



BOARD MEETING

October 9, 2013 - 5:30 p.m.

Polk County Administration Bldg.
111 Court Avenue, Room 120
Des Moines, IA 50309

AGENDA

The information identified on this agenda may be obtained in accessible formats by qualified persons with a disability. To receive information or to request an accommodation to participate in a meeting, hearing, service, program or activity conducted by this office, contact the Polk County Conservation Board Office, 11407 NW Jester Park Drive, Granger, 515-323-5300.

1) Opening Items

- a) Roll Call
- b) Action on the Minutes of the Previous Meeting(s)

2) Consent Agenda Items

Note: These are routine items and will be enacted by one roll call vote without separate discussion unless a Board Member, PCCB employee or member of the public requests an item be removed to be considered separately. Please notify a PCCB Member to have an item removed.

- a) **Action on Bill List:** approve the PCCB September 2013 bill list
- b) **FMLA Policy & Distracted Driving Policy:** approve the modified Family Medical Leave Act Policy as presented and approve adopting the Distracted Driving Policy as presented and making each a part of the PCCB Employee Manual
- c) **Yellow Banks Park, Dam Rehabilitation Project:** ratifies action directing staff to publish notice of public hearing pursuant to Iowa Code 331.305, that a Public Hearing will be held at the PCCB's October 2013 meeting on the plans, specifications, form of contract and estimated cost of the Yellow Banks Park Dam Rehabilitation project
- d) **2013 Fall County Auction:** approve the presented list of surplus items to be sold at the Polk County Fall Auction on 10/19/2013
- e) **REAP CEP Grant – Discover Your Watershed:** approve staff submitting a REAP/CEP grant (Discover Your Watershed) on November 1, 2013, with the amount to be determined and approve the use of \$3,000 for cash match from the PCWLL funds; and further authorizes the PCCB Director to sign said grant if awarded
- f) **Jester Park, Cabin Fees & Rental Contract Agreement:** approve the Jester Park cabin rental rates of \$80/night for the smaller cabins and \$110/night for the larger cabin and approve the Cabin Rental Contract Agreement as presented; however, grant the PCCB Director permission to make modifications to the Contract if deemed necessary.

3) Capital Crossroads & Tomorrow Plan Panel Presentation

4) PCWLL December 2013 Bond Issuance

5) Public Hearing & Award of Bid: Thomas Mitchell Park, Pond Improvements

6) Public Hearing & Award of Bid: Fort Des Moines Park, Pond Improvements



BOARD MEETING

- 7) **Public Hearing & Award of Bid: Jester Park, Entrance Road Relocation**
- 8) **Public Hearing & Award of Bid: Yellow Banks Park, Dam Rehabilitation**
- 9) **Public Hearing: Great Western Trail, Permanent Easements**
- 10) **Trails & Greenways Committee (TAG)**
- 11) **Contract Amendments**
- 12) **Strategic Planning Update**
- 13) **Employees, Recent Hires**
- 14) **Employee Introductions**

PUBLIC COMMENTS

FINANCIAL REPORTS

DISCUSSION & REMARKS

ADJOURNMENT

1) Opening Items

a) Roll Call

b) Action on the Minutes of the Previous Meeting(s)

The Polk County Conservation Board met in regular session on September 11, 2013. Minutes for the meeting are attached.

2) Consent Agenda Items

a) Action on the Bill List

September 2013 expenditures have been e-mailed to the Board for review.

STAFF RECOMMENDATION: That the Board approve the PCCB September 2013 bill list.

b) FMLA Policy & Distracted Driving Policy

Modifications to the Family Medical Leave Act Policy were made by the County's Human Resources Department and approved by the Board of Supervisors on 9/17/13. Most of the changes made to the FMLA policy were moving the Servicemember Family and Medical Leave sections into the main body of the FMLA policy, highlighted areas on the attach identify the changes.

In December 2012 the Board of Supervisors approved adopting a new policy for employees operating county-owned vehicles/equipment entitled Distracted Driving Policy. The County's Human Resources Department has since modified the policy and the Board of Supervisors approved the modifications on 9/17/13. This Policy has not been brought to the Board until now. Staff is requesting the Board adopt this policy as presented (copy attached).

STAFF RECOMMENDATION: That the Board approve the modified Family Medical Leave Act Policy as presented and approve adopting the Distracted Driving Policy as presented and making each a part of the PCCB Employee Manual.

c) Yellow Banks Park, Dam Rehabilitation Project

The Board was polled requesting approval to publish notice to hold a public hearing at your October meeting on the plans, specifications, form of contract and estimated cost of the Yellow Banks Park Dam Rehabilitation project. The Board needs to ratify this action.

STAFF RECOMMENDATION: That the Board ratifies action directing staff to publish notice of public hearing pursuant to Iowa Code 331.305, that a Public Hearing will be held at the PCCB's October 2013 meeting on the plans, specifications, form of contract and estimated cost of the Yellow Banks Park Dam Rehabilitation project.

d) 2013 Fall County Auction

Each October for the past several years, Polk County has held an annual equipment surplus sale and PCC has participated. This year's fall auction will be held on Saturday, October 19 at the Greenfield Auction Site, 3920 Dixon, Des Moines, Iowa. Following is a list of obsolete/non-usable items to be disposed of at this year's fall auction contingent upon Board approval:

Polk County Conservation:

- 1995 Dodge 1500 Truck
- 1998 GMC Jimmy
- FMC Sprayer
- Grain Cart on wheels (EC)
- Stihl chain saw (CBG)
- Craftsman shop vac (CBG)
- Baltic 3pt. Seeder (CBG)

Jester Park Golf Course:

- Jacobsen Greensking IV (1005)
- Jacobsen Greensking IV (1004)
- John Deere 3235 Fairway Mower (1053)

- George M. Lentz
Eqpt. Maint. Supt.

STAFF RECOMMENDATION: That the Board approve the presented list of surplus items to be sold at the Polk County Fall Auction on 10/19/2013

e) REAP CEP Grant – Discover Your Watershed

The PCC Environmental Education (EE) department will be submitting a REAP/CEP grant on November 1. At this point staff does not know the exact amount that will be asked for, but it will be a \$15,000 to \$25,000 request.

EE staff sees current water quality projects in local parks as complex, real-life opportunities for high school students to investigate watershed science and implement solutions with relevance to their community. The grant would match select high school science classes to current PCC water quality improvement projects in their neighborhoods within the Easter Lake, Camp Creek, Raccoon River, and Four Mile Creek watersheds. Students—guided by naturalists and teachers—will

- Conduct water quality sampling through chemical and biological (Using the IOWATER model).
- Use current technologies (like GPS) to physical assessments in the watershed or mark sampling sites.
- Improve water quality through a service learning project.
- Canoe the watershed to explore major land use effects.

Classes from urban, suburban, and rural high schools in Polk County will pilot the project. Several teachers in the Des Moines, West Des Moines, Southeast Polk, and North Polk school districts have already indicated their interest, and we anticipate

engaging about 200 students. Programming will be designed to meet Iowa Core and Next Generation Science Standards.

A number of partners have committed to participation in this project, including Polk Soil and Water Conservation District (PSWCD), Des Moines Water Works (DMWW), West Des Moines Parks and Recreation (WDMPR), and Master River Stewards/Iowa Rivers Revival (MRS). Brant Reif, an environmental science teacher at Valley High School, will act as an advisor on curriculum.

Even though a cash match is not required for the grant, it is desirable. The Great Outdoors Fund has already agreed to provide a cash match in the amount of \$5,000. We are asking for \$3,000 from PCWLL funds.

STAFF RECOMMENDATION: That the Board approve staff submitting a REAP/CEP grant (Discover Your Watershed) on November 1, 2013, with the amount to be determined and approve the use of \$3,000 for cash match from the PCWLL funds; and further authorizes the PCCB Director to sign said grant if awarded.

f) Jester Park, Cabin Fees & Rental Contract

Although the construction of the four cabins at Jester Park is not anticipated to be completed until after the first of the year, reservations for the facilities can begin in advance of their completion. With this in mind, rental rates need to be determined and a rental contract developed.

Research revealed that comparable facilities in the area range in cost from \$70 to \$130 per night. Staff proposes that the small cabins be rented at a fee of \$80 per night and the larger cabin be rented at a fee of \$110 per night. A minimum of two nights per rental is required.

Attached is the Rental Contract Agreement developed for cabin reservations. The information is basic in nature but staff would like the Board to be particularly aware of the language in the last three sections relating to modifications, cancellations and refunds. Since cabin rentals are new to our operations, we are asking the Board to grant permission to the Director to make modifications to the contract if deemed necessary.

Reservations will be handled through the mycountyparks website.

STAFF RECOMMENDATION: That the Board approve the Jester Park cabin rental rates of \$80/night for the smaller cabins and \$110/night for the larger cabin and approve the Cabin Rental Contract Agreement as presented; however, grant the PCCB Director permission to make modifications to the Contract if deemed necessary.

3) Capital Crossroads & Tomorrow Plan Panel Presentation

Speakers will be present to give a short presentation and then will move into open discussion with the Board.

4) PCWLL December 2013 Bond Issuance

The Board of Supervisors will be issuing bonds in December for projects and acquisitions as part of the Polk County Water and Land Legacy bonding to be completed in CY 2013 and planned for CY 2014. The CY 2013 expenditures were authorized under the Reimbursement Resolution the BOS approved last spring and amended in August. The current Reimbursement Resolution is for \$9,859,002.

