Friday, 8:00 a.m. – 5:00 p.m.
For the full text of Resolutions, visit our website at: <https://www.polkcountyiowa.gov/auditor/administration/>*

Join Zoom Meeting

<https://polkcountyiowa-gov.zoom.us/j/94723670014?pwd=YXlhWjlpQXd0cGxpbFNEb0tTOEVUZz09>

Meeting ID: 947 2367 0014

Passcode: 317164

One tap mobile

+16465588656,,94723670014# US (New York)

+13017158592,,94723670014# US (Washington D.C)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 947 2367 0014

Find your local number: <https://polkcountyiowa-gov.zoom.us/j/94723670014?pwd=YXlhWjlpQXd0cGxpbFNEb0tTOEVUZz09>

2001-3445

RESOLUTION

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

WHEREAS, it is proposed to dispose of Polk County's interest in real estate of a parcel located at 1800 Martin Luther King Jr Parkway, Des Moines, Iowa and legally described as:

-EX E 5 F ON N LN & E 4 F ON S LN-LT 5 PLEASANT PLACE

To Jade Investments LLC for a total of \$7,600.00; and

WHEREAS, Iowa Code section 331.361(2) requires a public hearing on a proposal to dispose of an interest in real estate.

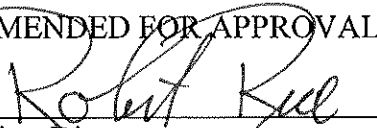
NOW, THEREFORE, BE IT RESOLVED that a public hearing on this proposed disposal of the County's interest in real estate will be held on the date of August 31, 2021, at 9:30 a.m. in Room 120 of the Polk County Administration Building, 111 Court Avenue, Des Moines, Iowa. The Auditor is directed to publish notice of the public hearing.

Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

Angela Connolly, Chairperson

RECOMMENDED FOR APPROVAL:



Robert Rice, Director
Polk County Public Works Department

Fiscal Note: \$7,600.00 to Real Estate Fund

#9

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 117-21 to authorize the Auditor's Office to publish notice for a public hearing on disposal of interest in County owned Real Estate File 2001-3445, a parcel located at 1800 Martin Luther King Jr Parkway to Jade Investments LLC, District 080 Parcel 05141-000-000.

Agenda Date: August 17, 2021

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

Previous Action taken by the Board: None

Board/Commission Actions: None

Action Requested (Recommended): Set Public Hearing

Comply with Policy: Yes, Proposal.

Background: Polk County received a proposal from Jade Investments LLC for a total of \$7,600.00 to purchase this parcel. The County received this parcel by tax deed in February of 2004. Property size is 50' x 148'. Parcel is buildable.

Action Impact: Approval of the resolution sets the public hearing date and directs the Auditor's Office to publish notice of a public hearing.

