

Wayne County Board of Supervisors

Regular Scheduled Meeting of the Wayne County Board of Supervisors was held on the 7th day of March 2022, in the Conference Room of the Wayne County Courthouse, Corydon, Iowa, pursuant to notice duly given in compliance with Iowa Code Section 21.4. The Board noted due notice of meeting subject to said Code Section.

Present were David Dotts, Tom Swearingin(by phone), Don Seams members of the Board, Robert Michael, Sheriff Keith Davis, Dan Carpenter, Dr. Joel Wells, Penny Fetters, Jack Reed(Via Zoom), Rhonda Bennett, Jen Reed and Michelle Dooley.

The Corydon Times Republican live streams the Board of Supervisors regular session meetings on their Facebook page. **Unless otherwise noted, all motions are approved unanimously by all Board members present.**

Dotts called the meeting to order at 9:02 AM and took roll call.

Pledge of Allegiance

Seams made motion to approve the March 7, 2022, seconded by Swearingin.

Seams made motion to approve the February 22, 2022, minutes, seconded by Swearingin.

Seams made motion to approve the March 4, 2022, payroll, seconded by Swearingin.

Swearingin made a motion to approve the March 7, 2022, claims, seconded by Seams.

Dooley also requested approval for special claim set for February 24th. Seams made motion to approve the February 24th special claim set, seconded by Swearingin.

No public comments regarding agenda items.

At 9:07AM Seams made motion to open the public hearing for the FY23 Wayne County Budget, seconded by Swearingin.

Dooley reported no written or oral comments had been filed with the Auditor's office regarding the FY23 Budget.

No public comments were made during the public hearing regarding the FY23 Budget.

At 9:08AM Seams made motion to close the public hearing for the FY23 Wayne County Budget, seconded by Swearingin.

Dotts read **Resolution 22-29** (FY23 Budget)

WHEREAS: upon due and proper notice, published in accordance with law, said Proposed FY23 Wayne County Budget was set for public hearing March 7, 2022, at 9a.m. in the Wayne County Courthouse Basement Conference Room, Corydon IA and residents and taxpayers were given the opportunity to present written or oral comments in regard to the proposed budget.

WHEREAS: The Board of Supervisors of Wayne County, Iowa, held public hearing Monday, March 7, 2022 at 9:00 a.m., Boardroom, Courthouse, Corydon, IA and reviewed the Purposed FY23 Wayne County Budget, for the fiscal year July 1, 2022 to June 30, 2023.

WHEREAS: The FY23 Wayne County Budget been submitted and proposed, is hereby approved and adopted for fiscal year July1, 2022 to June 30, 2023

THEREFORE, BE IT RESOLVED: by the Board of Supervisors of Wayne County, Iowa that the FY23 Wayne County Budget is approved and adopted as entered with the Department of Management.

Seams made the motion to approve Resolution 22-29, seconded by Swearingin.

Dotts read **RESOLUTION 22-30** (Appropriations for FY23)

Resolution authorizing the appropriations for expenditures for the various Wayne County offices for the fiscal year beginning July 1, 2022.

BE IT THEREFORE RESOLVED by the Wayne County Board of Supervisors that the appropriations for expenditures during the fiscal year 2022-2023, (Section 331.434(6), Code of Iowa) be approved for such amounts as deemed necessary for each County Office. The appropriations are as follows:

Dept Title	FY23	Dept Title	FY23
Board of Supervisors	1,831,898	Sheriff	2,554,120
Auditor	273,680	Environmental Programs	39,060
Treasurer	260,199	Recorder	199,744
Attorney	126,915	Watershed	2,500

County Farm	10,000	County Libraries	25,651
Pioneer Cemetery	10,000	Development	45,471
Civil Service Commission	2,000	General Services	290,051
Secondary Road	5,713,153	Data Process	245,500
Veteran's Affair	93,376	Chemical Dependency	12,000
Conservation Board	309,616	Mental Health	59,655
Public Health	661,098	Probation Office/JV Court	18,500
Sanitation	109,725	New Venture Group Home	304,050
Social Service	59,103	Operating Transfers (Local Effort)	70,957
Medical Examiner	23,000	Operating Transfers (Local Effort)	798,866
District Court	8,500	Total FY23 Expenditures	\$ 14,158,388

Seams made the motion to approve Resolution 22-30, seconded by Swearingin.