We are scheduled to present our proposed list of projects and acquisitions to the BOS at the October 16th Board/Staff meeting where they will be informed about all the bonds proposed to be issued in December by the County. The BOS will officially act on the proposed bonding list on October 22nd. A public hearing on the issuance of the bonds is planned for November 11th and the sale of the bonds is planned for November 26th.

We have been working with the County Finance staff and their bond counsel to determine an appropriate level of bonding in December based on the draft project implementation schedule we have developed. The current PCWLL proposal involves issuing \$18 million of bonds in December to fund projects completed in CY 2013 and planned for CY 2014. We have developed a comprehensive five year project implementation plan for CY 13-17 that will be distributed at the meeting.

The five year plan involves accelerated expenses in the first two years (CY 13-14) with reduced amounts the following three years. Much of this is attributed to the land acquisition opportunities that came forward this year and the grant supported trail projects that have been in process. There continues to be relatively more projects being funded in the areas of park improvements and trails due to these projects having been in the process of implementation and more readily brought forward. Increased proportionate funding will be occurring for land and water related projects in the following years as priority acquisitions are identified and planning and design is completed for anticipated water related projects. Both work related to Easter Lake and Four Mile Creek watershed improvements will be priorities as well as other critical watershed within the County.

STAFF RECOMMENDATION: The Board approves the proposed County December 2013 Bond Issuance amount for PCWLL CY 2013 and 2014 projects as presented at the meeting.

5) Public Hearing & Award of Bid: Thomas Mitchell Park, Pond Improvements

A public hearing will be held on the Thomas Mitchell Pond Improvement project including the plans, specifications, cost estimate and form of contract for the Pond Accessible Trail & Amenities, as part of this project. Polk County Conservation has prepared a site plan and detailed trail construction plans for this project.

Included in the project are numerous amenities which will be installed by PCC Staff. The amenities included in this project include 3) shade structures with grills, tables and concrete, 2) fishing piers with trail connections, bridge, and contingency. (Amenities map is included)

Estimated costs are as follows:

Item	Cost
Trail	\$ 66,255.76
Bridge	\$ 30,000.00
2) Fishing Piers	\$ 29,500.00
3) Shade Structures	\$ 38,000.00
Contingency	\$ 11,244.24
TOTAL	\$ 175,000.00

Sealed bids for the trail portion of the project were opened and recorded on October 2, 2013. Staff has reviewed the bid and evaluated prices from comparable contracts.

Because only one bid was received, staff has reviewed DOT bid prices, consulted with Snyder and Associates and used the "Engineers Opinion of Probable Cost" from the Equestrian Trails Project to evaluate the bid received. This comparison spread sheet accompanies this document.

A bid Summary is shown below.

Bidder	Bid Amount
RW Excavating	\$ 66,255.76

STAFF RECOMMENDATION: That the Board approves the plans, specifications, cost estimate and form of contract for the Pond Accessible Trail & Amenities part of the Thomas Mitchell Pond Improvements project and approve the entire project cost not to exceed \$175,000.00

STAFF RECOMMENDATION: That the Board authorizes the PCC director to sign a contract with RW Excavating to complete the trail portion of the project for a cost not to exceed \$ 66,255.76 subject to successful bonding and insurance requirements being met.

6) Public Hearing & Award of Bid: Fort Des Moines Park, Pond Improvements

Public Hearing

A public hearing will be held on the plans, specifications, cost estimate and form of contract for Pond Improvements within Fort Des Moines Park.

STAFF RECOMMENDATION: That the Board approve the plans, specifications, cost estimate and form of contract for Pond Improvements within Fort Des Moines Park.

Award of Bid

Sealed bids for the project are due on October 7, 2013 at which time they will be opened and recorded. The bids will be reviewed and a recommendation brought to the Board at the meeting.

- Wayne Johnson
Construction Maintenance Manager

7) Public Hearing & Award of Bid: Jester Park, Entrance Road Relocation

Public Hearing

A public hearing will be held on the plans, specifications, cost estimate and form of contract for the Jester Park Entrance Road Relocation project.

STAFF RECOMMENDATION: That the Board approve the plans, specifications, cost estimate and form of contract for the Jester Park Entrance Road Relocation project.

Award of Bid

Sealed bids for the preliminary road work to provide a gravel surface portion of this project are due on October 8, 2013 at which time they will be opened and recorded. The bids will be reviewed and a recommendation brought to the Board at the meeting.

- Wayne Johnson
Construction Maintenance Manager

8) Public Hearing & Award of Bid: Yellow Banks Park, Dam Rehabilitation

Public Hearing

A public hearing will be held on the plans, specifications, cost estimate and form of contract for the Yellow Banks Park dam rehabilitation project.

STAFF RECOMMENDATION: That the Board approve the plans, specifications, cost estimate and form of contract for the Yellow Banks Park dam rehabilitation project.

Award of Bid

Sealed bids for the project are due on October 7, 2013 at which time they will be opened and recorded. The bids will be reviewed and a recommendation brought to the Board at the meeting.

9) Public Hearing: Great Western Trail, Permanent Easements

The City of Des Moines is rebuilding the bridge over our Great Western Trail at Army Post Road. Previously the PCCB recommended that the Polk County Board of Supervisors grant a temporary construction easement to tie our trail to a new tunnel and to connect us to a new access road.

The City is now requesting that they receive permanent easements on two small parcels of land to enable them to maintain the new bridge/tunnel being constructed. (See attached documents)

Staff will prepare the necessary agenda item and present the same to the Board of Supervisors with the Board's recommendation requesting action.

STAFF RECOMMENDATION: That the Board resolve that the granting of these permanent easements will not negatively impact the use of the Great Western Trail and recommend that the Polk County Board of Supervisors grant the permanent easements as requested by the City of Des Moines.

10) Trails & Greenways Committee (TAG)

The Polk County Conservation Board and the Des Moines Park and Recreation Board created an advisory committee in approximately 2006 to provide citizen input. The original committee was composed of individuals from the county at large and from the City of Des Moines for the purpose of advising those two agencies of matters related to trails and greenways. Since the origin of the committee other communities have joined the group and appointed representatives to represent those constituencies. The communities of West Des Moines, Urbandale, Johnston, Ankeny, and Pleasant Hill have all joined the committee to share in the discussions and report to their communities.

The committee now stands at 15. Polk County Conservation and Des Moines Parks each have five appointments and each of the other five communities appoint one member.

The way that the original appointments were set under the bylaws of the committee, each individual is appointed for a two year term with a maximum limit of three terms. Four of the five Polk County appointees have reached their three term limit and one has declined the opportunity to seek another term. All of PCCB's appointees will attend their last official meeting in October. The PCCB has five appointments to make for terms beginning in November.

Staff has been searching for candidates to fill those positions for several months. Several of our current members have very strong interests and skills in certain areas such as water trails and greenways, active families with children who use trails, the founder of Bike Iowa - a very active member of the larger bicycling community, a community development director, etc. We have looked for strong candidates that continue that diverse representation and elicited recommendations from current appointees as to whom they would recommend as replacements.

TAG is an important committee appointment for us as they provide citizen input on some of our most used and popular properties. As mentioned, we have sought recommendations from current members and have received several. Staff has contacted those recommended candidates but has not been able to interview them and feel uncomfortable making a recommendation until they have been vetted.

There are three candidates that staff would recommend at this time as replacements for the current position holders. They are as follows:

Virginia Soelburg: Ginger is well known to us as a volunteer and active outdoors woman. A retired teacher and active member of the Sierra and Audubon, she is currently a non-voting member of one of the TAG subcommittees.

Craig Stafford: Craig is an avid cyclist and one of the PCCB's longtime Trail Ambassadors. He has been a driving force in volunteer cleanup efforts on the Trestle to Trestle, Great Western, and High Trestle Trails.

Chris McCarthy: Chris is the Chairman of Healthy Polk 2020 and Project Manager for the Center for Healthy Communities at Unity Point Health. Both he and his company has been an active partner with the PCCB on multiple health related projects. Chris is an avid bicyclist, is on the PCC Advisory Committee and a long-time PCC volunteer.

STAFF RECOMMENDATION: That the PCCB appoint Ginger Soelburg, Craig Stafford, and Chris McCarthy as representatives to the Trails and Greenways Committee to represent Polk County Conservation for a two year term beginning in November of 2013 and further direct staff to continue investigating potential committee members and return two additional recommendations for Board consideration at our regularly scheduled December meeting.

11) Contract Amendments

This item is on the agenda in the event a contract amendment arises that can be brought to the meeting for action.

If a contract amendment arises, the information and a recommendation will be brought to the Board at the meeting.

12) Strategic Planning Update

Staff will be working with the Board to schedule a date for a Board retreat. If possible, please bring your calendars.

13) Employee Recent Hires

The following individuals have been hired for employment with PCCB:

Start Date	Employee	Position	Rate of Pay
9/25/2013	Eisentrager, Conner	Stable Laborer I	9.25/Hr
10/3/2013	Meister, Grant	Stable Laborer I	9.25/Hr
9/21/2013	Lehman, Taylor	Asst Riding Instructor	11.33/Hr

Information only.

14) Employee Introductions

PROCEEDINGS OF THE POLK COUNTY CONSERVATION BOARD

The Polk County Conservation Board met in regular session on Wednesday, September 11, 2013. The meeting was called to order at 5:40 p.m.