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
21/22			\$7,600.00			

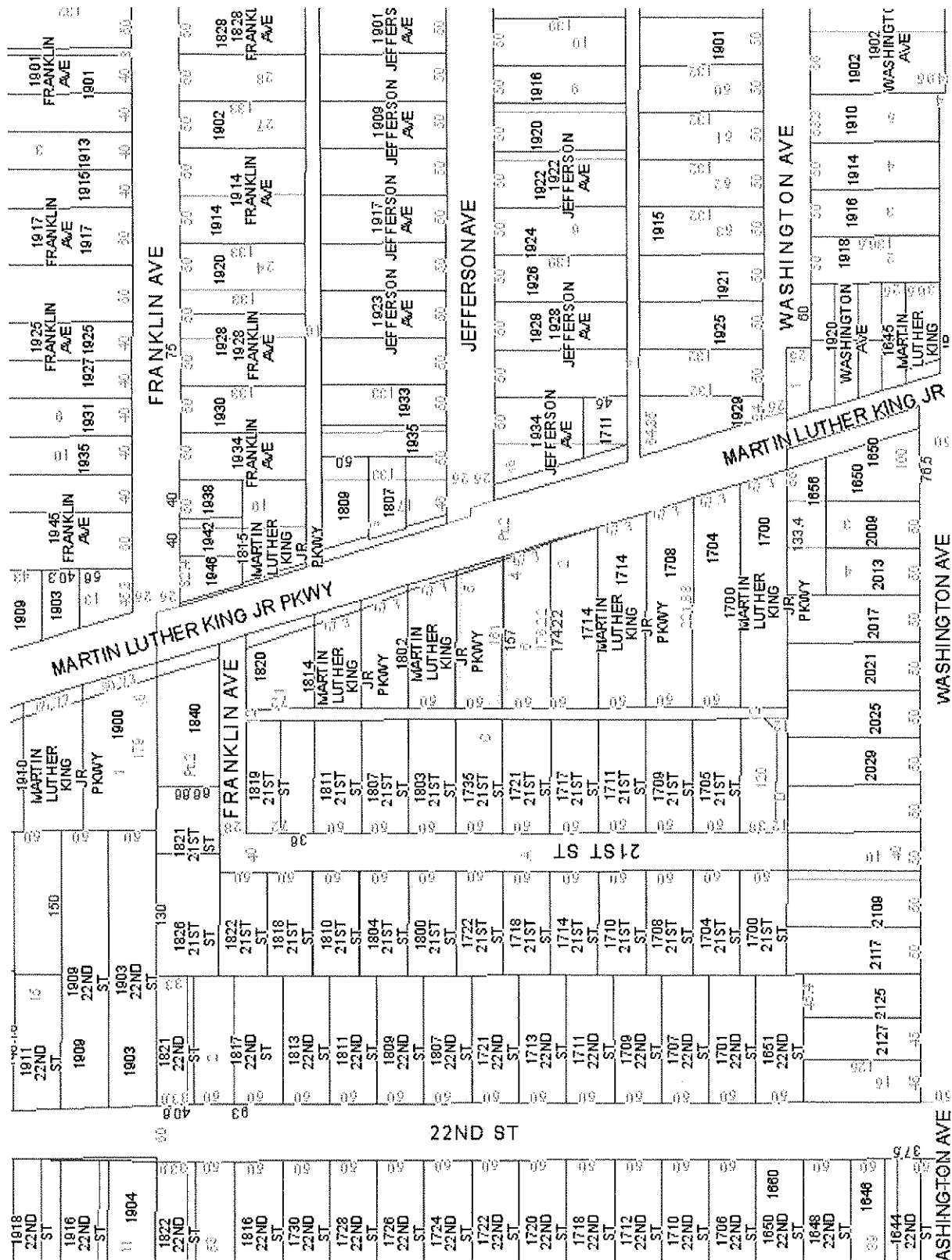
Additional Fiscal Note Information (optional):

NOTICE OF PUBLIC HEARING

The Polk County Board of Supervisors will hold a Public Hearing on the 31st of August, 2021 at 9:30 a.m. in Room 120 of the Polk County Administration Building, 111 Court Avenue, Des Moines, Iowa, to consider a proposal to convey real estate of a parcel located at 1800 Martin Luther King Jr Parkway, Des Moines, Iowa and described as:

-EX E 5 F ON N LN & E 4 F ON S LN-LT 5 PLEASANT PLACE

To Jade Investments LLC for a total of \$7,600.00. For additional information, contact Polk County Public Works, Real Estate Division at (515)286-3705.



RESOLUTION

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

WHEREAS, the owners of land located in Section 2, 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 preliminary plat known as Woodland Hills East; and

WHEREAS, the major subdivision preliminary plat proposes a total of 78 residential lots, including 50 single-family lots, 28 townhome lots, two (2) outlots, and two (2) street lots on 22.27 acres of land; and

WHEREAS, the owners have complied with all codes and ordinances for the unincorporated territory of Polk County, Iowa, except the following subdivision ordinance requirement: 1) New local residential streets serving more than 24 lots shall have a minimum pavement width of 31 feet for a curb and gutter section or 30 feet for a modified open ditch section; and

WHEREAS, the owner/developer requests the following waivers from the subdivision ordinance requirements: 1) Waiver of the minimum pavement width requirement to allow a new public street extension serving the proposed development with a pavement width of 26 feet; and

WHEREAS, the Polk County Zoning Commission on May 24, 2021 recommended approval of the preliminary subdivision plat to the Board of Supervisors, including the above noted waiver from the subdivision ordinance, by a vote of 5-0, with one (1) member absent and one (1) member abstaining.

NOW, THEREFORE, BE IT RESOLVED Polk County, Iowa approves the major subdivision preliminary plat of Woodland Hills East, and authorizes the Chairperson of the Polk County Board of Supervisors to sign the Resolution.

