

POLK COUNTY BOARD OF SUPERVISORS AGENDA
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING
111 COURT AVENUE - ROOM 120
FEBRUARY 22, 2022 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. Renewal application for Class “E” Liquor, Class “B” Wine, Class “C” Beer and Sunday Sales Permit for Casey’s General Store #1901, 2541 NW 66th Avenue.

RESOLUTIONS

- *7. Resolution approving Cooperative Public Service Agreement with the City of Pleasant Hill (backup building inspections).
8. Resolution approving final plat of Gracey Development Plat 3.
9. Resolution approving final plat of Hall Acres.
- *10. Resolution approving amendment to agreement with Iowa Department of Public Health for Integrated HIV and Viral Hepatitis Counseling, Testing and Referral Services.
- *11. Resolution approving agreement with Iowa Department of Justice, Crime Victim Assistance Division, for additional sexual assault service funding.
- *12. Resolution approving agreement with MidAmerican Energy for the curtailment program at the Polk County Jail.
- *13. Resolution approving agreement with MidAmerican Energy for the curtailment program at River Place.
- *14. Resolution approving Governor’s Office of Drug Control Policy Methamphetamine Drug Hot Spots Task Force Grant.
- *15. Resolution approving Bryne Justice Assistance Grant for Residential Substance Abuse Treatment.
- *16. Resolution authorizing disbursement of funds from Integrated Services Agency Risk Account for reimbursement of services provided by Peace Tree Community Living.

17. Resolution denying request by Ron and Nancy Cherkas to refund a portion of property taxes paid (between 1992-2020) for not properly applying a flood plain exemption.
18. Resolution approving funding commitment to Meals on Wheels for the Intergenerational Hub.

COMMUNICATIONS

- *19. City of Ankeny notice of consultation concerning petition to annexation of land by the City.
- *20. City of Polk City meeting notice regarding Polk City Area II Urban Renewal Area Amendment.
- *21. City of Bondurant voluntary annexation within urbanized area of the City of Altoona.
- *22. City of Des Moines voluntary annexation within the urbanized area of the City of Ankeny.

BUDGET ACTIONS

23. Memorandum of Budget Actions.

APPOINTMENTS

24. 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=YXlhWjlpQXh0cGxpbFNEb0tTOEVUZz09>
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/u/aQaCg3w9O>

RESOLUTION

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

WHEREAS, the Polk County Board of Supervisors as a public agency, may enter into an agreement with a public or private agency to cooperate in the provision of services to the public and to cooperate in other ways to mutual advantage; and

WHEREAS, the Polk County Public Works Department has developed an "Agreement for Cooperative Services" with the City of Pleasant Hill for backup building inspections; and

WHEREAS, the City of Pleasant Hill has approved the agreement.

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

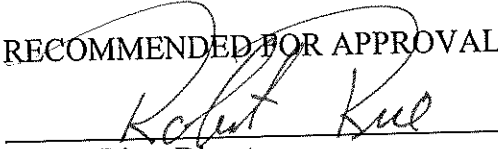
BE IT FURTHER RESOLVED that the Public Works Department return a copy of the signed agreement to the City of Pleasant Hill and administer the agreement on behalf of Polk County.

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly, Chairperson

RECOMMENDED FOR APPROVAL:


Robert Rice, Director
Polk County Public Works Department

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY


Assistant County Attorney

FISCAL IMPACT: Expenditures for this Agreement to be drawn from the current FY 2021/2022 Polk County Public Works budget.

#7

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 24-22 to approve a Cooperative Public Service Agreement with City of Pleasant Hill for the backup building inspections.

Agenda Date: February 22, 2022

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

Previous Action taken by the Board: Similar agreements as needed

Board/Commission Actions: None

Action Requested (Recommended): Approves the terms of the attached agreement, adopts the agreement, and authorizes the Chairperson to execute the agreement on behalf of Polk County. Directs the Public Works Department return a copy of the signed agreement to City of Pleasant Hill and administer the agreement on behalf of Polk County.

Comply with Policy: Yes

Background: Polk County Public Works requested this Cooperative Service Agreement with the City of Pleasant Hill for the City to provide backup building inspections. Agreement is needed due to transition of building inspectors for the County. Public Works and the City will coordinate to provide needed backup building inspections. The attached agreement lays out the responsibility for each entity. The attached agreement has been reviewed and approved by the City of Pleasant Hill. The Public Works Department prepared the agreement which expires on May 31, 2022.

Action Impact: The resolution establishes the responsibilities of each jurisdiction for the City to provide backup building inspections as per the terms of the Cooperative Services Agreement.

Fiscal Note: \$10,000

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	Y	\$10,000	0	N		

Additional Fiscal Note Information (optional): covered by current Public Works budget

RESOLUTION

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

WHEREAS, the owner of land located in Section 32, Township 80 North, Range 24 West of the 5th P.M. (Crocker Township), Polk County, Iowa, wishes to subdivide and plat their land into a major subdivision final plat known as Gracey Development Plat 3; and

WHEREAS, the major subdivision final plat proposes one (1) non-residential lot and one (1) single family residential lot on 4.06 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 February 9, 2021, voted five (5) to zero (0), to approve the major subdivision preliminary plat of Gracey Development Plat 3; and

WHEREAS, the Polk County Public Works Department has reviewed the major subdivision final plat and recommends that it be approved.