#1 – Roll Call

Board Present: Levis, Smith, Johnson, Kurovski, Cataldo

#1b – Action on the Minutes of the Previous Meeting(s)

IT WAS MOVED BY KUROVSKI THAT THE POLK COUNTY CONSERVATION BOARD SHALL APPROVE THE AUGUST 14, 2013 MEETING MINUTES AS WRITTEN.

VOTE YEA: SMITH, JOHNSON, KUROVSKI

VOTE PASS: LEVIS, CATALDO

#2 – Consent Agenda

IT WAS MOVED BY LEVIS THAT THE POLK COUNTY CONSERVATION BOARD APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:

A) PCCB AUGUST 2013 BILL LIST;

B) DIRECTING STAFF TO PUBLISH NOTICE OF HEARING PURSUANT TO IOWA CODE 331.305 THAT A PUBLIC HEARING BE HELD AT THE PCCB'S REGULARLY SCHEDULED OCTOBER MEETING FOR THE PURPOSES OF APPROVING THE PLANS, SPECIFICATIONS, COST ESTIMATE AND FORM OF CONTRACT FOR POND IMPROVEMENTS WITHIN THOMAS MITCHELL PARK;

C) DIRECTING STAFF TO PUBLISH NOTICE OF HEARING PURSUANT TO IOWA CODE 331.305 THAT A PUBLIC HEARING BE HELD AT THE PCCB'S REGULARLY SCHEDULED OCTOBER MEETING FOR THE PURPOSES OF APPROVING THE PLANS, SPECIFICATIONS, COST ESTIMATE AND FORM OF CONTRACT FOR POND IMPROVEMENTS WITHIN FORT DES MOINES PARK;

D) DIRECTING STAFF TO PUBLISH NOTICE OF HEARING PURSUANT TO IOWA CODE 331.305 THAT A PUBLIC HEARING BE HELD AT THE PCCB'S REGULARLY SCHEDULED OCTOBER MEETING FOR THE PURPOSES OF APPROVING THE PLANS, SPECIFICATIONS, COST ESTIMATE AND FORM OF CONTRACT FOR POND IMPROVEMENTS WITHIN THOMAS MITCHELL PARK;

E) DIRECTING STAFF TO PUBLISH NOTICE OF HEARING PURSUANT TO IOWA CODE 331.305 THAT A PUBLIC HEARING BE HELD AT THE PCCB'S REGULARLY SCHEDULED OCTOBER MEETING ON THE GRANTING OF PERMANENT EASEMENTS TO THE CITY OF DES MOINES FOR THE REPLACEMENT OF THE BRIDGE OVER THE GREAT WESTERN TRAIL AT ARMY POST ROAD.

VOTE YEA: LEVIS, SMITH, JOHNSON, KUROVSKI, CATALDO

#3 – Public Hearing & Award of Bid: Thomas Mitchell Park, Camp Creek Improvements

Chair Smith declared the meeting to be a public hearing on the plans, specifications, form of contract and cost estimate for the Thomas Mitchell Park – Camp Creek Improvements project.

As there were no comments, the public hearing was closed.

**IT WAS MOVED BY JOHNSON THAT THE POLK COUNTY CONSERVATION BOARD APPROVE THE PLANS, SPECIFICATIONS, COST ESTIMATE AND FORM OF CONTRACT FOR CAMP CREEK IMPROVEMENTS WITHIN THOMAS MITCHELL PARK.
VOTE YEA: LEVIS, SMITH, JOHNSON, KUROVSKI, CATALDO**

Bids received for this project were as follows: MPS Engineers, \$876,664.80; Elder Corporation, \$1,322,983.00; and Jensen Construction Company, \$1,380,147.00.

**IT WAS MOVED BY KUROVSKI THAT THE POLK COUNTY CONSERVATION BOARD APPROVE AWARDING THE BID FOR THE THOMAS MITCHELL PARK CAMP CREEK IMPROVEMENTS PROJECT TO MPS ENGINEERS AT A COST NOT TO EXCEED \$876,664.80 AND FURTHER AUTHORIZE THE PCCB DIRECTOR TO SIGN CONTRACT WITH MPS ENGINEERS SUBJECT TO SUCCESSFUL BONDING AND INSURANCE PROVISIONS.
VOTE YEA: LEVIS, SMITH, JOHNSON, KUROVSKI, CATALDO**

#4 – Thomas Mitchell Park, Camp Creek Improvements – Consultant Contract Amendment

**IT WAS MOVED BY CATALDO THAT THE POLK COUNTY CONSERVATION BOARD AUTHORIZES THE PCCB DIRECTOR TO SIGN AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH HR GREEN AUTHORIZING MID-STATE SURVEYING TO COMPLETE CONSTRUCTION STAKING FOR CAMP CREEK IMPROVEMENTS AT A COST NOT TO EXCEED \$13,800.
VOTE YEA: LEVIS, SMITH, JOHNSON, KUROVSKI, CATALDO**

#5 – Natural Resources Specialist Position Reclassification

**IT WAS MOVED BY LEVIS THAT THE POLK COUNTY CONSERVATION BOARD APPROVES THE RECLASSIFICATION OF THE NATURAL RESOURCES SPECIALIST POSITION, GRADE 19, TO PARKS AND NATURAL AREAS PLANNING ADMINISTRATOR, GRADE 22, AND PRESENT SAME TO POLK COUNTY BOARD OF SUPERVISORS.
VOTE YEA: LEVIS, SMITH, JOHNSON, KUROVSKI, CATALDO**

#6 – Grant Applications

IT WAS MOVED BY JOHNSON THAT THE POLK COUNTY CONSERVATION BOARD APPROVE AUTHORIZING STAFF TO APPLY FOR THE FOLLOWING GRANTS: WIRB GRANT FOR STABILIZATION; FEDERAL RECREATIONAL TRAIL GRANT FOR THE HIGH TRESTLE TRAIL CONNECTOR FROM ANKENY INTO DES MOINES; AND THE STATEWIDE CATEGORY OF THE TRANSPORTATION ALTERNATIVE PROGRAM GRANT FOR HIGH TRESTLE TRAIL TO NEAL SMITH TRAIL CONNECTOR; AND THE PCCB FURTHER RESOLVES TO PROVIDE THE MATCHING FUNDS FOR THE GRANTS SHOULD THE APPLICATIONS BE SUCCESSFUL AND AUTHORIZES THE PCCB DIRECTOR TO SIGN SAID APPLICATIONS.

VOTE YEA: LEVIS, SMITH, JOHNSON, KUROVSKI, CATALDO

#7 – Employee Recent Hires

INFORMATION ONLY.

#8 – Employee Introductions

PCCB Employees Doug Sheeley, Natural Resources Supervisor, and Patrice Petersen-Keys, Environmental Education Coordinator, introduced and told a little about themselves to the Board.

DISCUSSION & REMARKS

- Director discussed Conservation Center Open House scheduled for 9/12/13 and reviewed topics of discussion for that open house
- Deputy Director gave brief update on strategic planning and asked the Board to bring calendars to next month's meeting to set date for retreat

ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

Prepared by: Carol Ann Carlson

FAMILY AND MEDICAL LEAVE ACT (FMLA)

*THIS DOCUMENT IS ADOPTED FROM POLK COUNTY POLICY. OUR INTENT IS TO PARALLEL POLK COUNTY POLICY FOR POLK COUNTY CONSERVATION BOARD. WORDING SUBSTITUTIONS INCLUDE: POLK COUNTY CONSERVATION REPLACES COUNTY OR POLK COUNTY

A. Purpose

Up to twelve (12) weeks of unpaid, job protected leave will be provided each fiscal year to eligible employees to care for a newborn or newly placed adopted or foster child, to care for a child, spouse or parent with a serious health condition, or because of the employee's own serious health condition. The terms in this policy will be defined in the same way as those terms are defined in the Family and Medical Leave Act of 1993 and its applicable rules and regulations. A copy of the law and the rules and regulations is available to employees who request a copy from the Human Resources Department.

The federal Family and Medical Leave Act (FMLA) also entitles eligible employees to take leave for a covered member's service in the Armed Forces (including the National Guard or Reserves). FMLA leave for this purpose is called "military caregiver leave" and can be utilized for up to twenty-four (24) weeks. This policy provides notice of employee rights to such leave.

B. Applicability

This policy applies to all county employees who have been employed for at least 12 months and who have worked at least 1250 hours the previous 12 months prior to the date the leave is to begin.

C. General

Eligible employees may receive up to 12 weeks of unpaid, job protected leave each year for the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
2. Because of the placement of a son or daughter with the employee for adoption or foster care;
3. In order to care for the spouse, son, daughter or parent of the employee with a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform his or her job functions.
5. Military caregiver leaves when absence is due to a "Qualifying Exigency":

An eligible employee may take up to twenty-six (26) workweeks of job protected leave during each year period to care for an injured or ill servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA qualifying leave may not exceed twenty-six (26) weeks in a single twelve (12) month period.

The term "year" is determined as a twelve month period based on the County's fiscal year.

Entitlement to leave for a birth and to care for a son or daughter, for placement of a son or daughter for foster care, or adoption expires at the end of the 12 month period beginning on the date of such birth or placement.

Where both spouses are employed by the County, the amount of leave provided for care of a newborn or newly placed adopted or foster child, or to care for a parent with a serious health condition is limited to a total of 12 weeks for both spouses. The leave may not be used by the employee to care for a parent-in-law with a serious health condition. Where leave is taken to care for a spouse or child with a serious health condition and both spouses are employed by the County, each may take 12 weeks of leave.