Dotts read **RESOLUTION 22-31 Local Effort for Secondary Road Fund**

Resolution authorizing the transfer of money to the Secondary Road Fund as approved in the budget for the fiscal year 2022-2023.

Whereas: It be desired to authorize the Auditor to periodically transfer sums from the General Basic Fund and the Rural Service Basic Fund to the Secondary Road fund during the 2022-2023 budget year, and;

Whereas: Said transfers must be in accordance with Section 331.432(1)a & b of the Code of Iowa, as follows;

Section 1. The Total maximum transfer from the Rural Service Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed that of \$798,866.

Section 2. The Total maximum transfer from the General Basic Fund for the fiscal year beginning July 1, 2022, shall not exceed that of \$70,957.

Section 3. The Total maximum combined transfer is \$869,823.

Section 4. Within ten (10) days of being notified of the apportionment of current property taxes, state replacements against the levied property taxes, mobile home taxes, military replacements against the Rural Service Basic Fund and General Basic Fund, the Auditor shall order a transfer from said funds to Secondary Road Fund.

Section 5. The amount of transfer required by Section 1 & 2 shall be equal to the apportionment made under Section 4 multiplied by the ration of said fund's total current property tax levy, total mobile home taxes, total military service tax credit replacements, and total livestock credit replacement.

Section 6. Notwithstanding the provisions of Section 1 & 2 of this resolution total transfers to the Secondary Road Fund shall not exceed the amount specified in Section 3.

Section 7. Notwithstanding the provisions of Section 1 & 2 the amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 8. The Auditor is directed to correct her books with said operating transfers are made to notify the Treasurer and County Engineer of the amounts of said transfers.

Seams made the motion to approve Resolution 22-31, seconded by Swearingin.

Dr. Joel Wells and Penny Fetters were present to speak on behalf of the Public Health Board and the Public Health Department. Public Health Director Shelley Bickel has been given notice that they are going to need to relocate by July 1st, 2022, since The Prairie Trail Dental Office is expanding and is needing additional office space. Wells spoke of two options: The Corydon Senior Meal location that has been donated to the county for a new location for public health, but it has some structural issues and remodeling needs to be done before the Public Health & Wayne County Homemakers Agency can relocate. Dr. Wells also discussed that the First Christian Church across the street from the Wayne County Courthouse has been presented as an option for a new location site but that it is hard for the Board of Health to negotiate without secure funding, but he stated that very little would need to be done with the structure before Public Health, Homemakers & WIC could relocate into that facility. Dr. Wells & Fetters both expressed their concerns and requested a one-time appropriation

to be given to the Public Health Department to allow them the necessary funding to secure a new location within the time allowed. Dotts & Seams both spoke up that an offer as been made to the First Christian Church, but they have not received a response back yet from their Board members and congregation. Robert Michael was present to speak on behalf of the First Christian Church and expressed that many families and individuals have emotional ties with the church and the building, but he thought that a decision could be reached among their Board and Congregation regarding the offer made by the County Supervisors. A special meeting is scheduled for Wednesday, March 9th at 9AM in the Basement Conference Room of the Courthouse with the Board of Supervisors and Mr. Michael and the other Church Board members. Mr. Michael thought a decision on the offer could be given at that meeting. Dotts expressed his apologizes to the Board of Health if it appeared that the Board of Supervisors were not responding to the need of a new location for Public Health and Homemakers, but he wanted to be respectful to the Church Board and members of the First Christian Church. Swearingin encouraged Seams and Dotts to make a one-time appropriation to Public Health so that the Public Health Board could handle the negotiations, but Seams and Dotts declined since an offer as already been presented.