NOW, THEREFORE, BE IT RESOLVED Polk County, Iowa approves the major subdivision Final Plat of Gracey Development Plat 3 and authorizes the Chairperson of the Polk County Board of Supervisors to sign the Resolution.

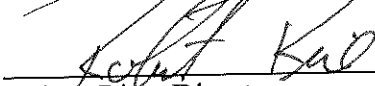
Sewer Service:	On-site wastewater treatment system
Water Service:	Des Moines Water Works
Zoning:	"RR" Rural Residential District
Platted by:	Wayne Frame
Engineer:	Associated Engineering Company of Iowa
Location:	The subject property is located approximately ¼ mile southeast of the NW Toni Drive and NW Fisher Lane intersection. The current address is 7297 NW Fisher Lane and identified as District/Parcel # 180/00780-812-001
Township:	Crocker

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA:

Angela Connolly, Chairperson

~~RECOMMENDED FOR APPROVAL:~~



Robert Rice, Director
Polk County Public Works Department

FISCAL NOTE: None

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 25-22 approving the Final Plat of Gracey Development Plat 3, a major subdivision final plat.

Agenda Date: February 22, 2022

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

Previous Action taken by the Board: On February 9, 2021 the Polk County Board of Supervisors voted unanimously, with none absent, to approve the Preliminary Plat of Gracey Development Plat 3.

Board/Commission Actions: The major preliminary subdivision plat was approved by the Board of Supervisors as noted above.

Action Requested (Recommended): Approval of the Final Plat of Gracey Development Plat 3.

Comply with Policy: Yes. The subdivision complies with the requirements of the Polk County Zoning and Subdivision Ordinances.

Background: This major final subdivision plat proposes the re-establishment and adjustment of lot boundaries to create one (1) non-residential lot with an existing pre-school/daycare and one (1) single family residential lot on 4.06-acres of land zoned "RR" Rural Residential District. No new streets are proposed.

Action Impact: Approval of the Final Plat allows for its 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

Gracey Development Plat 3 **Final Plat**

PLAT INFORMATION: This major subdivision plat proposes one (1) Lot for the existing non-residential use and one (1) Lot for a single-family residence on approximately 4.06 acres zoned "RR" Rural Residential District. The subject property consists of one (1) existing tax parcel and contains one (1) existing building utilized for the Cottontail Montessori School addressed as 7297 NW Fisher Lane, located within Section 32 of Crocker Township.

TOWNSHIP: Crocker

SEWER: Individual Wastewater Systems

WATER: DMWW

OWNER/DEVELOPER: Wayne Frame

SURVEYOR/ENGINEER: Associated Engineering Company of Iowa

Vicinity Map:



RESOLUTION

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

WHEREAS, the owners of land located in Section 26, Township 81 North, Range 23 West of the 5th P.M. (Elkhart Township), Polk County, Iowa, wish to subdivide and plat their land into a minor subdivision final plat known as Hall Acres; and

WHEREAS, the minor subdivision final plat proposes two (2) single-family residential lots and three (3) street lots for existing right-of-way on 113.15-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 Public Works Department has reviewed and approved the minor subdivision preliminary plat on October 19, 2021; and

WHEREAS, the Polk County Public Works Department has reviewed the minor subdivision final plat and recommends that it be approved.

NOW, THEREFORE, BE IT RESOLVED Polk County, Iowa approves the minor subdivision final plat of Hall Acres and authorizes the Chairperson of the Polk County Board of Supervisors to sign the Resolution.

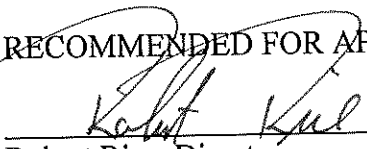
Sewer Service:	On-site wastewater treatment systems
Water Service:	Des Moines Water Works
Zoning:	"AG" Agricultural District
Platted by:	Randall R. & Kay D. Hall (Property Owners/Developer)
Engineer:	Pelds Design Services
Location:	The subject property is located at the northeast corner of the NE 126 th Avenue and NE 56 th Street intersection.
Township:	Elkhart

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA:

Angela Connolly, Chairperson

RECOMMENDED FOR APPROVAL:


Robert Rice, Director
Polk County Public Works Department

FISCAL NOTE: None

#9

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution No. 23-22 approving the minor subdivision final plat of Hall Acres.

Agenda Date: February 22, 2022

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: None. This is a minor subdivision plat.

Action Requested (Recommended): Approval

Comply with Policy: Yes. The plat complies with the requirements of the Polk County Zoning and Subdivision Ordinances. The minor subdivision final plat was reviewed and recommended for approval by the Public Works Department.

Background: This minor subdivision final plat proposes two (2) single-family residential lots and three (3) street lots for existing right-of-way from one (1) existing parcel containing 113.15-acres of land, zoned "AG" Agricultural District. The layout proposes one new 3.71-acre lot with frontage to the west along NE 56th Street. The existing homestead will remain on the second lot along with the existing farm land. No new streets are proposed.

Action Impact: Approval of the Final Plat allows for its 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

Hall Acres Final Plat

PLAT INFORMATION: This minor subdivision proposes two (2) single-family residential lots and three (3) street lots for existing right-of-way from one (1) existing parcel containing 113.15-acres of land, zoned "AG" Agricultural District. The subject property is located at the northeast corner of the NE 126th Avenue and NE 56th Street intersection, Section 26 of Elkhart Township.