D. Paid Leave

Eligible employees shall utilize available accrued paid leave if County policies permit their use for any part of the 12 week period. Consistent with County policies the following shall apply:

- Use of FMLA for the employee's own serious health condition shall utilize sick leave until such leave is exhausted (employee may choose to use Personal time, Vacation time, or Compensatory time for purpose of sick leave). If sick leave is exhausted employee shall be required to use Personal time and then Vacation time before leave status is considered unpaid.
- Use of FMLA for an employee to care for a newborn, newly placed adopted or foster child, or to care for a child, spouse, or parent with a serious health condition shall utilize any accrued but unused family Sick leave (maximum six days per fiscal year), Personal time and then Vacation time (if any accruals are available) before leave status is considered unpaid.

The County is not by this policy authorizing the use of paid leave in any situation not otherwise authorized by its current policies, nor is it abrogating the requirement that paid leave be exhausted for receipt of any benefits authorized by its current policies.

All requests for leave of any type shall state on the leave form submitted to the department whether the leave is for Family and Medical Leave Act purposes.

E. Intermittent Leave

Leave for childbirth or adoption shall not be taken intermittently or on a reduced leave schedule. However, leave taken to care for a spouse, child, parent or for the employee's own serious health condition may be taken intermittently or on a reduced schedule, if it is medically necessary. Certification of need shall be provided. The taking of leave intermittently or on a reduced leave schedule does not reduce the total amount of leave for which the employee is entitled.

F. Notice Requirement

When leave for an expected birth or adoption or foster placement is foreseeable, employees shall provide the County with at least 30 days notice of their intention to take leave, or as much notice as is practicable under the circumstances.

When leave for planned medical treatment is foreseeable, employees shall provide the County with at least 30 days notice of their intention to take leave, or as much notice as is practicable under the circumstances. If an employee requests intermittent leave or leave on a reduced leave schedule, the County may require the employee to transfer temporarily to an alternate position with equivalent pay and benefits which better accommodates the leave schedule.

Employees shall make a reasonable effort to schedule treatment so as not to unduly disrupt the operation of the County.

G. Certification

Each employee shall provide with his or her leave application, certification issued by the health care provider of the eligible employee. Should the leave request be for the care of a spouse, son, daughter or parent of the employee, then a certification issued by their respective health care provider should accompany the leave application. The certification will be considered sufficient if it includes the date on which the illness commenced, the probable duration of the illness, the appropriate medical facts, and where applicable, a statement that the employee is (1) unable to perform his/her job, or (2) is needed to care for his/her child, spouse, or parent. In addition, for intermittent leave requests, the health care provider must certify that such leave is medically necessary, and state the expected duration and expected schedule of the intermittent leave or reduced leave schedule.

In any case in which the County has reason to doubt the validity of the certification for leave to care for a child, spouse, or parent with a serious health condition or because of the employee's own serious health condition, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the County. Where the second opinion differs from the opinion provided in the original certification, the County may require that the employee obtain the opinion of a third health care provider approved jointly by the County and the employee. The opinion of the third health care provider shall be final and binding on both the employer and the County.

H. Employment Protection

Eligible employees who take leave under the Family and Medical Leave Act are entitled to return to the same position they held before taking leave, or to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

I. Benefits Protection

All benefits which eligible employees had accrued prior to taking leave shall be retained. However, employees restored to their former or equivalent positions shall not be entitled to the accrual of seniority or employment benefits during any period of leave except as authorized by County policy.

The County shall, during any period that an eligible employee takes leave, maintain his/her coverage under its group health, dental, and life insurance plan for the duration of such leave at the level and under conditions of coverage which would have been provided if the employee had continued in employment for the duration of such leave. However, if the employee fails to return from leave within the time required under the Act, the employer may recover any group health plan premiums paid for maintaining that coverage while the employee was on leave. If, however, the employee fails to return from leave due to the continuation, recurrence or onset of a serious health condition, covered under the Act or due to circumstances beyond the employee's control, such premiums may not be recovered.

J. Military Caregiver FMLA

1. Military Caregiver FMLA provides eligible employee's unpaid leave for any one, or for a combination of the following reasons:

- A "qualifying exigency" arising out of a covered family member's active duty or call to active duty to a foreign country (areas outside of the United States, the District of Columbia, or any Territory or possession of the United States, including deployment to international waters) in the Armed Forces (including the National Guard or Reserves) of the United States in support of a contingency plan: short notice (seven days or less) deployment, making alternative child/parent care arrangements for a child/parent of the deployed military member, attending certain military ceremonies and briefings, school activities (enroll or transfer to new school/ day care, counseling, rest and recuperation (time with a servicemember who is on short-term leave during deployment) or making financial or legal arrangements to address the military member's absence; and/or

- To care for a covered family member or next of kin who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces of the United States provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating.
2. The "next-of-kin" of a current servicemember is the nearest blood relative, other than the current servicemember's spouse, parent, son or daughter in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins. The servicemember may designate in writing another blood relative as his or her nearest blood relative of military caregiver leave under the FMLA. Other individuals such as a mother-in-law or domestic partner are not included in the definition of "next-of-kin".
 3. Servicemember FMLA runs concurrent with other leave entitlements provided under federal, state, and local law.
 4. Use of FMLA for an employee who is an immediate family member (spouse, child, or parent) of military personnel and/or reservists who have a "qualifying exigency" shall utilize personal time and then vacation time (if any accruals are available) before leave status is considered unpaid.
 5. Use of FMLA for an employee who is an immediate family member (spouse, child, or parent) who is a member of the armed forces of the U.S. and who have been injured or wounded in the line of duty shall utilize any accrued but unused family sick leave (maximum six days per fiscal year), personal time and then vacation time (if any accruals are available) before leave status is considered unpaid.
 6. To use FMLA, the employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember.
 7. A covered servicemember is either:
 - a **current** member of the Armed Forces (including the National Guard or Reserves who has been injured or wounded in the line of duty, receiving medical treatment, recuperation, or therapy or is in outpatient status, or is on the temporary disability retired list for a serious injury or illness (A serious injury or illness also includes injuries or illnesses that existed before the servicemember's active duty and that were aggravated by service in the line of duty on active duty) or
 - a **veteran** of the Armed Forces (including the National Guard or Reserves) discharged within the five-year period before the family member first takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered servicemember.

Contact: Human Resources
286-3200
Revised: 08/2013

Distracted Driving Policy

*THIS DOCUMENT IS ADOPTED FROM POLK COUNTY POLICY. OUR INTENT IS TO PARALLEL POLK COUNTY POLICY FOR POLK COUNTY CONSERVATION BOARD. WORDING SUBSTITUTIONS INCLUDED: POLK COUNTY CONSERVATION REPLACES COUNTY OR POLK COUNTY; PCCB DIRECTOR REPLACES HUMAN RESOURCES DEPARTMENT; UNIT REPLACES DEPARTMENT, AS APPROPRIATE.

Polk County recognizes that distracted driving can impair safe driving and contribute to vehicle accidents. This policy applies to any employee operating County owned vehicles and/or equipment or while driving personal vehicles for business of the County. This policy is not intended to curtail the use of electronic devices installed in vehicles for use by employees to conduct County business when required.

Policy

The safety and well being of our employees is of critical importance to the organization. Activities which would require drivers to take both hands off of the wheel at the same time or their mind entirely off driving responsibilities are prohibited. The following activities are considered distractions that are prohibited by a driver while equipment or a vehicle is in motion. This list is not intended to be all inclusive but to be used as guidelines as to what would be inappropriate.

- Texting or e-mailing with a cell phone or PDA or any other electronic device.
- Televisions, CD players or computers.
- Use of radio or stereo headphones
- Electronic games
- Any device in violation of any applicable local ordinance, state, or federal statute.
- Eating, putting on makeup, and/or reading.

Employees are expected to follow driving laws and safety rules and avoid confrontational or offensive behavior while driving. Employees required to drive as part of their job are required to report to their supervisor any restrictions placed on their driver's license, potential suspension or revocation, or any traffic violations for which the employee is cited while operating a Polk County vehicle or a personal vehicle being used for Polk County business. When Polk County receives an automatic traffic enforcement violation notice the notice will be forwarded to the department/office for which the vehicle is assigned and said department/office director/office holder, or their designee, will determine the employee that was operating the vehicle at the time of the violation. The department/office affected will notify the Human Resources Department and Risk Management of the employee's name, date and nature of the violation. Employees will be responsible for any fines levied for traffic violations either issued personally or incurred through an automatic traffic enforcement violation.

Any cell phone use, while driving, should be of limited time in nature. Extended cell phone conversation need to be held with the vehicle parked in a safe and legal parking area.

Consequences for Violation of Policy

Any driver found to have violated this policy may be subject to discipline up to and including termination.

Cabin Rental Contract Agreement

By agreeing with these terms and conditions, you represent that you are 18 years or older (21 years or older if beer and/or wine are present) and that you are authorized to make the reservation on behalf of the group listed. You further agree to assume full responsibility for the acts, negligence or omissions of the members of your group while using cabins.

Polk County Conservation Board (PCCB) Park Rules and Regulations are to be followed and can be found under the "Related Items" section located at bottom of description page for this cabin.