Sheriff Keith Davis discussed the need to replace a patrol vehicle in his fleet. He stated that vehicles are very difficult to get right now but he was able to secure one for a May delivery. Davis stated his FY22 budget had room in it for the purchase because he has been short one Deputy. The Board gave their blessing and Davis will realign the FY22 budget line items to allow for the purchase of the new vehicle but no amendment to his FY22 budget appropriation will be required.

Dan Carpenter, Assistant County Engineer gave an update of the Medicine Creek Project. The floor and vertical walls have been poured and there is approximately 16 yds of concrete left to pour on the main structure. There is some work that will need to be completed downstream along with backfilling. The Engineer's office will be conducting interviews to fill a position this week, then the bridge crew should be fully staffed again. Seams asked about the 28E agreement with the City of Seymour for parking the road grader in the town. Carpenter was not sure the status of the 28E agreement but would follow-up on it. Seams requested the 28E agreement be presented at the next regular meeting.

Jack Reed, with Iowa Negotiation Consulting Services joined the meeting regarding the contract with Randy Zerr, County Engineer. Seams asked Reed to elaborate on the County Attorney's response to the contract presented by Zerr, Reed stated that he and the County attorney were on the same page. Seams went on to read the email from County Attorney, Al Wilson regarding the contract that Zerr presented to the Board of Supervisors.

From: mileslaw at grm.net <mileslaw@grm.net> Sent: Wednesday, February 23, 2022 9:42 AM To: Don Seams <dseams@waynecountyia.org> Subject: [EXTERNAL] Re: Engineer's Contract

"Don:

My position is that the Board needs to rely on Jack's advice. That is his area of expertise and that is what the Board should utilize him for.

I agree that there is really no need for there to be any mention of the Fair Labor Standard's Act. As I recall, Randy's explanation for the inclusion of that was that he had reviewed an Engineer's Contract for another County and it was in there.

I fully agree that Randy should not do any discipline or termination whatsoever without first consulting with the Board and with Jack to avoid any potential liability for the County.

Any reference to the "Wayne County Engineer's Office Employee Benefits Policy" needs to be eliminated because it is not relevant to Randy. As an "exempt" employee, he would not have a set work week so the Board would need to decide if it wants the language Randy is proposing that his work week is "generally working the county schedule". As you summarized, with an "exempt" employee, you work until the work gets done.

The last thing that I would address is the issue of carry over visitation and Randy also used the phrase "compensation time". The Contract should specifically say if he is allowed to carry over vacation from one year to another and if there is a maximum amount of carry over vacation time he can accrue.

Thanks. Al"

Seams reaffirmed that Reed used the guidance from Attorney Wilson when creating the contract being discussed and reviewed. Reed stated "yes" and that the wage needed to be determined by the Board of Supervisors. Seams stated that he was fine with either the original salary from Zerr's current contract of \$114,150 or \$114,707. Swearingin stated that it is Zerr's contract and that it was up to Zerr. Seams restated that it was the Supervisor's contract with Zerr and that a wage needed to be approved for April 17, 2022-April 16, 2023. Swearingin stated that it was difficult to proceed without Zerr present.

Seams made a motion to approve 3% increase for an annual salary of \$114,707, seconded by Swearingin. Swearingin also asked what the written notice requirement by either party to terminate the contract, because it was originally 30 days for one and 60 days for the other. Dotts confirmed that both parties are now the same with a 60-day written notice of termination of contract by both parties.

Swearingin also asked if it was an increase of 3% for the next 3 years or if it is a year-by-year contract as stated in the contract. It is a year-by-year contract. Swearingin stated that it could cost the county

Seams made a motion to approve this contract that will be presented to Randy Zerr, second by Swearingin.

Reed will enter the salary amount and will distribute to the Board of Supervisors and Randy Zerr, County Engineer.

Dooley presented the results for the Special Election for the Wayne CSD held on March 1, 2022.

Seams read the tally tapes while Dotts compared to the Election Summary then was compared to Abstract of Votes.

Seams made the motion to approve the canvass for the Special Election- Wayne CSD held 3/1/2022, seconded by Swearingin.

