PROCEEDINGS OF THE POLK COUNTY BOARD OF SUPERVISORS

The Polk County Board of Supervisors met in regular session on Tuesday, May 11, 2004 at 6:30 p.m.

MEMBERS PRESENT: E.J. Giovannetti, Tom Hockensmith, Robert Brownell, Angela Connolly, John Mauro.

Moved by Brownell, Seconded by Connolly to dispense with the reading of the May 4, 2004 minutes and they stand approved as printed.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

The Bills as certified by the County Auditor were allowed or disallowed on each according to the certified list.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

PUBLIC HEARING: CURB IT ASSESSMENTS

Proof of Publication is on file with the Clerk of the Board. The following appeared regarding the assessments:

AJ Forneris, 4747 NW 51st Street
Glenn Waterhouse, 10935 NE 72nd Street, Bondurant
Marge Denger, 6297 NW 6th Drive
Elonda Bacon, 100 NE 54th Avenue
Ken McNichols, 8545 NE 108th Avenue
Jim Schall, 9142 SE 48th, Runnells
Karen Adams, 7540 NW 16th, Ankeny
Charlie Irons, resident
Richard Rogers, 6887 NE 22nd
Mike Stonehocker, 5630 SE Robbie Road, Avon Lake
Danny S, 6297 NW 6th Drive
Ralph Busby, 12215 SE 36th Avenue
Craig Moore, 6871 Vandalia
Mike Morris, 6939 SE Vandalia

Tom Hadden, Executive Director, MWA, spoke on state mandated recycling issues

Jim Elza, Director, Planning and Development and Tony Colosimo, Artistic Waste Services, spoke on the recycling service area

Public Hearing closed.

PUBLIC HEARING: DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

Proof of Publication is on file with the Clerk of the Board. No one appeared for or against the proposal. Public Hearing closed.

RESOLUTION: Resolution approving Quit Claim Deed to Complete Exterior Designs (Lot 6 Blk 2 Chesterfield).

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.
PUBLIC HEARING: DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

Proof of Publication is on file with the Clerk of the Board. No one appeared for or against the proposal. Public Hearing closed.

RESOLUTION: Resolution approving Quit Claim Deed to Complete Exterior Designs (Lot 10 Blk 2 Chesterfield).

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

PUBLIC HEARING: DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

Proof of Publication is on file with the Clerk of the Board. No one appeared for or against the proposal. Public Hearing closed.

RESOLUTION: Resolution approving Quit Claim Deed to Complete Exterior Designs (2501 Shaw Street).

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

PUBLIC HEARING: DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

Proof of Publication is on file with the Clerk of the Board. No one appeared for or against the proposal. Public Hearing closed.

RESOLUTION: Resolution approving Quit Claim Deed to Complete Exterior Designs (2505 Shaw Street).

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

PUBLIC HEARING: DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

Proof of Publication is on file with the Clerk of the Board. No one appeared for or against the proposal. Public Hearing closed.

RESOLUTION: Resolution approving Quit Claim Deed to Complete Exterior Designs (2511 Shaw Street).

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

HEARINGS:

Hearing pursuant to Iowa Code Section 453A.22(1) regarding sale of tobacco products to a minor by an employee of permit holder, Schwarz Marina, 3170 NW Polk City Drive. A fine has been paid and this case has been settled.

Hearing pursuant to Iowa Code Section 453A.22(1) regarding sale of tobacco products to a minor by an employee of permit holder, Smokey’s, 4397 NW 6th Drive.

MOTION: Moved by Connolly, Seconded by Brownell to find cigarette permit holder Smokey’s Enterprises, Inc. to be in violation of Iowa Section 453A.2, selling cigarettes or tobacco products to a person under the age of 18 and accordingly ordering a civil penalty of $300.00.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.
ORDINANCE:
(THIRD READING) Ordinance approving Zoning Map Amendment from Light Business District with conditions to Light Business District with new additional conditions as requested by Steve Klein and Ross Wendell.

VOTE YEA: Hockensmith, Brownell, Connolly, Mauro.
VOTE NAY: Giovannetti.

APPOINTMENTS:
Moved by Brownell, Seconded by Hockensmith that the following Resolution be adopted: BE IT FURTHER RESOLVED THAT the individuals named on this Memorandum be approved for personnel actions:

Walt Bevel, Yth Svcs Aide, CFYS, $26,227.76 beginning May 18, 2004
JoAnn Bollier, Office Spec, Health Dept, $31,523.44 beg May 3, 2004
Mary Ann Perkins, Comm Ctr Supr, Sheriff, $62,384.21 beg April 15, 2004
Ripple Van Engen, Office Spec, Planning & Dev, $28,740.40 beg May 3, 2004

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

PERMITS:
New application for Class “C” Beer Permit and Sunday Sales for Saylorville Marina, 6170 NW Polk City Drive.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly.
PASS: Mauro.