CHECK-IN TIME: After 4:00 PM on the day of arrival

CHECK-OUT TIME: By 11:00 AM on day of departure

GETTING INTO A CABIN

- For peak season rentals (April 15 through October 15), please check in at the camper registration booth to pick up your cabin key. If booth is closed, contact park ranger at (515) 249-3229.
- For off-season rentals (October 16 through April 14), please call park ranger at (515) 249-3229 to make arrangements to pick up your cabin key.

GENERAL INFORMATION

- You are allowed two (2) vehicles per cabin. No vehicles are permitted on roadway or grass for any reason. RVs and trailers are not allowed.
- You are responsible for the actions of all persons visiting and/or staying at the facility
- Violation of any state law or county regulation is cause for revocation of the renting privilege and the party may be required to leave the area, without refund
- No rental party shall occupy any cabin for more than 14 days out of any 17-day period
- Number of overnight persons should not exceed facility capacity: 8 person capacity for large cabin; 6 person capacity for each small cabin
- No cabin shall be left unoccupied for more than 24 hours.
- Renters and visitors must avoid excessive noise and maintain quiet hours of 10:00 p.m. - 9:00 a.m.

FIREWOOD

Firewood will be provided. If you desire more than has been provided you may bring your own additional firewood if from Polk County, USDA certified, untreated dimensional lumber (2"x4"), local distributors with proper IDALS label or sold by PCCB.

DIRECTIONAL SIGNS & DECORATIONS

Decorations and directional signs are not allowed.

CLEAN-UP & DAMAGES

- You are required to clean the facility and grounds and return them to the condition you received them.

- Plan to have your facility cleaned and people departed prior to your scheduled checkout time.
- A checklist of what is to be cleaned will be emailed with your reservation packet and will also be found in the cabin for your use.
- A clean-up fee of \$75 per hour will be charged if the facility is not left in the condition you received it.
- Repair of any damage not caused by normal wear and tear will be charged to the renter
- Failure to pay the fee will result in further action to collect the debt.

REFUSE

- Trash in and around your cabin must be picked up and placed in the dumpster prior to your departure.
- Trash bags are provided. For additional trash bags contact the park ranger.

VISITORS

All visitors must depart the area by park closing time.

SMOKING

PCCB is a smoke-free environment. Smoking is prohibited in the cabins and on surrounding deck area.

PARKING

- Parking is confined to designated parking areas.
- Parking for two vehicles per cabin is available.
- If you anticipate more vehicles than spaces provided, please contact the Ranger in advance.
- No parking or driving off roadways.

ALCOHOL

Keg beer and liquor are prohibited in or around cabins.

PETS

Pets are prohibited. Service animals are allowed with prior notification.

SPECIAL PROVISIONS

- Nearby shelters are available for large group activities. For information and reservations visit www.mycountyparks.com
- No use of any amplified radio, television, stereo, or musical instrument is allowed outside the cabin.
- No generators, canopies, power saws, chain saws, power tools are allowed in the cabin area.
- Failure to comply may result in forfeiture of your facility reservation without refund.
- Contact the PCCB office at (515) 323-5370 for more information.

RESERVATION MODIFICATIONS (INCLUDING DATE CHANGE)

- Name of person on contract will be the only person who can make modifications to the rental reservation.
- All reservation modifications must be made by calling and/or emailing the PCCB office at 515-323-5370 / pccb_info@polkcountyiowa.gov
- In order to make any modification to an existing reservation, the request must be 30 days prior to the original date.
- You have only ONE opportunity to reschedule your original facility rental reservation.
- Any modifications you make to an existing reservation will be assessed a \$10 change fee.
- If the modification is a change in cabin and the cost of the cabin to which you are changing to rents at a higher fee, you will be asked to pay the difference in rental cost. If the cost of the cabin to which you changing to rents at a lesser fee, you forfeit the difference in rental cost.

CANCELLATION POLICY

- Cancellations cannot be done on the website and must be made by calling and/or emailing the PCCB office 30 days prior to the date on which the facility is reserved to qualify for refund (see refund policy).

REFUND POLICY

- If you cancel 30 days prior to the date on which the facility is reserved, 50% of your cabin reservation is **NON-REFUNDABLE**.
- If you cancel less than 30 days prior to the date on which the facility is reserved, 100% of facility reservation will be forfeited.
- If a facility reservation is cancelled by PCCB due to a natural disaster or if by some means the facility is unusable, a full refund will be issued to the person that made the original reservation.
- Refunds will be issued to name on reservation.

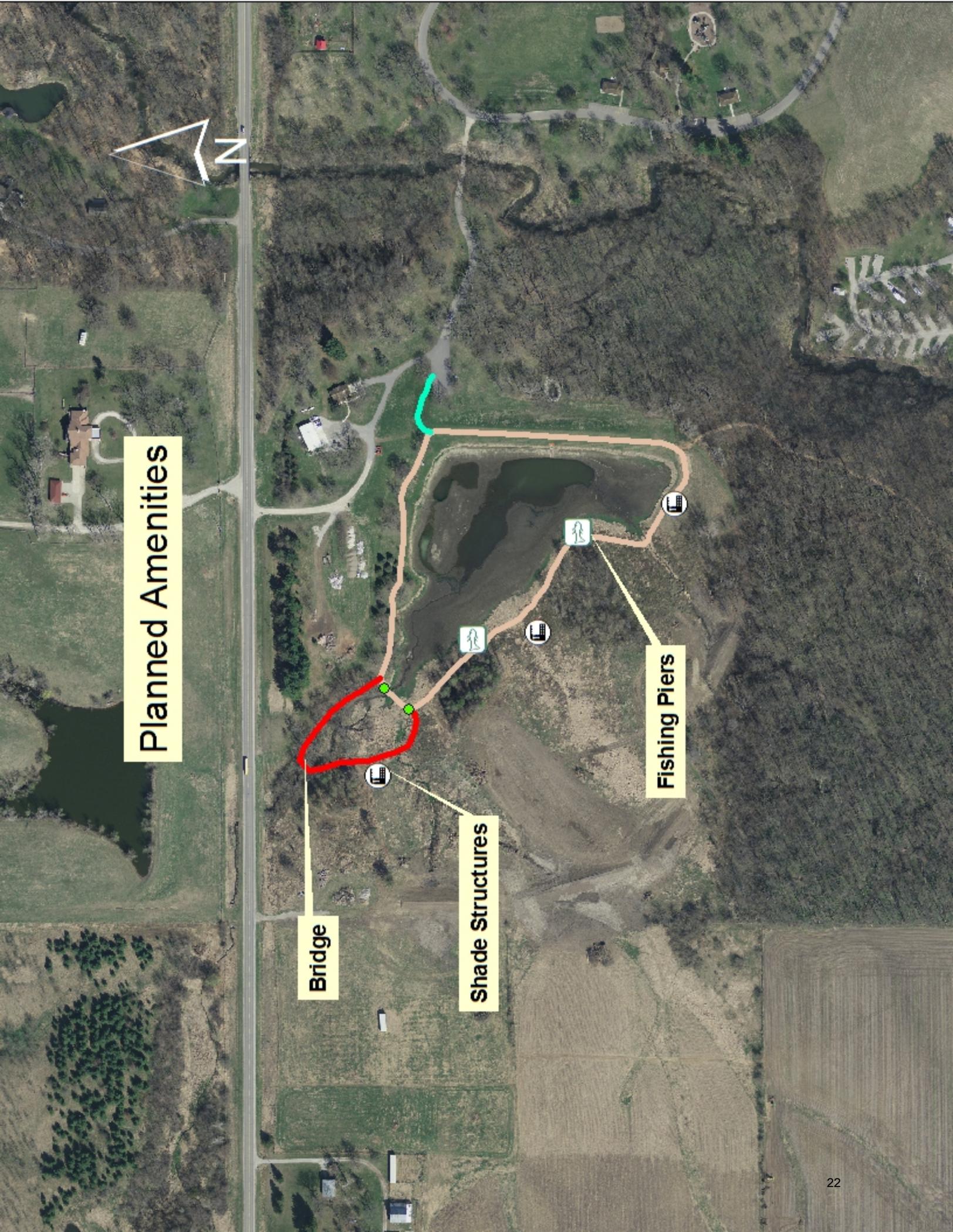
Planned Amenities



Bridge

Shade Structures

Fishing Piers



Engineers Estimate for EC Trails

Item Code	Item Description	Unit	Quantity	Unit Price	Total Cost
2101-085000	CLEARING AND GRUBBING	ACRE	0.47	\$5,000.00	\$2,350.00
2102-042507	SPECIAL BACKFILL or GRANULAR SUBBASE	TON	3,346.85	\$18.00	\$60,243.30
2109-822510	SPECIAL COMPACTION OF SUBGRADE	STA	160.30	\$350.00	\$56,105.00
2123-745000	EARTH SHOULDER CONSTRUCTION	STA	320.60	\$155.00	\$49,693.00
2312-826005	GRANULAR SURFACING ON ROAD, CLASS A CRUSHED STONE	TON	1,628.36	\$22.00	\$35,823.92
2507-680004	REVETMENT, CLASS D	TON	200.00	\$42.00	\$8,400.00
2533-498000	MOBILIZATION	LS	1.00	\$10,741.01	\$10,741.01
2601-263410	MULCHING	ACRE	1.47	\$700.00	\$1,029.00
2601-264210	STABILIZING CROP - SEEDING AND FERTILIZING	ACRE	1.47	\$800.00	\$1,176.00
	TRAFFIC CONTROL	LS			