Sewer Service:	Polk County Sanitary Sewer
Water Service:	Des Moines Water Works
Zoning:	"MDR" Medium Density Residential District
Platted by:	Perficut Partners, LLC (owner) & Hubbell Realty Company (prospective buyer / developer)
Engineer:	Civil Design Advantage
Location:	Approximately 1,000 feet west of the intersection of NE 14 th Street (Hwy 69) and NE 66 th Avenue
Township:	Saylor

Approved this ____ day of _____, 2021

POLK COUNTY, IOWA

Angela Connolly, Chairperson

RECOMMENDED FOR APPROVAL:



Robert Rice, Director
Polk County Public Works Department

FISCAL NOTE: No cost to the County

#10

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 118-21 approving the Preliminary Plat of Woodland Hills East.

Agenda Date: August 17, 2021

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

Previous Action taken by the Board: None

Board/Commission Actions: The Polk County Zoning Commission met on May 24, 2021 and voted five (5) in favor and zero (0) against, with one (1) member absent and one (1) member abstaining, to recommend approval of the Preliminary Plat of Woodland Hills East.

Action Requested (Recommended): Approval

Comply with Policy: Yes. The Plat complies with the requirements of the Polk County Zoning and Subdivision Ordinances, pending approval of the requested waiver to allow a reduced pavement width of 26 feet for a new residential street serving more than 24 lots. Staff and the Zoning Commission both support the requested waiver.

Background: The Plat proposes 78 new residential lots, including 50 single-family lots, 28 townhome lots, two (2) outlots and two (2) street lots on approximately 22.27 acres of land zoned "MDR" Medium Density Residential District. The developer is utilizing the cluster development option to allow smaller single-family and bi-attached housing units. The proposal will be similar in nature to the Greens at Woodland Hills development adjacent to the west and north, also developed by Hubbell Realty. Primary access will be taken from NE 66th Avenue to the north. However, the plat will also create a connection/extension of NE 64th Avenue through the adjacent development to the west, providing an additional access point. Sanitary sewer will be provided by Polk County, and water provided through Des Moines Water Works.

Action Impact: Approval of the Preliminary Plat allows for preparation and submittal of construction plans for staff review. Following completion of the subdivision improvements, a final plat may be prepared. The final plat will come before the Board for approval prior to recording.

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
21/22	N	N	N	N		

Additional Fiscal Note Information (optional): None

Woodland Hills East
Major Preliminary Plat

PLAT INFORMATION: This subdivision plat proposes a total of 78 residential lots (50 single-family lots and 28 townhome lots) and two (2) outlots on approximately 22.27 acres zoned "MDR" Medium Density Residential District.

SEWER: Polk County Sanitary Sewer

WATER: Des Moines Water Works

TOWNSHIP: Saylor

OWNER & DEVELOPER: Perficut Partners, LLC
(owner) & Hubbell Realty Company (developer)

Vicinity Map:



RESOLUTION

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

WHEREAS, Polk County, Iowa 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, Iowa operates a Lead Remediation 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 1617 Carpenter Avenue, Des Moines, Iowa 50314; and

WHEREAS, bids were received by 2:00PM on 7/29/2021; publicly opened and read by the Polk County General Services Department; and

WHEREAS, the following bids were received:

Precision Builders	\$12,470
FAB Rehab	\$15,454
FexSteve Limited Company	\$19,150

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

WHEREAS, the lowest responsive bid was submitted by Precision Builders; and

WHEREAS, the Polk County Health Department has reviewed the Fab Rehab bid proposal and recommends acceptance for \$12,470.

NOW, THEREFORE BE IT RESOLVED Polk County, Iowa approves the bid for \$12,470 from Precision Builders, and authorizes the Chairperson of the Polk County Board of Supervisors to sign said Agreement on behalf of Polk County, Iowa.

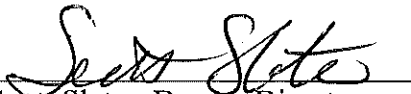
Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

11

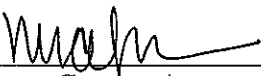
RECOMMENDED FOR APPROVAL:



Scott Slater, Deputy Director
Polk County Health Department

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 

Assistant County Attorney

FISCAL NOTE: FY 21/22 revenue	\$0
FY 21/22 expenses	\$12,470

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Approval of Home Lead Remediation Contract to address lead hazard repairs at 1617 Carpenter Avenue, Des Moines, Iowa 50314

Agenda Date: August 17, 2021

Contact Individual: Scott Slater, 286-3752

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

Board/Commission Actions:

Action Requested (Recommended): Approval

Comply with Policy: Lead poisoning prevention is a priority 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 lead hazards in housing units within Polk County with under six years of age.