SEWER: On-site wastewater treatment systems

WATER: Des Moines Water Works

TOWNSHIP: Elkhart

OWNER/DEVELOPER: Randall R. & Kay D. Hall

SURVEYOR/ENGINEER: Pelds Design Services

Vicinity Map:



RESOLUTION

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

WHEREAS, the Iowa Department of Public Health (IDPH) allocated funds to Polk County to conduct Integrated HIV and Hepatitis Counseling, Testing and Referral (CTR) services; and

WHEREAS, on January 25, 2022, Polk County, Iowa approved Contract # 5882AP10 that allocated \$184,217 to continue expanding these services for the contract period covering January 1, 2022 through December 31, 2022; and

WHEREAS, IDPH received only a percentage of its federal award at that time, so the initial contract was for \$119,208. The remaining award would be disbursed via future contract amendments; and

WHEREAS, this Amendment 1 to Contract #5882AP10 adds an additional \$15,000 for a new total of \$134,208 and the total award amount increases to \$199,217.

NOW, THEREFORE, BE IT RESOLVED: That Polk County, Iowa approves the terms of the attached Amendment 1 to Contract #5882AP10 with the Iowa Department of Public Health to fund Integrated HIV and Viral Hepatitis Counseling, Testing and Referral (CTR) services in Polk County, and authorizes the Chairperson of the Polk County Board of Supervisors to sign said Amendment 1 to Contract #5882AP10 on behalf of Polk County, Iowa.

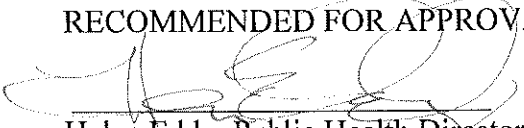
NOW, THEREFORE, BE IT FURTHER RESOLVED: That the Director of the Polk County Health Department, or her designee, be authorized to execute any and all documents in furtherance of this Amendment 1 to Contract #5882AP10.

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

RECOMMENDED FOR APPROVAL:


Helen Eddy, Public Health Director
Polk County Health Department

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

#10

By: Mal
Assistant County Attorney

FISCAL NOTE: \$134,208

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Amendment 1 to Contract # 5882AP10: Agreement with Iowa Department of Public Health (IDPH) for Integrated HIV and Viral Hepatitis Counseling, Testing and Referral Services at the Polk County Health Department.

Agenda Date: 2/22/22

Contact Individual: Scott Slater, 286-3752

Previous Action taken by the Board: Original Contract #5882AP10 approved by BOS on 1/25/2022

Board/Commission Actions: None

Action Requested (Recommended): Approval

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

Background: Each year, the Iowa Department of Public Health awards funds to Polk County to carry out HIV and Hepatitis C Prevention, Counseling, Testing and Referral, and Hepatitis immunization services for at-risk individuals. Funding for this year was \$184,217 for the period January 1, 2022 through December 31, 2022. However, IDPH only received a percentage of its federal award at that time, so the initial contact amount was \$119,208. Amendments with additional funding will be forthcoming.

Action Impact: This Amendment 1 to Contract # 5888IAP10 adds an additional \$15,000 for a new total of \$134,208 and increase the overall award amount to \$199,217.

Fiscal Note:

Fiscal Year	Budget- ed? (Y/N)	Anticipat ed Expense	Anticipat ed Revenue	Ongoing Commitm ent? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
21/22	Y	67,107	67,107	Y	10223011.74211	10223011.52480
22/23	Y	67,107	67,107	Y	10223011.74211	10223011.52480

Additional Fiscal Note Information (optional): Funding Federal \$131,958. State Funding \$2,250.

RESOLUTION

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

WHEREAS, Polk County, Iowa through Crisis and Advocacy Services (CAS) is eligible for additional grant funding from the Iowa Department of Justice Crime Victim Assistance Division (CVAD); and

WHEREAS, the period of performance for this Agreement with CVAD is October 1, 2021 through September 30, 2025; and

WHEREAS, CVAD agrees to reimburse CAS for actual costs incurred in the performance of the project in an amount not to exceed \$42,230; and

WHEREAS, no matching funds are required.

NOW, THEREFORE, BE IT RESOLVED that Polk County, Iowa approves the terms of the attached Agreement with the Iowa Department of Justice Crime Victim Assistance Division for additional funding for victims of sexual assault, and authorizes the Chairperson of the Polk County Board of Supervisors to sign said Agreement on behalf of Polk County, Iowa, and gives designated personnel of CAS permission to document this electronically.

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly, Chairperson

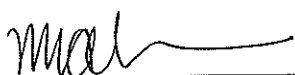
RECOMMENDED FOR APPROVAL:



Eric Kool, Director
Polk County Community, Family and Youth Services

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 

Assistant County Attorney

FISCAL NOTE:

#11

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Agreement between Polk County, Iowa and the Iowa Department of Justice Crime Victim Assistance Division for additional sexual assault service funding.

Agenda Date: February 22, 2022

Contact Individual: Joy Ihle, Deputy Director
Community, Family & Youth Services
515-286-2062

Previous Action taken by the Board: None.

Board/Commission Actions

Action Requested (Recommended): Approval is recommended.

Comply with Policy: Yes.

Background: Polk County, Iowa through Crisis and Advocacy Services (CAS) receives federal and state grant money each year from the Iowa Department of Justice Crime Victim Assistance Division (IDJ-CVAD). There is additional funding available to provide services for victims of sexual abuse. At CAS these additional funds will be used to provide victims of sexual assault with client assistance funds and to provide contracted animal assisted support/therapy services. With these funds, victims of sexual assault will also have access to additional client assistance funds that can help stabilize victims who need short term financial assistance.