New application for Iowa Retail Cigarette Permit for Rack and Roll, 4994 Merle Hay Road.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly.
PASS: Mauro.

RECORD & FILED:
Notice that the Board will convene as a Canvassing Board on May 17, 2004 at 9:00 a.m. to canvass votes cast for the Des Moines Special City Council Election held May 11, 2004.

Certificate of Appointment of Trustee to Drainage District #10.

REFERRED TO PLANNING, PUBLIC WKS & CO ATTORNEY:
Communication from the City of Des Moines regarding meeting on the proposed urban renewal plan for Fleur Drive Commercial Area.

PUBLIC COMMENTS:
Wanda Sears, 838-29th Street, appeared regarding Resolutions #31 ($5,095,000 General Obligation Capital Loan Notes), #35 (Revolving Loan Infrastructure -water/sewer- Program, Economic Development Funding), #36 (Comprehensive Plan, Economic Development Funding) and #37 (Nuisance Abatement Program, Economic Development Funding).

RESOLUTIONS:
Resolution approving MH/MR/DD service approvals and authorizing expenditures from the MH/MR/DD Services Fund.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.
Resolution approving contracts and amendments with Health Services providers not to exceed $4,064,036.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution approving a licensing agreement with Woodbury County for a mental health and developmental disability management information system.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution approving installation and maintenance of speed limit signing on portions of NE 64th Street and NE 56th Street in conjunction with the City of Pleasant Hill.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution approving agreement with the Iowa Department of Transportation for the NW 60th Avenue/Iowa 415 intersection improvement project.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution awarding bid “Granular Surfacing Material and Skid Sand” to the firms of JMT Trucking and Martin Marietta Aggregate of Des Moines.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution awarding bid “Road Stone” to the firms of Martin Marietta Aggregates and JMT Trucking of Des Moines.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution awarding bid “Automotive Supplies” to the firm of NAPA Genuine Parts of Des Moines.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution awarding bid “Automotive Oils” to the firm of McCollister and Company of Council Bluffs.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution awarding bid “Automotive Tires” to the firm of Eastern Tire of Des Moines.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution awarding bid “Automotive Batteries” to the firm of O’Reilly Auto Parts of Springfield, Missouri.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution approving FY 05 renewal of Local Public Health Services (LPHS) contract application to the Iowa Department of Public Health.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.
TABLED:
Resolution approving the First Amendment to the Loan and Revenue Maintenance Agreement with Broadlawns Medical Center.

Resolution authorizing the Auditor’s Office to publish Notice of Public Hearing for June 1, 2004 regarding the issuance of not to exceed $1,000,000 General Obligation Bonds for an essential county purpose. (building improvements)

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution authorizing the Auditor’s Office to publish Notice of Public Hearing for June 1, 2004 regarding the issuance of not to exceed $5,095,000 General Obligation Capital Loan Notes. (Polk County Aviation Authority)

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution authorizing the Auditor’s Office to publish Notice of Public Hearing for June 1, 2004 regarding the issuance of not to exceed $2,770,000 General Obligation Bonds for an essential county purpose. (Housing Trust Fund/ Neighborhood Finance Corporation)

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution awarding surplus computer equipment to several requesting companies.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution approving grant to the YWCA for the purpose of redeeming and abating taxes.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.

Resolution authorizing the abatement of debt service payments on the Revolving Loan Infrastructure (water/sewer) Program be paid for through Economic Development Funding.

VOTE YEA: Giovannetti, Hockensmith, Brownell.
VOTE NAY: Connolly, Mauro.

Resolution authorizing the Comprehensive Plan be paid for through Economic Development Funding.

VOTE YEA: Giovannetti, Hockensmith.
VOTE NAY: Brownell, Connolly, Mauro.

RESOLUTION FAILED.

Resolution authorizing the Nuisance Abatement Program be paid for through Economic Development Funding.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly.
VOTE NAY: Mauro.

Moved by Brownell, Seconded by Connolly to adjourn until May 18, 2004 at 9:30 a.m.

VOTE YEA: Giovannetti, Hockensmith, Brownell, Connolly, Mauro.
No qualified individuals with a disability will be excluded on the basis of a disability from participation in meetings, hearings, programs, activities or services conducted by Polk County. To request information in an alternative format or request an accommodation to participate in a meeting, hearing, program, activity or service, contact the office conducting the meeting or offering the program, activity or service.