\$225,561.23

Engineers Estimate for TM Pond Trail using EC Trails Cost

RW Bids

Item Code	Item Description	Unit	Quantity	Unit Price	Total Cost		Total Cost
2101-085000	CLEARING AND GRUBBING	ACRE	0.90	\$5,000.00	\$4,500.00	\$4,500.00	\$ 2,040.00
2102-042507	SPECIAL BACKFILL or GRANULAR SUBBASE	TON	600.23	\$18.00	\$10,804.14		
2109-822510	SPECIAL COMPACTION OF SUBGRADE	STA	34.00	\$350.00	\$11,900.00		
2123-745000	EARTH SHOULDER CONSTRUCTION	STA	68.00	\$155.00	\$10,540.00		
2312-826005	GRANULAR SURFACING ON ROAD, CLASS A CRUSHED STONE	TON	301.20	\$22.00	\$6,626.40	\$39,870.54	\$ 44,039.84
	CULVERTS AS SPECIFIED (Midwestern Culvert Prices to PCC)				\$4,899.74		
	CULVERTS AS SPECIFIED-Installed				\$9,799.48	\$14,699.22	\$ 10,284.92
	STRAW WATTLE INSTALLATION	LF	3,400.00	\$2.75	\$9,350.00	\$9,350.00	\$ 5,088.00
	TILE INSTALLATION	LF	225.00	\$9.00	\$2,025.00	\$2,025.00	\$ 900.00
2507-680004	REVETMENT, CLASS D	TON	44.00	\$42.00	\$1,848.00	\$1,848.00	\$ 2,603.00
2533-498000	MOBILIZATION	LS	1.00	\$3,637.89	\$3,637.89	\$3,637.89	\$ 800.00
2601-263410	MULCHING	ACRE	0.31	\$700.00	\$217.00		
2601-264210	STABILIZING CROP - SEEDING AND FERTILIZING	ACRE	0.31	\$800.00	\$248.00	\$465.00	\$ 500.00
	TRAFFIC CONTROL	LS					

\$76,395.65

\$ 66,255.76

Prepared by: David Bagby, for the City of Des Moines, Buyer, (515) 283-454527

Return to: Real Estate Division, City of Des Moines, 400 Robert D. Ray Drive, Des Moines, IA 50309-1891

Project: Army Post Bridge – Great Western Trail

Activity ID #12-2011-001

Project Location: Tax Parcel 120/07525-303-000

Parcel # 9A- Tax Parcel 120/07525-303-000

PERMANENT EASEMENT FOR TRAIL CULVERT AND STORM SEWER RIGHT OF WAY

Polk County Conservation Board (hereinafter referred to as the "Grantor"), in consideration of the sum of **One /100 Dollars (\$1.00)** to be paid by the City of Des Moines, Iowa, does/do hereby convey unto the City of Des Moines, Iowa, a municipal corporation (hereinafter referred to as the "City"), a Permanent Easement for Trail Culvert and Storm Sewer Right-of-Way under, over, through and across the following described property:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 00°(DEGREES) 18'(MINUTES) 09"(SECONDS) WEST, 12.51 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE NORTH 67° 31' 00" EAST, 68.06 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY TO THE POINT OF BEGINNING, THENCE NORTH 67° 31' 00" EAST, 136.77 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE SOUTH 39° 36' 58" EAST, 68.42 FEET; THENCE NORTH 89° 51' 52" WEST, 170.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY TO THE POINT OF BEGINNING, CONTAINING 4,470 SQUARE FEET OR 0.10 ACRES MORE OR LESS.

Which property is also described and depicted on the plat attached hereto as Exhibit "PE-9A"

(hereinafter referred to as the "Easement Area") for all activities related to the purpose of the City constructing, reconstructing, repairing, enlarging and maintaining a storm sewer, together with the necessary appurtenances thereto, under, over and through said Easement Area.

This Easement shall be subject to the following terms and conditions:

1. **ERECTION OF STRUCTURES PROHIBITED.** Grantor shall not erect any structure over or within the Easement Area without obtaining the prior written approval of the City Engineer.
2. **PLANTINGS.** The planting of trees and shrubs is prohibited within the Easement Area.
3. **CHANGE OF GRADE PROHIBITED.** Grantor shall not change the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City Engineer.
4. **RIGHT OF ACCESS.** The City, its agents, contractors, employees and assigns shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area. This Easement allows the City, its agents, contractors, employees and assigns the right to enter in, upon and onto the Easement Area at any time to perform any and all activities related to or necessary for the construction, reconstruction, repair, enlargement or maintenance of the storm sewer, including but not limited to the following activities: (1) grading and excavation; (2) hauling, transporting and storage of materials and equipment; (3) removal of any unauthorized plantings or structures placed or erected within the Easement Area; (4) trimming and/or removal of trees, shrubs, and landscaping within or encroaching upon the Easement Area; and (5) utility work including but not limited to relocation, placement and removal of various utility facilities such as electric poles and wires, water lines, sewer lines and natural gas facilities that are within or encroaching upon the Easement Area. This right of access shall begin on the date that Grantor executes this document.
5. **EASEMENT RUNS WITH LAND.** This Easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.
6. **APPROVAL BY CITY COUNCIL.** This Easement shall not be binding until it has received final approval and acceptance by the Des Moines City Council by Resolution which approval and acceptance shall be noted on this Easement by the City Clerk.
7. **SPECIAL PROVISIONS.** None

Grantor does hereby covenant with the City that Grantor holds said real estate described in this Easement by title in fee simple; that Grantor has good and lawful authority to convey the same; and said Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Easement.

Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Signed this _____ day of _____, 2013.

Tom Hockensmith

DONATION (OPTIONAL)

It is the understanding of the Grantor that, although the City will provide compensation for the granting of this property, it is the Grantor's wish to **donate** this permanent easement and **not** receive said compensation, and Grantor waives any and all rights to compensation.

Tom Hockensmith

STATE OF IOWA)

) ss.

COUNTY OF POLK)

This instrument was acknowledged before me on _____, 2013, by Tom Hockensmith.

Notary Public in and for the State of _____

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City of Des Moines by Resolution and Roll Call No. _____, passed on the _____ day of _____, 20____, and this certificate is made pursuant to authority contained in said Resolution.

Signed this ____ day of _____, 20____.

Diane Rauh
City Clerk of the City of Des Moines, Iowa

ACQUISITION PLAT

OF PERMANENT EASEMENT BEING CONVEYED TO THE CITY OF DES MOINES
ARMY POST ROAD BRIDGE OVER GREAT WESTERN TRAIL

TAX PARCEL NUMBERS:
120/07525-303-000

PARCEL 9
CITY ACTIVITY ID: 12-2011-001

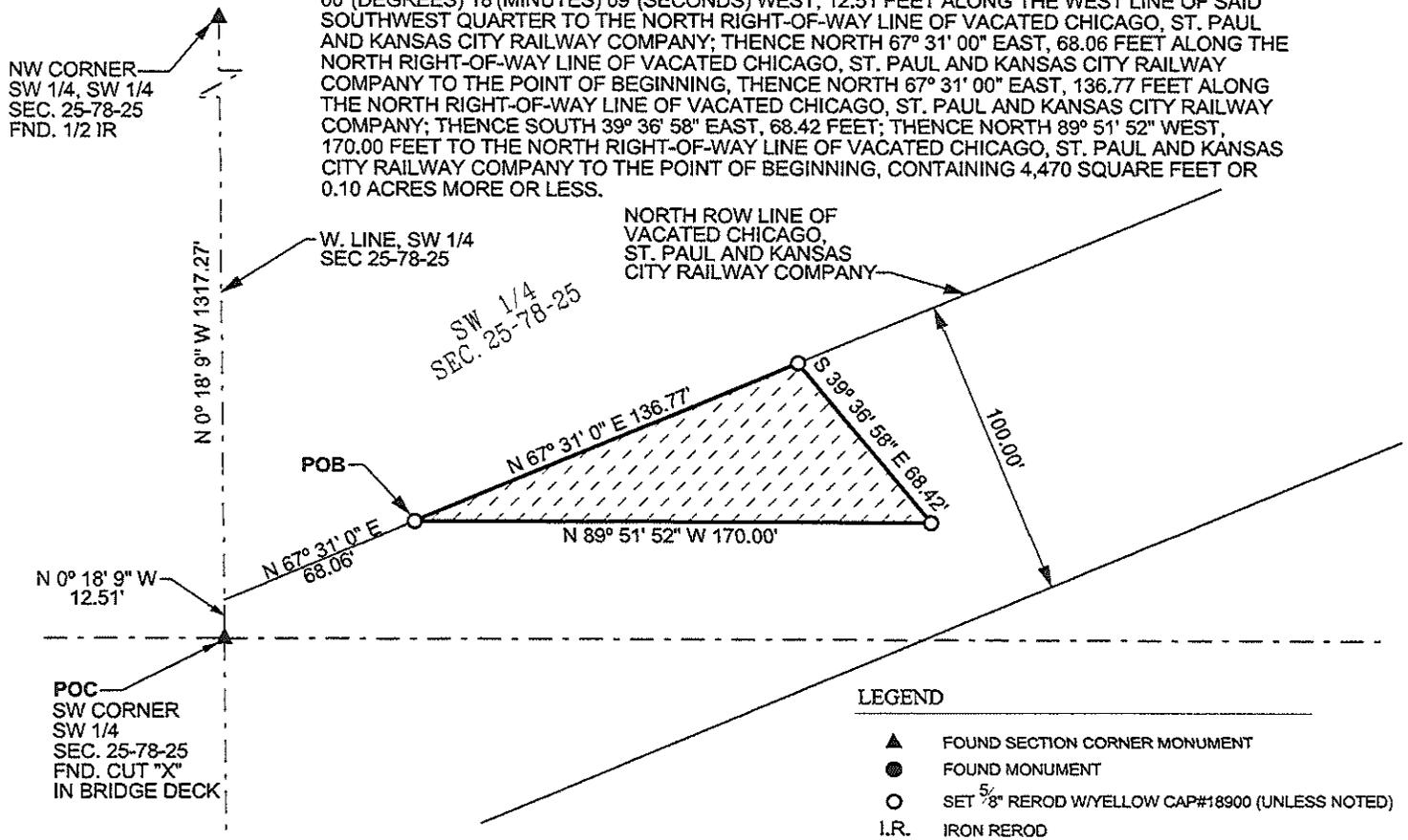
PROPERTY OWNER:

POLK COUNTY CONSERVATION BOARD
11407 NW JESTER PARK DR
GRANGER, IA 50109

LEGAL DESCRIPTION PERMANENT EASEMENT FOR TRAIL CULVERT & STORM SEWER:

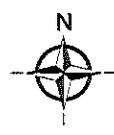
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 00°(DEGREES) 18'(MINUTES) 09"(SECONDS) WEST, 12.51 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE NORTH 67° 31' 00" EAST, 68.06 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY TO THE POINT OF BEGINNING, THENCE NORTH 67° 31' 00" EAST, 136.77 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE SOUTH 39° 36' 58" EAST, 68.42 FEET; THENCE NORTH 89° 51' 52" WEST, 170.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY TO THE POINT OF BEGINNING, CONTAINING 4,470 SQUARE FEET OR 0.10 ACRES MORE OR LESS.

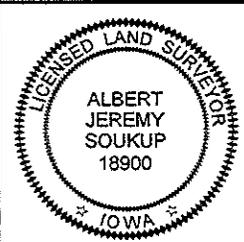


- LEGEND**
- ▲ FOUND SECTION CORNER MONUMENT
 - FOUND MONUMENT
 - SET 5/8" REROD W/YELLOW CAP#18900 (UNLESS NOTED)
 - I.R. IRON REROD
 - I.P. IRON PIPE
 - G.P. GAS PIPE
 - (M) MEASURED DIMENSION
 - (R) RECORDED DIMENSION
 - - - SECTION LINE
 - RW- RIGHT-OF-WAY LINE
 - EASEMENT LINE
 - WOC WITH ORANGE CAP
 - WYC WITH YELLOW CAP
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT *ETS 8-12-13*

FIELD SURVEY
COMPLETED: 08-15-2011



NOTE: MONUMENTS SHOWN TO BE SET WILL BE ESTABLISHED AFTER CONSTRUCTION IS COMPLETED



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Albert Jeremy Soukup 8/6/13
 ALBERT JEREMY SOUKUP, L.S. DATE
 License Number: 18900
 My license renewal date is DECEMBER 31, 2013.
 Pages or sheets covered by this seal: 1

SURVEY FOR:
THE CITY OF DES MOINES
400 ROBERT D. RAY DRIVE
DES MOINES, IA 50309
PHONE: (515) 283-4023
FAX: (515) 237-1814

FOTH PROJECT NO. 10D007-01 DATE: 8/6/2013

EXHIBIT
PE-9A

SHEET
1 OF 1

28

Prepared by: David Bagby, for the City of Des Moines, Buyer, (515) 283-454527

Return to: Real Estate Division, City of Des Moines, 400 Robert D. Ray Drive, Des Moines, IA 50309-1891

Project: Army Post Bridge – Great Western Trail

Activity ID #12-2011-001

Project Location: Tax Parcel 120/07525-303-000

Parcel # 9B- Tax Parcel 120/07525-303-000

PERMANENT EASEMENT FOR RIGHT OF WAY OVER GREAT WESTERN TRAIL

Polk County Conservation Board (hereinafter referred to as the "Grantor"), in consideration of the sum of **One /100 Dollars (\$1.00)** to be paid by the City of Des Moines, Iowa, does/do hereby convey unto the City of Des Moines, Iowa, a municipal corporation (hereinafter referred to as the "City"), a Permanent Easement Being Conveyed to the City of Des Moines Army Post Road Bridge Over Great Western Trail for Right-of-Way, over and across the following described property:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER SECTION 25, AND THE NORTHWEST QUARTER OF SECTION 36, ALL IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE OF THE FIFTH PRINCIPAL MERIDIAN, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 25, THENCE NORTH 00°(DEGREES) 18'(MINUTES) 09"(SECONDS) WEST, 12.51 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25 TO THE NORTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE NORTH 67° 31' 00" EAST, 68.06 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE SOUTH 89° 51' 52" EAST, 260.01 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE SOUTH 67° 31' 00" WEST, 171.61 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE NORTH 89° 51' 52" WEST, 164.22 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36; THENCE NORTH 00° 06' 01" WEST, 27.32 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36 TO THE POINT OF BEGINNING, CONTAINING 15,250 SQUARE FEET OR 0.35 ACRES MORE OR LESS.

Which property is also described and depicted on the plat attached hereto as Exhibit "PE-9B"

(hereinafter referred to as the "Easement Area") for all activities related to the purpose of the City constructing, reconstructing, repairing, enlarging and maintaining a storm sewer, together with the necessary appurtenances thereto, under, over and through said Easement Area.

This Easement shall be subject to the following terms and conditions:

1. **ERECTION OF STRUCTURES PROHIBITED.** Grantor shall not erect any structure over or within the Easement Area without obtaining the prior written approval of the City Engineer.
2. **PLANTINGS.** The planting of trees and shrubs is prohibited within the Easement Area.
3. **CHANGE OF GRADE PROHIBITED.** Grantor shall not change the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City Engineer.
4. **RIGHT OF ACCESS.** The City, its agents, contractors, employees and assigns shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area. This Easement allows the City, its agents, contractors, employees and assigns the right to enter in, upon and onto the Easement Area at any time to perform any and all activities related to or necessary for the construction, reconstruction, repair, enlargement or maintenance of the storm sewer, including but not limited to the following activities: (1) grading and excavation; (2) hauling, transporting and storage of materials and equipment; (3) removal of any unauthorized plantings or structures placed or erected within the Easement Area; (4) trimming and/or removal of trees, shrubs, and landscaping within or encroaching upon the Easement Area; and (5) utility work including but not limited to relocation, placement and removal of various utility facilities such as electric poles and wires, water lines, sewer lines and natural gas facilities that are within or encroaching upon the Easement Area. This right of access shall begin on the date that Grantor executes this document.
5. **EASEMENT RUNS WITH LAND.** This Easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.
6. **APPROVAL BY CITY COUNCIL.** This Easement shall not be binding until it has received final approval and acceptance by the Des Moines City Council by Resolution which approval and acceptance shall be noted on this Easement by the City Clerk.
7. **SPECIAL PROVISIONS.** None

Grantor does hereby covenant with the City that Grantor holds said real estate described in this Easement by title in fee simple; that Grantor has good and lawful authority to convey the same; and said Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Easement.

Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Signed this _____ day of _____, 2013.

Tom Hockensmith

DONATION (OPTIONAL)

It is the understanding of the Grantor that, although the City will provide compensation for the granting of this property, it is the Grantor's wish to **donate** this permanent easement and **not** receive said compensation, and Grantor waives any and all rights to compensation.

Tom Hockensmith

STATE OF IOWA)

) ss.

COUNTY OF POLK)

This instrument was acknowledged before me on _____, 2013, by Tom Hockensmith.

Notary Public in and for the State of _____

APPROVED AS TO FORM:

Glenna K. Frank, Assistant City Attorney

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City of Des Moines by Resolution and Roll Call No. _____, passed on the _____ day of _____, 20____, and this certificate is made pursuant to authority contained in said Resolution.

Signed this _____ day of _____, 20_____.

Diane Rauh
City Clerk of the City of Des Moines, Iowa

ACQUISITION PLAT

OF PERMANENT RIGHT-OF-WAY EASEMENT BEING CONVEYED TO THE CITY OF DES MOINES
ARMY POST ROAD BRIDGE OVER GREAT WESTERN TRAIL

TAX PARCEL NUMBERS:

120/07525-303-000
120/07536-203-000

PARCEL 9
CITY ACTIVITY ID: 12-2011-001

PROPERTY OWNER:

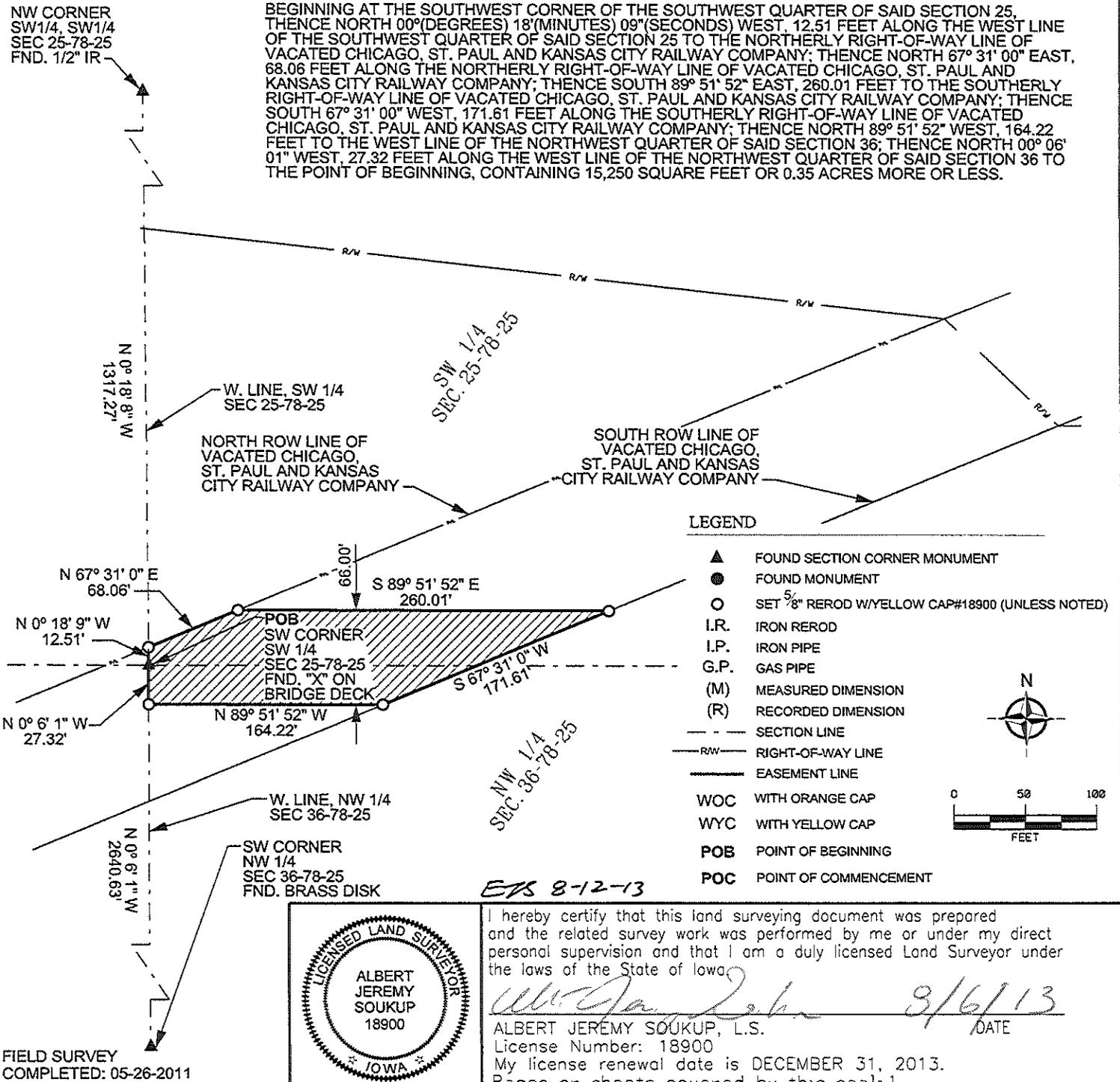
POLK COUNTY CONSERVATION BOARD
11407 NW JESTER PARK DR
GRANGER, IA 50109

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER SECTION 25, AND THE NORTHWEST QUARTER OF SECTION 36, ALL IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE OF THE FIFTH PRINCIPAL MERIDIAN, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

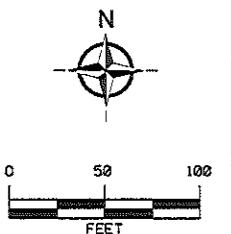
BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 25, THENCE NORTH 00°(DEGREES) 18'(MINUTES) 09"(SECONDS) WEST, 12.51 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25 TO THE NORTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE NORTH 67° 31' 00" EAST, 68.06 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE SOUTH 89° 51' 52" EAST, 260.01 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE SOUTH 67° 31' 00" WEST, 171.61 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF VACATED CHICAGO, ST. PAUL AND KANSAS CITY RAILWAY COMPANY; THENCE NORTH 89° 51' 52" WEST, 164.22 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36; THENCE NORTH 00° 06' 01" WEST, 27.32 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36 TO THE POINT OF BEGINNING, CONTAINING 15,250 SQUARE FEET OR 0.35 ACRES MORE OR LESS.

NW CORNER
SW 1/4, SW 1/4
SEC 25-78-25
FND. 1/2" IR

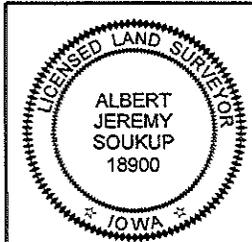


LEGEND

- ▲ FOUND SECTION CORNER MONUMENT
- FOUND MONUMENT
- SET 5/8" REROD W/YELLOW CAP#18900 (UNLESS NOTED)
- I.R. IRON REROD
- I.P. IRON PIPE
- G.P. GAS PIPE
- (M) MEASURED DIMENSION
- (R) RECORDED DIMENSION
- - - SECTION LINE
- RW- RIGHT-OF-WAY LINE
- EASEMENT LINE
- WOC WITH ORANGE CAP
- WYC WITH YELLOW CAP
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT



ETS 8-12-13



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Albert Jeremy Soukup 8/6/13
ALBERT JEREMY SOUKUP, L.S. DATE
License Number: 18900
My license renewal date is DECEMBER 31, 2013.
Pages or sheets covered by this seal: 1

FIELD SURVEY
COMPLETED: 05-26-2011

SURVEY FOR:
THE CITY OF DES MOINES
400 ROBERT D. RAY DRIVE
DES MOINES, IA 50309
PHONE: (515) 283-4023
FAX: (515) 237-1814

EXHIBIT
PE-9B

SHEET
1 OF 1

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2013- 2014 Revenue Budget

- as of 09/30/13 (25% of budget year expired)

UNIT #	UNIT	Revenue Budget	Total Revenues Received	Balance Due	%
General - Fund 1					
0212	Infrastructure	\$ -	\$ -	\$ -	0.0%
0213	Equipment	\$ 4,000	\$ -	\$ 4,000	0.0%
6006	Environmental Ed	\$ 55,000	\$ 3,827	\$ 51,173	7.0%
6009	Natural Resources	\$ 176,300	\$ 26,091	\$ 150,209	14.8%
6101	Administration	\$ 109,100	\$ 24,032	\$ 85,068	22.0%
6103	Community Outreach	\$ -	\$ -	\$ -	0.0%
6104	Conservation Grants	\$ -	\$ -	\$ -	0.0%
6110	Parks Advocacy Unit	\$ 466,000	\$ 186,330	\$ 279,671	40.0%
6119	Construction/Maint.	\$ -	\$ 30	\$ (30)	0.0%
6124	Equestrian Center	\$ 311,000	\$ 86,043	\$ 224,957	27.7%
Sub-Total - General Fund 1		\$ 1,121,400	\$ 326,352	\$ 795,048	29.1%
REAP - Fund 26					
0211	Resource Enhancement	\$ 103,200	\$ -	\$ 103,200	0.0%
Reserve - Fund 50					
0210-0214	Special Projects	\$ -	\$ 116,165	\$ (116,165)	#DIV/0!
Bond - Fund 51					
0210	Water & Land Dev & Trails	\$ 1,100,000	\$ 5,681	\$ 1,094,319	0.0%
Grand Total - Conservation		\$ 2,324,600	\$ 448,198	\$ 1,876,402	19.3%

2013- 2014 Expense Budget

- as of 09/30/13 (25% of budget year expired)

UNIT #	UNIT	Expense Budget	Total Expended	Balance Remaining	% Expended
General - Fund 1					
0212	Infrastructure	\$ -	\$ -	\$ -	#DIV/0!
0213	Equipment	\$ 158,500	\$ 81,569	\$ 76,931	51.5%
6006	Environmental Ed	\$ 373,691	\$ 115,743	\$ 257,948	31.0%
6009	Natural Resources	\$ 738,882	\$ 219,182	\$ 519,700	29.7%
6101	Administration	\$ 955,972	\$ 302,494	\$ 653,478	31.6%
6103	Community Outreach	\$ 207,048	\$ 61,804	\$ 145,244	29.9%
6104	Conservation Grants	\$ -	\$ 4,581	\$ (4,581)	#DIV/0!
6110	Parks Advocacy Unit	\$ 468,059	\$ 129,718	\$ 338,341	27.7%
6119	Construction/Maint.	\$ 1,067,239	\$ 373,341	\$ 693,898	35.0%
6124	Equestrian Center	\$ 409,939	\$ 109,047	\$ 300,892	26.6%
Sub-Total - General Fund 1		\$ 4,379,330	\$ 1,397,479	\$ 2,981,851	31.9%
General Supplemental - Fund 2					
All Units	Benefits (IPERS/FICA/Ins, Etc.)	\$ 1,003,097	\$ 252,821	\$ 750,276	25.2%
Risk Management - Fund 3					
6100	Insurance,Med., Work. Comp.	\$ 96,300	\$ 55,626	\$ 40,674	57.8%
REAP - Fund 26					
0211	Resource Enhancement	\$ 147,225	\$ 48,267	\$ 98,959	32.8%
Reserve - Fund 50					
0210-0214	Trails, Special Projects	\$ 499,200	\$ 16,878	\$ 482,322	3.4%
Bond - Fund 51					
0210	Water & Land Dev & Trails	\$ 7,130,000	\$ 2,747,097	\$ 4,382,903	38.5%
Grand Total - Conservation		\$ 13,255,152	\$ 4,518,168	\$ 8,736,984	34.1%