The term of this performance period is October 1, 2021 - September 30, 2025. The amount of this award is \$42,230. No matching funds are required.

Action Impact: Approval of this grant award will allow Polk County Crisis & Advocacy Services to continue providing animal assisted support/therapy and short term financial assistance to victims of sexual assault.

Fiscal Note:

Federal Fiscal Year	Budgeted? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
STATE FY 21-25	Y	\$0	\$42,230	N	10233412.77440.01	10233412.52460.01

Additional Fiscal Note Information (optional):

RESOLUTION

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

WHEREAS, Polk County General Services Department has a goal of identifying ways to reduce operating costs or generate operating revenues whenever possible; and

WHEREAS, MidAmerican Energy Company, Polk County's electrical utility, offers a Curtailment Program to customers who can reduce their electrical demand for up to six (6) hours during the summer season of June through September, when electric demand is the greatest; and

WHEREAS, Polk County has been a participant in MidAmerican Energy's Curtailment Program since 1999; and

WHEREAS, MidAmerican would pay a rebate to Polk County, based on the total number of curtailment events at the Polk County Jail.

WHEREAS, MidAmerican Energy is offering Polk County a one (1) year curtailment contract, from June 1, 2022 through May 31, 2023, for the Polk County Jail.

NOW, THEREFORE, BE IT HEREBY RESOLVED, Polk County, Iowa approves the terms of the attached Agreement, with MidAmerican Energy, and authorizes the Chairperson of the Polk County Board of Supervisors to sign said Agreement on behalf of Polk County, Iowa.

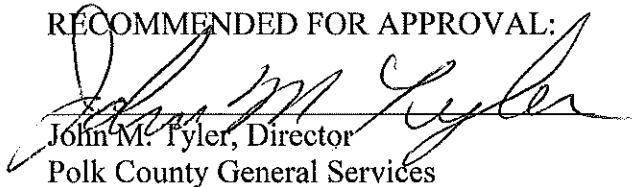
Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

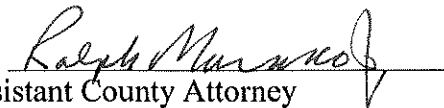
21/22-006

RECOMMENDED FOR APPROVAL:


John M. Tyler, Director
Polk County General Services

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 
Assistant County Attorney

Fiscal Note: This program would generate an estimated revenue of \$30,000.00

#12

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving one (1) year agreement with MidAmerican Energy for their Curtailment Program at the Polk County Jail.

Agenda Date: February 22, 2022

Contact Individual: John M. Tyler, Director of General Services
286-3129

Previous Action taken by the Board:

Board/Commission Actions:

Action Requested (Recommended): This resolution approves a one (1) year curtailment agreement for the Polk County Jail and authorizes the chairperson to sign the agreement.

Comply with Policy:

Background: Polk County has participated in this program since 1999. The Curtailment Annual Contract requires that the facility operate on generator power when directed by MidAmerican Energy. During a typical summer, when electric demand is greatest.

Action Impact:

Fiscal Note: This program would generate an estimated annual revenue of \$30,000

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
22/23		NA	30,000			

Additional Fiscal Note Information (optional):

RESOLUTION

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

WHEREAS, Polk County General Services Department has a goal of identifying ways to reduce operating costs or generate operating revenues whenever possible; and

WHEREAS, Mid American Energy Company, Polk County's electrical utility, offers a Curtailment Program to customers who can reduce their electrical demand for up to six (6) hours during the summer season of June through September, when electric demand is the greatest; and

WHEREAS, Polk County has been a participant in Mid-American Energy's Curtailment Program since 1999; and

WHEREAS, Mid American would pay a rebate to Polk County, based on the total number of curtailment events for Polk County River Place.

WHEREAS, Mid American Energy is offering Polk County a one (1) year curtailment contract, from June 1, 2022 through May 31, 2023, for Polk County River Place.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that Polk County, Iowa approves the River Place Curtailment Agreement with Mid-American Energy for a one (1) year agreement and authorizes the Chairperson of the Polk County Board of Supervisors to sign said Agreement.

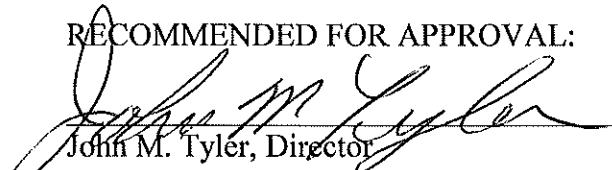
Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Chairperson, Angela Connolly

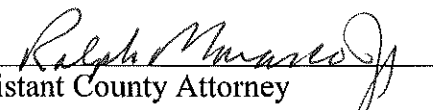
21/22-007

RECOMMENDED FOR APPROVAL:


John M. Tyler, Director
Polk County General Services

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 
Assistant County Attorney

Fiscal Note: This program would generate an estimated revenue of \$13,500

#13

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving one (1) year agreement with Mid-American Energy for their Curtailment Program at River Place.

Agenda Date: February 22, 2022

Contact Individual: John M. Tyler, Interim Director of General Services
286-3129

Previous Action taken by the Board:

Board/Commission Actions:

Action Requested (Recommended): This resolution approves a one (1) year curtailment agreement for Polk County River Place and authorizes the chairperson to sign the agreement.