Rene Oman Santos Alcantara, Kevin Oman Santos Flores and Antonio Contreras Gonzalez own a property at **1617 Carpenter Avenue, Des Moines, Iowa 50314**. Mr. Santos Alcantara has one child under the age of six. A lead inspection conducted by Polk County Health Department identified lead hazards on the interior and exterior of the home. Bids were publicly opened on **July 29, 2021**. The following bids were received:

Precision Builders	\$12,470
FAB Rehab	\$15,450
FexSteve Limited Company	\$19,150

The Polk County Health Department reviewed these bids and recommends acceptance of the lowest responsive bid: submitted by **Precision Builders** in the amount of \$12,470. **Precision Builders** 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
2021-22	Y	\$12,470	\$	N	10223017.77490	

RESOLUTION

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

WHEREAS, Polk County, Iowa 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, Iowa operates a Lead Remediation 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 3211 Crestmoor Place, Des Moines, Iowa 50310; and

WHEREAS, bids were received by 2:00PM on 7/29/2021; publicly opened and read by the Polk County General Services Department; and

WHEREAS, the following bids were received:

FAB Rehab	\$14,474
Precision Builders	\$22,040
FexSteve Limited Company	\$32,250

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

WHEREAS, the lowest responsive bid was submitted by FAB Rehab; and

WHEREAS, the Polk County Health Department has reviewed the Fab Rehab bid proposal and recommends acceptance for \$14,474.

NOW, THEREFORE BE IT RESOLVED Polk County, Iowa approves the bid for \$14,474 from FAB Rehab, and authorizes the Chairperson of the Polk County Board of Supervisors to sign said Agreement on behalf of Polk County, Iowa.

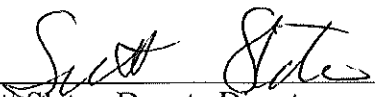
Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

#12

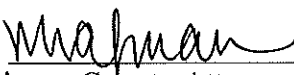
RECOMMENDED FOR APPROVAL:



Scott Slater, Deputy Director
Polk County Health Department

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 

Assistant County Attorney

FISCAL NOTE: FY 21/22 revenue	\$0
FY 21/22 expenses	\$14,474

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Approval of Home Lead Remediation Contract to address lead hazard repairs at 3211 Crestmoor Place, Des Moines, Iowa 50310

Agenda Date: August 17, 2021

Contact Individual: Scott Slater, 286-3752

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

Board/Commission Actions:

Action Requested (Recommended): Approval

Comply with Policy: Lead poisoning prevention is a priority for Healthy Polk, Polk County Health Department and Polk County, Iowa.

Background: In 2006, Polk County, Iowa began a Lead-Based Paint Hazard Control Program for the remediation of lead hazards in housing units within Polk County with children under six years of age.

Me Reh owns a property at **3211 Crestmoor Place, Des Moines, Iowa 50310**. Mr. Reh has two children under the age of six. A lead inspection conducted by the Polk County Health Department identified lead hazards on the interior and exterior of the home. Bids were publicly opened on **July 29, 2021**. The following bids were received:

FAB Rehab	\$14,474
Precision Builders	\$22,040
FexSteve Limited Company	\$32,250

The Polk County Health Department reviewed these bids and recommends acceptance of the lowest responsive bid submitted by: **FAB Rehab** in the amount of \$14,474.00. **FAB Rehab** 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
2021-22	Y	\$14,474	\$	N	10223017.77490	

RESOLUTION

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

WHEREAS, Polk County, Iowa 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, Iowa operates a Lead Remediation 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 1653 Dean Avenue, Des Moines, Iowa 50316; and

WHEREAS, bids were received by 2:00PM on 7/29/2021; publicly opened and read by the Polk County General Services Department; and

WHEREAS, the following bids were received:

FAB Rehab	\$27,970
Precision Builders	\$45,040
FexSteve Limited Company	\$56,350

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

WHEREAS, the lowest responsive bid was submitted by FAB Rehab; and

WHEREAS, the Polk County Health Department has reviewed the Fab Rehab bid proposal and recommends acceptance for \$27,970.