**Control County: Wayne
Wayne CSD Special Election
03/01/2022
Wayne, Decatur & Lucas County, Iowa**

Public Measure VL-22,500,000 Bond Indebtedness					
	Yes	No	Total Votes	Overvoted	Undervoted
Absentee Precinct	36	88	124	1	1
C02-Corydon Courthouse	192	497	689	0	2
Total	228	585	813	1	3
Total Votes Casted for ea Measure	813				
% of Total Votes Casted	28%	72%			
Public Measure VL did not pass.					

Public Measure VM-Levy Rate exceeding \$2.70/\$1000					
	Yes	No	Total Votes	Overvoted	Undervoted
Absentee Precinct	37	88	125	0	1
C02-Corydon Courthouse	197	493	690	0	1
Total	234	581	815	0	2
Total Votes Casted for ea Measure	815				
% of Total Votes Casted	29%	71%			
Public Measure VM did not pass.					

VN-Revenue Purpose Statement					
	Yes	No	Total Votes	Overvoted	Undervoted
Absentee Precinct	56	65	121	0	5
C02-Corydon Courthouse	256	432	688	0	3
Total	312	497	809	0	8
Total Votes Casted for ea Measure	809				
% of Total Votes Casted	39%	61%			
Public Measure VN did not pass.					

Seams made the motion to approve the Recorder's February Report, seconded by Swearingin.

No supervisor's discussion.

Supervisor Meeting:

Dotts had an emergency meeting for the 5th Judicial Executive Board regarding reroofing some of the facilities. The contractor has been secured and now they will work on securing materials for the project. Dotts also stated that a similar issue is being faced with a bathroom remodel project.

Swearingin called into the Department Head/Elected Official meeting and the 1015 Transit meeting. The 1015 Board approved to continue COVID premium pay for their drivers after federal funding ends in March. Seams also attended the Safety Committee meeting, the Department Head/Elected Official meeting, Dixie Ahrenkiel's retirement party. Ahrenkiel was employed by Wayne County for 27 years and he wished her a very good retirement. Seams also voted on March 1st.

Byrns gave an update regarding the tornadoes in Wayne County on Saturday, March 5th. Bryns toured the county with the National Weather service to assess the damage on Sunday. The tornadoes were determined to be EF2s. Bryns has also requested for Wayne County to be part of the Governor's Disaster Declaration. This declaration will make \$5,000 available to individuals who do not have insurance to help in recovery efforts. Byrns and all the Supervisors were very grateful that no lives were lost in the county during the tornadoes and send their condolences out to the families in Madison and Lucas County who have been impacted by the tornadoes.

No public comments were made.

Claims paid February 24, 2022:

CITY OF CORYDON	UTILITIES/PHN	80.00
DBL EAGLE THERAPY SERVICES LLC	THERAPY SERVICES/PHN	2,965.00
HEALTHCARE FIRST	MAINTENANCE/PHN	300.00
IOWA DEPT OF INSPECT& APPEALS, HEALTH FACILITI	LICENSE FEE APPT'N/NV	20.00
MCKESSON MEDICAL SURGICAL	MEDICAL SUPPLIES/PHN	733.93
SOUTH COUNTY PROPERTIES LLC, C/O JACOB GOBEN	RENT/PHN	70.00
THE SHABBY CHICKADEE	SERVICE/PHN	252.00
WAYNE COUNTY HOME CARE, AIDE AGENCY	SERVICE/PHN	4,732.50

GRAND TOTAL 9,153.43

Claims paid March 7, 2022:

ABILITY NETWORK INC	MAINTENANCE/PHN	216.36
ACCESS SYSTEMS LEASING	MAINTENANCE/PHN	244.99
ADVANCED CORRECTIONAL, HEALTHCARE INC	SERVICES/SHERIFF	2,770.55
ALEXANDER, KELLEY	MILEAGE/PHN	175.50
ALLERTON LUMBER COMPANY	SUPPLIES/GEN SERVICE	50.43
ALLIANT ENERGY-IP&L	UTILITIES/SEC RDS	873.24
ARNOLD, RITA	POLL WORKER/AUDITOR	100.00
ASPHALT PAVING ASSOC OF IA	SCHOOLING-APAI-DAN CARPENTER/SEC RDS	650.00
B & D AUTOMOTIVE, (CARQUEST OF HUMESTON)	PARTS84/SEC RDS	216.68
BAILEY OFFICE OUTFITTERS	SUPPLIES/AUDITOR	216.34
BANKS, KENNY	CELL PH/CONSERVATION	25.00
BICKEL, SHELLEY	MILEAGE/PHN	125.00
BI-STATE ELECTRONICS	SUPPLIES/E911	300.00
BRIGHTREE HOME HEALTH &, HOSPICE LLC	SERVICES/PHN	3,667.50
BROOKS-JEFFREY MARKETING INC	SERVICE/SHERIFF	1,995.00
BUTTZ, DEIDRE	MILEAGE/PHN	174.00
C & E TRUCKING	SERVICE/CONSERVATION	120.00
CALHOUN-BURNS & ASSOCIATES INC	FHWA BRIDGE N-3328(363900)ER-CO93(95)58-	3,468.43
CANINE TACTICAL, LLC	FEB K-9 TRAINING/SHERIFF	400.00
CANTERA AGGREGATE, LLC	ROCK/SEC RDS	23,242.90
CENTERVILLE POLICE DEPARTMENT	ILEA TRAINING/SHERIFF	9,150.00
CFI SALES INC	TIRES/SEC RDS	3,020.00
CHAMBERS, JARED	SERVICE/ NV	450.00
CHARITON NEWSPAPERS	ELECTION NOTICE/AUDITOR	802.15

CITY OF CORYDON	UTILITIES/CTHSE	859.00
CJ COOPER & ASSOCIATES INC	SAFETY-CLARK/SEC RDS	35.00
CLARK, CHASE	POLL WORKER/AUDITOR	300.00
CLARKE COUNTY AUDITOR	FY22QTR2/DHS	1,297.35
CODDINGTON, DARRELL	SERVICE/SANITATION	1,600.00
CORYDON POSTMASTER	POSTAGE/ATTY	464.00
DAVENPORT, DIANA	SERVICE/NV	20.00
DOTTS, DAVID	FEB MILEAGE/VA	18.00
FAIN, LINDA	POLL WORKER/AUDITOR	300.00
FREEMAN, BETH	POLL WORKER/AUDITOR	100.00
GOBEN AUTOMOTIVE LLC	REPAIR/SHERIFF	92.64
GRAND RIVER MUTUAL TELEPHONE C	SERVICE/E911	435.35
GRATIAS INVESTIGATIONS INC	SERVICE/DIST COURT	80.00
GREAT WESTERN BANK-VISA	SUPPLIES/VA	420.32
GREEN, JACQUELINE	FEB MILEAGE/VA	22.00
HILLYARD/DES MOINES	SUPPLIES/CTHSE	124.55
HOLM'S AMERICAN RADIATOR, LLC	PARTS4/SEC RDS	882.30
HYSELL, JESSICA	CELL PH/PHN	25.00
IACCVSO	TRAINING/VA	60.00
INFOMAX OFFICE SYSTEMS	SERVICE/TREAS	51.56
INLAND TRUCK PARTS CO	PARTS/SEC RDS	192.78
IOWA LAW ENFORCEMENT ACADEMY, STATE FISCAL	OFFICETRAINING(RVD)/SHERIFF	375.00
IOWA OFFICE STATE MEDICAL EXAM	SERVICE/MEDICAL EXAMINER	3,360.66
IOWA PRISON INDUSTRIES	SUPPLIES/SHERIFF	351.00
IOWA STATE SHERIFF'S &, DEPUTIES ASSOCIATION	MEMBRSHF FEES (SC,KG)/SHERIFF	300.00
ISAC	SPTING CONF(DS)/BOS	190.00
JOHNSON MACHINE WORKS	STEEL-BRIDGE D4045 & J4335/SEC RDS	9,200.00
KIESLER POLICE SUPPLY	SUPPLIES/SHERIFF	4,059.00
L W ELECTRIC SERVICE LLC	SERVICE/SHERIFF	690.60
LEON JOURNAL-REPORTER	ELECTION NOTICE/AUDITOR	360.30
LOCKRIDGE INC	SUPPLIES/E911	2.48
LUCAS COUNTY HEALTH CENTER	TRAINING/SHERIFF	98.00
LUCIS CORP	RENT/PHN	300.00
MAIL SERVICES LLC	NOTICES/TREAS	281.78
MASTIN, BARBARA	POLL WORKER/AUDITOR	100.00
MIDDLEBROOK, MELINDA	PHONE/MENTAL H	25.00
MIDWEST OFFICE TECHNOLOGY INC	SERVICE/EMA	496.26
MIDWEST WHEEL	SHOP/SEC RDS	30.00
MOORE, SUSAN	CELL PH/PHN	25.00
MRSA-UV, LLC	SUPPLIES/PHN	596.41
NATIONAL PEN CO LLC	SERVICE/VA	218.22
NEWMAN SIGNS INC	SERVICE/E911	121.10
NORRIS QUARRIES, LLC	ROCK/SEC RDS	12,653.13
OHALLORAN	PARTS94/SEC RDS	196.91
ORKIN PEST CONTROL	SERVICE/NV	59.02
OSCEOLA DENTAL CARE	EM CARE (A)/ VA	234.00
PERRY, JOELLA	MILEAGE/VA	152.00
PETERSON, RANDY	POLL WORKER/AUDITOR	300.00
PIONEER CRITICAL POWER	REPAIR/SHERIFF	1,155.00
PITNEY BOWES RESERVE ACCT	POSTGE MTR REFILL/TREAS	1,000.00