Comply with Policy:

Background: Polk County has participated in this program since 1999. The Curtailment Agreement requires that the facility operate on generator power when directed by Mid-American Energy, during a typical summer, when electric demand is greatest, each lasting up to 6 hours.

Action Impact:

Fiscal Note: This program would generate an estimated revenue of \$13,500

Fiscal Year	Budget- ed? (Y/N)	Anticipated Expense	Anticipated Revenue	Ongoing Commitment? (Y/N)	If Amendment is Required,	
					Expense Account Code	Revenue Account Code
22/23		NA	\$13,500			

Additional Fiscal Note Information (optional):

RESOLUTION

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

WHEREAS, the Polk County Sheriff's Office is the fiscal agent of the Mid Iowa Narcotics Task Force (MINE TF); and

WHEREAS, the Governor's Office of Drug Control Policy previously awarded the MINE TF a Methamphetamine Drug Hot Spots Grant (Grant #19-CAMP-12) in the amount of \$28,000 from July 1, 2021 through June 30, 2022; and

WHEREAS, these funds are intended to pay for approved overtime costs of the member agencies of the MINE TF in its efforts to assist in the Methamphetamine Drug Hot Spots Task Force Program; and

WHEREAS, an increase of \$3,000 for this grant for a total amount of \$31,000 and an extension of the grant period through December 31, 2022 has been awarded to the MINE TF; and

WHEREAS, the award requires no matching funds.

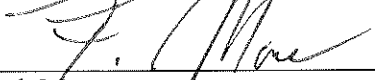
NOW, THEREFORE BE IT RESOLVED Polk County, Iowa approves and authorizes the Chairperson of the Polk County Board of Supervisors to sign said grant award on behalf of Polk County, Iowa.

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

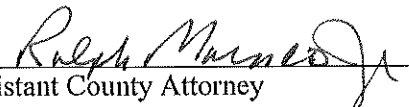
RECOMMENDED FOR APPROVAL:



Frank Marasco
Polk County Sheriff's Office

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 
Assistant County Attorney

#14

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Governor's Office of Drug Control Policy Methamphetamine Drug Hot Spots Task Force Grant

Agenda Date: 02/22/2022

Contact Individual: Frank Marasco, 515-286-3943, frank.marasco@polkcountyiowa.gov

Action Requested (Recommended): Resolution authorizes the receipt of funds from the Iowa Governor's Office of Drug Control Policy.

Background: The Polk County Sheriff's Office is the fiscal agent of the Mid Iowa Narcotics Task Force (MINE TF). The Governor's Office of Drug Control Policy previously awarded the MINE TF a Methamphetamine Drug Hot Spots Grant from July 1, 2021 through June 30, 2022 to pay for approved overtime costs of the member agencies of the MINE TF. The Resolution approves the receipt of an additional \$3,000 for this grant and extends the grant through December 31, 2022.

Action Impact: This grant continues the MINE TF efforts to assist in the Methamphetamine Drug Hot Spots Task Force Program to pay for approved overtime costs of the member agencies of the MINE TF.

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
21/22	Y	\$28,000	\$28,000	Y	10041012.79580	10041012.52460
22/23	Y	\$3,000	\$3,000	Y	10041012.79580	10041012.52460

Additional Fiscal Note Information (optional):

RESOLUTION

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

WHEREAS, the Polk County Sheriff's Office has applied for and has been awarded a Byrne Justice Assistance Grant (Grant #20-RSAT-01) for a Residential Substance Abuse Treatment program and which is administered by the Polk County Sheriff's Office for FY 21/22 through FY 22/23; and

WHEREAS, the total amount of this grant award is \$321,455, which includes 25% match of \$80,364 for its partnership with Bridges of Iowa residential substance abuse treatment program; and

WHEREAS, the net award to Polk County is \$241,091; and

WHEREAS, these funds will be used to further expand substance abuse treatment to those who would otherwise be incarcerated in the Polk County Jail.

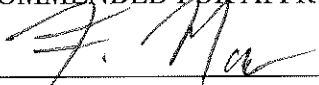
NOW, THEREFORE BE IT RESOLVED Polk County, Iowa approves and authorizes the Chairperson of the Polk County Board of Supervisors to sign said grant award on behalf of Polk County, Iowa.

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

RECOMMENDED FOR APPROVAL:



Frank Marasco
Polk County Sheriff's Office

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 
Assistant County Attorney

#15

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving Byrne Justice Assistance Grant for Residential Substance Abuse Treatment.

Agenda Date: 02/22/2022

Contact Individual: Frank Marasco, 515-286-3943, frank.marasco@polkcountyiowa.gov

Action Requested (Recommended): Resolution authorizes the receipt of Justice Assistance Grant Program funds from the Iowa Office of Drug Control Policy.

Background: Polk County, in partnership with Bridges of Iowa, applied for and has been awarded a Byrne Justice Assistance Grant. The grant is for the continued funding of the residential substance abuse treatment program which is administered by Bridges of Iowa. Bridges of Iowa and Polk County have been active partners in residential substance abuse treatment for a number of years. This award provides treatment to individuals who may otherwise be incarcerated in the Polk County Jail.

The amount of the Grant award is \$321,455, with the net amount to Polk County of \$241,091 following the required 25% match of \$80,364.

Action Impact: Polk County would authorize receipt of the grant award, with a net amount of \$241,091 which is a pass-through expense for funding to Bridges of Iowa.