NOW, THEREFORE BE IT RESOLVED Polk County, Iowa approves the bid for \$27,970 from FAB Rehab, and authorizes the Chairperson of the Polk County Board of Supervisors to sign said Agreement on behalf of Polk County, Iowa.

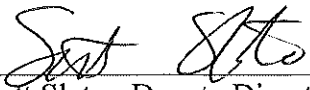
Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

#13

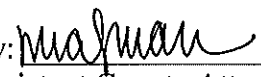
RECOMMENDED FOR APPROVAL:



Scott Slater, Deputy Director
Polk County Health Department

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 

Assistant County Attorney

FISCAL NOTE: FY 21/22 revenue	\$0
FY 21/22 expenses	\$27,970

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Approval of Home Lead Remediation Contract to address lead hazard repairs at 1653 Dean Avenue, Des Moines, Iowa 50316

Agenda Date: August 17, 2021

Contact Individual: Scott Slater, 286-3752

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

Board/Commission Actions:

Action Requested (Recommended): Approval

Comply with Policy: Lead poisoning prevention is a priority 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 lead hazards in housing units within Polk County with under six years of age.

Bashar A. Swdi own a property at **1653 Dean Avenue, Des Moines, Iowa 50316**. Mr. Swdi has one child under the age of six. A lead inspection conducted by Polk County Health Department identified lead hazards on the interior and exterior of the home. Bids were publicly opened on **July 29, 2021**. The following bids were received:

FAB Rehab	\$27,970
Precision Builders	\$45,040
FexSteve Limited Company	\$56,350

The Polk County Health Department reviewed these bids and recommends acceptance of the lowest responsive bid: submitted by **FAB Rehab** in the amount of \$27,970. **FAB Rehab** 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
2021-22	Y	\$27,970	\$	N	10223017.77490	

RESOLUTION

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

WHEREAS, tuberculosis is a communicable disease that is a threat to the public health of the residents of Polk County; and

WHEREAS, on February 16, 2021 Polk County, Iowa approved Memorandum of Understanding (MOU) -2021-TB01 with the Iowa Department of Public Health to continue to conduct tuberculosis prevention which allocated funds of \$900 to Polk County for the continuation of the Polk County tuberculosis detection and prevention program for the term of January 1, 2021 through December 31, 2021; and

WHEREAS, on March 16, 2021, MOU-2021-TB01, Amendment 1 added an additional \$900 for a new total of \$1,800; and

WHEREAS, on March 30, 2021, MOU-2021- TB01, Amendment 2 added an additional \$900 for a new total of \$2,700; and

WHEREAS, on April 6, 2021, MOU-2021- TB01, Amendment 3 added an additional \$900 for a new total of \$3,600; and

WHEREAS, on June 29, 2021, MOU-2021- TB01, Amendment 4 added an additional \$900 for a new total of \$4,500; and

WHEREAS, on July 20, 2021, MOU-2021-TB01, Amendment 5 added an additional \$900 for a new total of \$5,400; and

WHEREAS, on July 27 2021, MOU-2021-TB01, Amendment 6 added an additional \$900 for a new total of \$6,300; and

WHEREAS, this MOU-2021-TB01 Amendment 7 adds an additional \$900 for a new total of \$7,200.

NOW, THEREFORE, BE IT RESOLVED: That Polk County, Iowa approves MOU-2021-TB01, Amendment 7, with the Iowa Department of Public Health to continue to conduct tuberculosis prevention and outreach activities in the community, and authorizes the Chairperson of the Polk County Board of Supervisors to sign MOU-2021-TB01, Amendment 7; and

NOW, THEREFORE, BE IT FURTHER RESOLVED: That the Polk County Board of Supervisors authorizes the Director of the Polk County Health Department, or her designee, to execute any and all documents in furtherance of this grant award pursuant to MOU-2021-TB01 with the Iowa Department of Public Health.

