

AGENDA
POLK COUNTY BOARD OF SUPERVISORS
Acting in its capacity as
POLK COUNTY LOCAL BOARD OF HEALTH
Polk County Administrative Office Building
111 Court Avenue - Room 120
April 8, 2025 9:30 A.M.

1. Roll Call.

PUBLIC HEARING
AMENDMENTS TO HEALTH RULES CHAPTER V, AIR POLLUTION

2. Resolution adopting amendments to health rules Chapter V – Air Pollution, and directing the Auditor’s Office to publish; and approving the amendments.
[Item 2 Attachment](#)

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/county-auditor/administration/>*

Live stream the Board of Supervisors meeting at:
<https://www.youtube.com/live/VsmKxZxRRTM>

RESOLUTION

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

WHEREAS, Polk County Local Board of Health conducts a local air pollution control program approved by the Iowa Department of Natural Resources pursuant to Iowa Code section 455B.145; and

WHEREAS, Polk County Local Board of Health Rules and Regulations Chapter V – Air Pollution sets the rules, regulations and requirements of the local program; and

WHEREAS, the Polk County Public Works Director believes it advisable to amend the current air quality program rules and regulations in the manner detailed in Exhibit A in order to update references and cross references, add additional definitions, update emission standards for air pollutants for source categories and add exemptions for construction and operating permits, all in order to make the local program more efficient and retain approval under Iowa Code section 455B.145; and

WHEREAS, a public hearing on the proposed amendments was held on March 11, 2025 and a second public hearing has been held on this date before this body acting in its capacity as the Polk County Local Board of Health and all citizens appearing to comment on the proposed amendments have been heard and this Board has considered any such comments.

NOW, THEREFORE BE IT RESOLVED Polk County Board of Supervisors, acting in its capacity as the Board of Health under Chapter 137 and Supervisors' Resolution of January 6, 1981, does hereby adopt Chapter V-Air Pollution of the Polk County Local Board of Health rules and regulations amendments as set forth in Exhibit A of this resolution. The Rules and Regulations as amended shall be effective on and after the day following the date of publication of the amendments pursuant to section 137.104 of the Code of Iowa; and

BE IT FURTHER RESOLVED that, acting as the Polk County Board of Supervisors, and pursuant of Iowa Code Section 137.104, this Board hereby approves the amendment to the Polk County Local Board of Health Rules and Regulations as set forth in Exhibit A and authorizes the Auditor to cause publication thereof.

Approved this _____ day of _____, 2025.

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

Matt McCoy, Chair
Polk County Board of Supervisors

RECOMMENDED FOR APPROVAL:



Bret VandeLune, Director
Polk County Public Works Department

APPROVED AS TO FORM:

Kimberly Graham
Polk County Attorney

By: 
Assistant County Attorney

FISCAL NOTE: None.

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Public Hearing Resolution No. 57-25 Acting as Polk County Local Board of Health, Resolution adopting amendments to health rules Chapter V - Air Pollution, and directing publication; and acting as Board of Supervisors, approving the amendments.

Agenda Date: April 8, 2025

Contact Individual: Jennifer Bradley, Air Permit Engineer, Polk County Public Works Department, 515-286-2227.

Previous Action taken by the Board: Approved amendment updates and authorized the Auditor to cause publication thereof.

Board/Commission Actions: N/A

Comply with Policy: Yes.

Background: Polk County has a local air quality program approved under IAC Chapter 455B. The County regulations shall be consistent with state regulations to retain program approval. In 1981, this Board appointed itself to act as the local board of health pursuant to Iowa Code Chapter 137. While many Board of Health duties are delegated to the Board of Health Advisory Committee, this Board retains authority to adopt and revise health regulations. Iowa Code §137.104 authorizes County Boards of Health to adopt rules subject to approval by the County Board of Supervisors, thus this resolution reflects this Board's dual capacity as both Board of Health and Board of Supervisors. Chapter V-Air Pollution Code amendments were published for public comment beginning on March 3, 2025. The first public hearing was held on March 11, 2025. The second public hearing will be held April 8, 2025.

Action Impact: The proposed rule changes will update County regulations to conform to Federal and State rules, thus allowing the County program to retain state approval under Iowa Code section 455B.145. The proposed amendments are updates for consistency with 567 Iowa Administrative Code (IAC) references, definitions, procedures, standards and exemptions as outlined in the Notice of Public Hearing (Exhibit B).

Fiscal Note: No impact, however failure to adopt the proposed rules may result in loss of program certification and corresponding loss of Federal and State grant funding.

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
25/26	N	NA	NA	NA	N		

Additional Fiscal Note Information (optional): None.