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
21/22	N	\$120,545	\$120,545	N	10041051.79580	10041051.52460
22/23	N	\$120,546	\$120,546	N	10041051.79580	10041051.52460

Additional Fiscal Note Information (optional):

RESOLUTION

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

WHEREAS, on June 18, 2019, Polk County, Iowa; Polk County Health Services, Inc.; and Broadlawns Medical Center entered into a three-party Integrated Services Agency Contract to provide services within the integrated services program; and

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

WHEREAS, section 6.4 of the contract contains a provision establishing a Risk Account to insure Lead Agencies against adverse risk, unforeseen catastrophes or other difficulties outside of the Lead Agency's control; and

WHEREAS, section 6.1 of the contract contains a provision establishing the Risk Account is to be controlled and administered by Polk County Health Services, Inc., and

WHEREAS, section 6.4.3 of the contract outlines the conditions under which a Lead Agency must demonstrate events outside of their control in order to request funds from the Risk Account; and

WHEREAS, disbursements from the Risk Account are subject to the approval of the Polk County Board of Supervisors; and

WHEREAS, Broadlawns Medical Center has requested to access the Risk Account the amount of \$12,050.63 to reimburse Peace Tree Community Living services delivered during the period of October 1, 2021 through October 31, 2021 for one individual client.

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors authorizes the disbursement of monies from the Risk Account in the amount of \$12,050.63 to be paid to Peace Tree Community Living for the reimbursement services delivered during the period of October 1, 2021 through October 31, 2021 for one client within the Broadlawns Medical Center Integrated Service Agency , and authorizes the Chairperson of the Polk County Board of Supervisors to sign this resolution on behalf of Polk County, Iowa.

Approved this ____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly
Chair,
Polk County Board of Supervisors

#16

Resolution
Integrated Service Agency Contract (Broadlawns)

RECOMMENDED FOR APPROVAL:

Elizabeth Cox
Polk County Health Services, Inc.

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 
Assistant County Attorney

FISCAL NOTE: Fiscal impact to Fund 10 is \$0

POLK COUNTY BOARD OF SUPERVISORS

Agenda Memorandum

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

Agenda Date: February 22nd, 2022

Contact Individual: Elizabeth Cox, Polk County CEO

Previous Action taken by the Board: The Polk County Board of Supervisors previously approved a three-party Contract between Polk County, Iowa, PCHS, Inc., and Broadlawns Integrated Services Agency provider.

Board/Commission Actions: Approval.

Action Requested (Recommended):

Approval of award of Risk Pool funds and authorization for PCHS, Inc. to pay funds previously withheld from provider payments on behalf of the Polk County Mental Health and Disability Services Region.

Comply with Policy: The proposal meets established criteria for accessing the risk account.

Background: Effective July 1, 2019, Polk County, Iowa and PCHS, Inc, entered into a three-party, three-year contract with Broadlawns Medical Center to participate in the integrated services project to provide integrated, wrap-around services. 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 Lead Agencies and approved by the Polk County Health Services, Inc. Board of Directors and the Polk County Mental Health and Disability Services Regional Governing Board. Broadlawns Medical Center is requesting \$12,050.63 from the Risk Pool for services for one individual client.

Action Impact: PCHS, Inc. will award funds from the Risk Pool which were previously withheld from provider payments.

Fiscal Note:

Fiscal Year	Budgeted? (Y/N)	Anticipated	Anticipated	Ongoing	If Amendment is Required,	
		Expense	Revenue	Commitment? (Y/N)	Expense Account Code	Revenue Account Code
21/22	N/A	\$0	\$0	N		

Additional Fiscal Note Information (optional): No additional expense in current FY 21/22. These funds were withheld from payments made to Integrated Service Agencies during prior year and deposited in a Risk Fund Account held by Polk County Health Services, Inc.

RESOLUTION

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

WHEREAS, the Polk County Board of Supervisors received a "Request for Reimbursement of Overpaid Taxes Due to Not Properly Applying Flood Plain Exemption From 1992-2020 on Property and Residence Owned by Ron and Nancy Cherkas Prior to Sale of Said Property to Woods at Rock Creek Development" ("the Request"); and

WHEREAS, the Request was dated April 2, 2021; and

WHEREAS, Iowa Code Section 445.60 states, "The board of supervisors shall direct the county treasurer to refund to the taxpayer any tax or portion of a tax found to have been erroneously or illegally paid, with all interest, fees, and costs actually paid. A refund shall not be ordered or made unless a claim for refund is presented to the board within two years of the date the tax was due, or if appealed to the board of review, the property assessment appeal board, or district court, within two years of the final decision."

WHEREAS, pursuant to Iowa Code 445.60, the only refunds the board of supervisors is authorized to consider are those for tax years 2018, 2019, and 2020 ("A refund shall not be ordered or made unless a claim for refund is presented to the board within two years of the date the tax was due"); and

WHEREAS, the board of supervisors does not find that any portion of the property taxes paid for the 2018, 2019 and 2020 tax years were erroneously or illegally paid as those terms are defined under Iowa law.

NOW, THEREFORE BE IT RESOLVED Polk County, Iowa, through its board of supervisors, denies the Request in its entirety for the reasons stated herein.

Approved this _____ day of _____, 2022.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

RECOMMENDED FOR APPROVAL



Randy Ripberger
Polk County Assessor

APPROVED AS TO FORM:

JOHN P. SARCONI
POLK COUNTY ATTORNEY

By: 

Assistant County Attorney

#17

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution to deny request by Ron and Nancy Cherkas to refund a portion of property taxes paid between 1992-2020 for “not properly applying a flood plain exemption”.