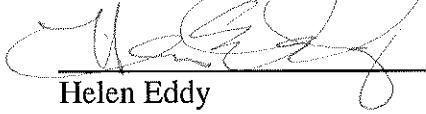
Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

By _____
Angela Connolly
Chairperson

#14

RECOMMENDED FOR APPROVAL



Helen Eddy
Director of Public Health

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

BY 

Assistant County Attorney

FISCAL NOTE: FY 21/22 Revenue/Expenses: \$7,200

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Amendment 7 to Memorandum of Understanding (MOU) with Iowa Department of Public Health for Tuberculosis Program funding

Agenda Date: 8/17/2021

Contact Individual: Scott Slater, 286-3752

Previous Action taken by the Board: Original MOU approved 2/16/2021, Amendment 1 to MOU approved 3/16/2021, Amendment 2 to MOU approved on 3/30/2021, Amendment 3 to MOU approved on 4/6/2021, Amendment 4 to MOU approved on 6/29/2021, Amendment 5 to MOU approved on 7/20/2021 and Amendment 6 to MOU approved on 7/27/2021.

Board/Commission Actions: None

Action Requested (Recommended): Approval

Comply with Policy: Controlling the spread of communicable disease in Polk County is an essential public health function and mandated by Iowa law.

Background: The Iowa Department of Public Health provided funding to cover some of the costs related to detection and prevention of tuberculosis in Polk County. The amount awarded for the contract year January 1, 2021 through December 31, 2021 was \$900. Amendment 1 to MOU increased the amount by an additional \$900 to \$1,800, Amendment 2 to MOU increased the amount by an additional \$900 to \$2,700, Amendment 3 to MOU increased the amount by an additional \$900 to \$3,600, Amendment 4 to MOU increased the amount by an additional \$900 to \$4,500, Amendment 5 to MOU increased the amount by an additional \$900 to \$5,400 and Amendment 6 to MOU increased the amount by an additional \$900 to \$6,300.

This Amendment 7 to MOU increases the amount by an additional \$900 to \$7,200.

Action Impact: These funds will be used to help offset staff costs for providing Direct Observed Therapy (DOT) for suspected/confirmed cases of pulmonary Tb cases.

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
21/21	Y	\$2250	\$2250	Y	10223011.74290	10223011.52290
21/22	Y	\$4950	\$4950	Y	10223011.74290	10223011.52290

Additional Fiscal Note Information (optional) State and federal CFDA 93.116

RESOLUTION

MOVED BY _____ SECONDED BY _____

WHEREAS, pursuant to Iowa Code Section 427.8, the owner of the property located at 4580 NE 23rd Avenue, Des Moines, Iowa, parcel number 7923.28.476.008 (the Property), applied for and was granted a property tax suspension for the 2016 assessment year by the Polk County Board of Supervisors on September 10, 2019; and

WHEREAS, at the time the suspension of property taxes for the 2016 assessment year was approved, the 2015 assessment year taxes were also delinquent on the Property; and

WHEREAS, the application for property tax suspension should have included suspension for the 2015 assessment year taxes on the Property; and

WHEREAS, due to the omission of the 2015 assessment year taxes on the original application, the Polk County Treasurer's Office is requesting approval to suspend the 2015 assessment year taxes as of the original date of approval of September 10, 2019.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Iowa Code Section 427.8, the Polk County Board of Supervisors finds that the 2015 assessment year taxes on the Property should have been suspended with the 2016 assessment year taxes. Therefore, Polk County Board of Supervisors directs the Polk County Treasurer to suspend the 2015 assessed taxes, payable 2016/2017, as of September 10, 2019.

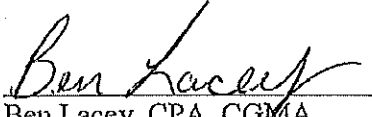
Approved this 17th day of August 2021.

POLK COUNTY, IOWA

Angela Connolly, Chairperson

#15

RECOMMENDED BY:

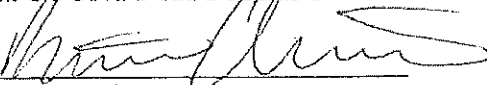


Ben Lacey, CPA, CGMA
CEO, Polk County Treasurer

APPROVED AS TO FORM:

JOHN P. SARCONI

POLK COUNTY ATTORNEY

By: 

Assistant County Attorney

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Property Tax Suspension

Agenda Date: August 17, 2021

Contact Individual: Ben Lacey

Previous Action taken by the Board: September 10, 2019 approval for property tax suspension of the 2016 assessed year taxes on parcel 7923.28.476.008 per Iowa Code section 427.8.

Board/Commission Actions:

Action Requested (Recommended): Property tax suspension of the 2015 assessed year taxes on parcel 7923.28.476.008.

Background:

A petition to suspend the 2016 assessed year taxes for parcel 7923.28.476.008 was approved by the Board of Supervisors on September 10, 2019. However, the 2015 assessed year taxes were omitted from the petition. The Treasurer is requesting approval to suspend the 2015 assessed year taxes, as of the original suspension approval date of September 10, 2019, to correct the omission.

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

Suspension of \$2,676.00 (\$2,354.00 Tax, \$318.00 Interest, \$4.00 Fees) in property tax and \$44.92 (\$38.92 assessment, \$6.00 Interest) in special assessments.

RESOLUTION

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

WHEREAS, the Iowa Legislature recently amended Iowa Code section 815.7, increasing reasonable compensation for appointments of court attorneys made on or after July 1, 2021, for all cases not involving felony criminal charges, from \$63.00 per hour to \$66.00 per hour.

WHEREAS, court appointed attorneys have now begun to submit fee claims payable by Polk County, which were incurred following July 1, 2021.

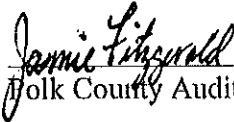
WHEREAS, it is in the best interests of Polk County to amend its comprehensive court appointed attorney fee schedule, in situations where the County may be held responsible for these costs, to be consistent with the updated version of Iowa Code section 815.7.

NOW, THEREFORE, BE IT RESOLVED the reasonable compensation for Court appointed attorneys shall be increased from \$63.00 per hour to \$66.00 per hour, subject to a maximum of two hundred dollars (\$200.00) in cases where the County is responsible for payment. Additional compensation at the rate of \$66.00 per hour may be paid for the court appointment only if the Court has granted a Motion to Exceed the Guidelines prior to submission of the invoice for payment. This resolution becomes effective upon its approval.

POLK COUNTY BOARD OF SUPERVISORS

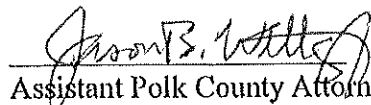
Chairperson

SUBMITTED BY :



Polk County Auditor

APPROVED AS TO FORM:



Assistant Polk County Attorney

#16

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Approval of resolution establishing hourly rates for court appointed attorneys for guardianships, conservatorships, court visitors (guardian ad litem), mental health and substance abuse commitments and child custody investigators/child and family reporters.

Agenda Date: 08/17/2021

Contact Individual: Keith Olson, 286-3418

Previous Action taken by the Board: The Board previously affirmed a \$63.00 hourly rate for court appointed attorneys on January 7, 2020.

Board/Commission Actions: Polk County may be obligated to pay these court appointed attorney fees pursuant to a court order in cases where the parties are indigent.

Action Requested (Recommended): Approval

Comply with Policy: This action is necessary to pay hourly court appointed attorney fees in accordance with applicable Iowa Code sections and to help establish uniform and consistent hourly rates for these types of court cases.

Background: The Iowa Legislature recently amended Iowa Code to provide that reasonable compensation for appointments of court attorneys shall be calculated on the basis of \$66.00 per hour for cases not involving felony criminal charges.

Action Impact: Small increase in the hourly rate for court appointed attorney fees associated with guardianships, conservatorships, court visitors (guardian ad litem), mental health and substance abuse commitments, child custody investigators and child and family reporters.

Fiscal Note: there will be a relatively small increase in the amount of court appointed attorney fees paid by Polk County.

**POLK COUNTY AUDITOR
COURT APPOINTED FEE SCHEDULE**

Resolution # _____

Court Appointed Fee Schedule

<u>Types of Court Appointment</u>	<u>Attorney Fees</u>
Probate – Guardianships and Conservatorships	\$66.00 per hour
Court Visitor (Guardian ad litem)	\$66.00 per hour
Mental Health and Substance Abuse Commitments	\$66.00 per hour
Child Custody Investigators and Child and Family Reporters	\$66.00 per hour

Notes:

- (1) This attorney fee schedule is subject to a maximum of \$200.00 per case unless the Court were to grant a motion to exceed these guidelines.