Agenda Date: February 22, 2022

Contact Individual: Dominic Anania/Randy Ripperger

Board/Commission Actions: NA

Action Requested (Recommended): Resolution denies refunding an unspecified portion of property taxes to Ron and Nancy Cherkas for a period spanning 1992-2020.

Comply with Policy: NA

Background: On April 2, 2021, Ron and Nancy Cherkas requested reimbursement of a portion of property taxes paid between 1992 and 2020 for the Assessor “not properly applying a flood plain exemption” to their property. There exists no such thing as a statutory floodplain exemption. Instead, the location of a property in a floodplain may affect the market value of a property. If the market value of the property is affected by the floodplain, the Assessor will apply a negative factor to the property assessment to reflect the market impact on value.

Iowa Code Section 445.60 mandates the BOS to refund any tax or a portion thereof found to be illegally or erroneously paid. Illegally or erroneously paid are special terms defined by Iowa law as taxes paid due to a jurisdictional defect in the assessment and not a mere error of judgment in valuing the property.

The illegal or erroneously paid analysis only applies to assessment years 2018, 2019 and 2020. That is due to a temporal restriction in Section 445.60 which only allows refunds on claims presented within two years of the date the tax was due.

For assessment years beginning Jan. 1, 2018 and Jan. 1, 2019, the taxpayers have not demonstrated that their property was located in a flood plain. FEMA published a new floodplain maps effective February 1, 2019. Despite this, in 2018 and 2019, the assessor applied a 25% percent reduction in land value due to topography on the property belonging to the Cherkas. Part of this reduction took into account the stream running through one edge of their property. The Assessor made a judgment call on the effect the stream had on the market value of the property. This does not render the property tax paid illegal or erroneous pursuant to Iowa Code Section 445.60.

For assessment year 2020, the Cherkas did receive a 10 percent reduction to the land value as well as the improvement value on their property for the negative effect of its location in the floodplain. The assessor applied this negative factor after reviewing an appraisal in 2020. There is no question that some portion of the property was located in the floodplain at that time (although not the improvements). However, the Cherkas received their requested floodplain factor in 2020 (and 2021) and therefore there is no argument that any portion of their property tax payment is illegal or erroneous.

For the reasons above, the BOS should deny the request made on behalf of the Cherkas.

Action Impact: NA

Fiscal Note: NA

RESOLUTION

MOVED by _____ SECONDED by _____

that the following Resolution be adopted:

WHEREAS, the Polk County Board of Supervisors are active in finding solutions to help the more than 9,000 food insecure older adults in Polk County; and,

WHEREAS, Meals on Wheels believes the critical need of food insecurity and social isolation in older adults and veterans must be addressed. The So Much More Than Meals Campaign is a significant initiative to address both; and,

WHEREAS, The Intergenerational Hub will focus on programming to build intergenerational connections for older adults and veterans as well as connect local non-profits and community partners to decrease the social isolation often experienced by these populations; and

WHEREAS, This project will be able to triple the number of meals prepared and delivered daily from 1,000 – 3,000, as well as an indoor vertical garden to provide fresh produce for meals year round (365 days); and,

WHEREAS, Additional storage space will constructed for “food rescue” and increased production; and,

NOW, THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors hereby approves the commitment of \$750,000.00 in funding to help leverage other state and business support for this important project.

Approved this _____ day of _____, 2021.

POLK COUNTY, IOWA

Angela Connolly
Chairperson

RECOMMENDED FOR APPROVAL:

John Norris
Polk County Board of Supervisors

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

By: _____
Assistant County Attorney

FY21/22 Fiscal Impact: \$750,000.00

#18

POLK COUNTY BOARD OF SUPERVISORS

Tuesday Agenda Memorandum

Item Type & Title: Resolution approving funding commitment to Meals on Wheels for the Intergenerational Hub.

Agenda Date: February 22, 2022

Contact Individual: John Norris, County Administrator
Board of Supervisors
286-3895

Previous Action taken by the Board: NA

Board/Commission Actions: N/A

Comply with Policy: Yes

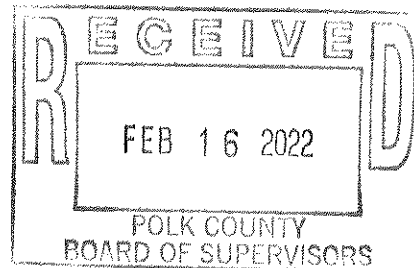
Background: The Polk County Board of Supervisors are active in finding solutions to help food insecure adults in Polk County. Meals on Wheels will be constructing the Intergenerational Hub which will be located on the second floor of the new Meals on Wheels building at 3206 University Avenue. The Intergenerational Hub will focus on programming to build intergenerational connections for older adults and veterans as well as connect local non-profits and community partners to decrease the social isolation.

Action Impact: The passage of this resolution approves the funding of \$750,000.00 to Meals On Wheels for their *So Much More Than Meals Campaign*.

Fiscal Note:

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		\$750,000		N		

Additional Fiscal Note Information (optional):



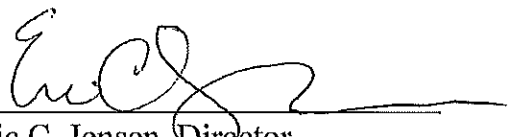
**NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF
ANKENY, IOWA AND AFFECTED TOWNSHIPS AND COUNTIES
CONCERNING A PETITION FOR THE ANNEXATION OF LAND BY THE CITY
OF ANKENY.**

The City of Ankeny, Iowa will hold a consultation meeting with all affected townships and counties, commencing at **ten a.m. (10:00 am) on Wednesday, March 2, 2022**, in the Public Services Building, 1210 NW Prairie Ridge Drive, Conference Room C, Ankeny, Iowa concerning a proposed annexation by the City, a copy of which is attached hereto.