Effective Date: August 17, 2021

RESOLUTION

MOVED by _____ **SECONDED** by _____

That the following Resolution be adopted:

WHEREAS, The Polk County Board of Supervisors provides workers compensation benefits for Polk County employees in accordance with Iowa Code Chapters 85, 86 and 87, and

WHEREAS, in order to provide Polk County employees the opportunity to promptly return to the work environment following an occupational injury, the Polk County Human Resources Department has developed a Temporary Suitable Work Policy reflected in the attachment hereto, and

WHEREAS, the implementation of said policy will help to reduce workers' compensation costs, minimize lost productivity, minimize costs associated with replacement workers and training, and reduce unnecessary litigation, and

WHEREAS, it is the desire of the Polk County Board of Supervisors to adopt the attached Temporary Suitable Work Policy effective August 17, 2021, and

NOW, THEREFORE, BE IT RESOLVED that Polk County, Iowa approves the adoption of the Temporary Suitable Work Policy and directs the Director of Human Resources to take the steps necessary to implement this policy.

Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

RECOMMENDED FOR APPROVAL:

Jeffrey Edgar
Jeffrey Edgar, Director
Polk County Human Resources

APPROVED AS TO FORM:

John P. Sarcone
Polk County Attorney

By: Ralph Munn
Assistant County Attorney

FISCAL NOTE: N/A

#17

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Adoption of Temporary Suitable Work Policy

Agenda Date: August 17, 2021

Contact Individual: Jeffrey Edgar, Director of Human Resources

Previous Action taken by the Board: N/A

Action Requested (Recommended): Adoption of the attached Temporary Suitable Work Policy.

Comply with Policy: N/A

Background: In an effort to provide Polk County employees the opportunity to promptly return to the work environment following an occupational injury, reduce workers' compensation costs, minimize lost productivity, minimize costs associated with replacement workers and training and reduce unnecessary litigation, the Human Resources Department has developed a Temporary Suitable Work Policy.

Action Impact: Approval of this policy allows the Human Resources Department to take action to facilitate prompt return to work opportunities for the workers' compensation program.

Fiscal Note: There are no costs associated with this action.

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense	Anticipated Revenue	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
21/22	N				N		
22/23	N				N		

Additional Fiscal Note Information (optional): N/A

RESOLUTION

MOVED by _____ SECONDED by _____

that the following Resolution be adopted:

WHEREAS, Iowa Legal Aid's mission is to make hope, dignity, and justice available to low-income Iowans through legal assistance and education that protects fundamental rights, basic necessities and access to the judicial system. Iowa Legal Aid challenges policies and practices that harm low-income persons and empowers clients to advocate for themselves and their communities; and,

WHEREAS, Polk County wishes to assist Iowa Legal Aid in providing these essential civil legal services to low-income Polk County residents through a funding commitment of \$250,000 per year for each of the two upcoming fiscal years.

NOW, THEREFORE, BE IT RESOLVED that Polk County, Iowa approves the terms of the attached agreement with Iowa Legal Aid to continue civil legal services to low-income Polk County resident and authorizes the Chair to sign the attached agreement.

Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

RECOMMENDED FOR APPROVAL:



Sarah Boese
Board of Supervisors

APPROVED AS TO FORM:
JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 

Assistant County Attorney

FISCAL NOTE:

FY21/22, FY22/23
Fiscal Impact: \$250,000

#18

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving Letter of Agreement with Iowa Legal Aid.

Agenda Date: August 17, 2021

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

Previous Action taken by the Board: June 25, 2019

Board/Commission Actions: N/A

Comply with Policy: Yes

Background: Through its Central Iowa Regional Office, Iowa Legal Aid addresses civil legal problems facing low-income Polk County residents, including domestic violence, public benefit programs, foreclosures, evictions, repossessions, consumer fraud, and tax issues. Through its Health and Law Project, Iowa Legal Aid collaborates with local health professionals to identify and resolve civil legal problems that negatively impact the health of low-income Polk County residents.

The Letter of Agreement commits Polk County to contributing \$250,000 in FY 21/22 and \$250,000 in FY 22/23 to help fund the Central Iowa Regional Office and the Health and Law Project. Iowa Legal Aid will use the funding to assist low-income Polk County residents and will provide an annual report to the Polk County Board of Supervisors.

Action Impact: Approves Letter of Agreement

Fiscal Note: \$250,000 in FY 21/22 and FY 22/23 to be paid from gaming revenues.

Fiscal Year	New Budget Item? (Y/N)	# of New Position(s) Required	Anticipated Expense	Anticipated Revenue	Budget Amendment Required? (Y/N)	If Amendment is Required,	
						Expense Account Code	Revenue Account Code
21/22	Y		\$250,000		N	10233314.74420	
22/23			\$250,000			10233314.74420	

Additional Fiscal Note Information (optional): Funding will come out of gaming revenue.