Each affected entity may appoint a representative to attend the consultation. The designated representative may make written recommendations for modifications to the proposed annexation area no later than seven days following the consultation. Additionally, no later than 30 days after the consultation, the County Board of Supervisors may, by resolution, state whether or not it supports the application or whether it takes no position in support of or against the application.

This consultation meeting is in accordance with Iowa Code Section 368.7.

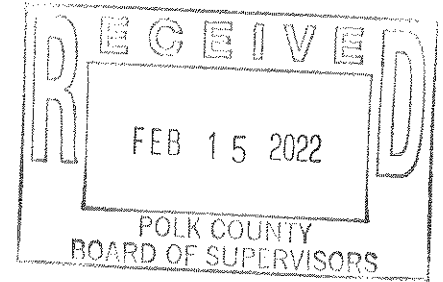
Dated this 14th day of February 2022.



Eric C. Jensen, Director
Community Development
City of Ankeny, Iowa

#19

CITY OF POLK CITY



DATE: February 14, 2022

TO: Board of Supervisors, Polk County
Superintendent, North Polk Community School District

FROM: City Council
City of Polk City, Iowa

RE: Polk City Area II Urban Renewal Area Amendment

The City of Polk City is in the process of amending the urban renewal plan for the Polk City Area II Urban Renewal Area and, pursuant to Section 403.5 of the Code of Iowa, the City is sending you the enclosed copy of its urban renewal plan amendment and scheduling a meeting at which you will have the opportunity to discuss this amendment.

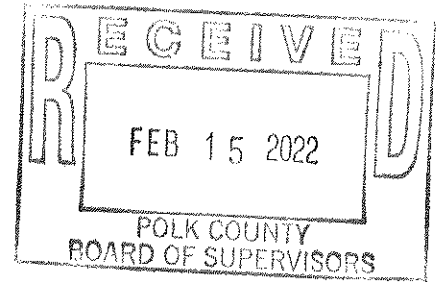
The meeting to discuss our urban renewal plan amendment has been set for February 22, 2022, at 10 o'clock a.m. at the City Hall in Polk City. If you are unable to send a representative to the meeting, we invite your written comments. In addition, Section 403.5 gives your designated representative the right to make written recommendations concerning the urban renewal plan amendment no later than seven days following the date of the meeting.

The City Council will also hold a public hearing on this urban renewal plan amendment at 6 o'clock p.m. on March 14, 2022, and a copy of the notice of hearing is enclosed for your information.

Please call our City Manager at (515) 984-6233 if you have questions.

Enclosure

#20



CITY DEVELOPMENT BOARD
STATE OF IOWA

IN THE MATTER OF THE CITY OF	)	NO. UA22-09 / BONDURANT
BONDURANT VOLUNTARY ANNEXATION	)	
WITHIN THE URBANIZED AREA OF THE CITY	)	NOTICE OF MEETING TO CONSIDER
OF ALTOONA	)	VOLUNTARY ANNEXATION WITHIN AN
	)	URBANIZED AREA

TO: Cities of Bondurant and Altoona, Polk County Board of Supervisors, Polk County Attorney, Des Moines Area Metropolitan Planning Organization, Iowa State Attorney General, Iowa Department of Transportation and affected public utilities.

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 March 9, 2022, at the Iowa Economic Development Authority, 1963 Bell Avenue, Suite 200; Helmick Conference Room, Des Moines, Iowa. A copy of a map and legal description of the annexation territory is enclosed.

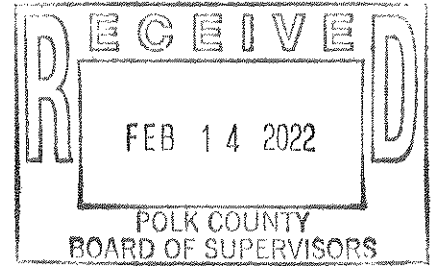
At said meeting, the City Development Board in its deliberations on approval or disapproval of said annexation, may take note of public documents or other evidence and shall give any interested party opportunity to present evidence or comment orally or in writing all in accord with Section 263-7.7, I.A.C. The City Development Board invites oral or written comments relative to the petition on or before the meeting date as noted above.

To participate in this meeting via Teams Webinar, go to <https://akaiowa.us/cdb>. You will be required to register before receiving the link to join the meeting.

Should you have questions regarding this notice, please contact the City Development Board at 515/348-6196.

CITY DEVELOPMENT BOARD

Matt Rasmussen, Administrator
City Development Board



CITY DEVELOPMENT BOARD
STATE OF IOWA

IN THE MATTER OF THE CITY OF DES MOINES	)	NO. UA22-04 A & B / DES MOINES
VOLUNTARY ANNEXATION WITHIN THE	)	
URBANIZED AREA OF THE CITY OF ANKENY	)	FILING OF WRITTEN DECISION

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

You and each of you are hereby notified that the City Development Board has approved the annexation of territory to the City of Des Moines under City Development Board Case File No. UA22-04 A & B.

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

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

CITY DEVELOPMENT BOARD

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