PREMIER	SERVICE/SHERIFF	58.61
RATHBUN REGIONAL WATER ASSOC	UTILITIES/CONSERVATION	103.25
RHODES, DAVID	CELL PH/SANITATION	50.00
ROCKHOLD, JANICE	POLL WORKER/AUDITOR	300.00
SCC NETWORKS	SERVICE	3,439.84
SECRETARY OF STATE OFFICE	NOTARY RENEWAL/TREAS	30.00
SHELTON, JENNIFER	MILEAGE/PHN	175.50
SHIELD TECHNOLOGY CORP	EQPT/E-911	5,000.00
SIOUX CITY TRUCK SALES INC	PARTS72/SEC RDS	132.56
SNOW, BRITTANY	CELL PH/CONSERVATION	25.00
SNOW, TERRY	MILEAGE/VA	22.00
STAGGS, HUBERT	FEB MILEAGE/VA	25.00
STANLEY, LINDA	CELL PH/PHN	25.00
TWO-LEGGED STOOL, LLC	SHOP/SEC RDS	40.17
TYLER TECHNOLOGIES INC	INCODE 10 FINANCL/DP	4,906.25
U.S. CELLULAR	SERVICE/SHERIFF	827.27
VAN DONSLER, RYAN	MEALS HTL-TRAING/SHERIFF	142.22
VAN FLEET, CHARLOTTE	CELL PHONE/PHN	25.00
WAYNE COUNTY NEWSPAPERS	ELECTION NOTICE/AUDITOR	3,009.25
WILLADSON, MAXINE	MILEAGE/PHN	30.50
WILTAMUTH, JAMES	PHONE/SHERIFF	25.00
WINDSTREAM CABS	SERVICE/E911	911.44
WINDSTREAM LAKEDALE INC	SERVICE/E911	261.36
XEROX FINANCIAL SERVICES	SERVICE/SHERIFF	128.25
ZIEGLER INC	PARTS4/SEC RDS	2,913.09
	GRAND TOTAL	119,371.35

There being no further business the next Regular Scheduled meeting of the Wayne County Board of Supervisors will be held on the 21st day of March 2022, at 9:00AM in the Wayne County Courthouse Conference Room.

Seams made motion to adjourn at 10:30AM, seconded by Swearingin.



 David Dotts, Chairperson

Attested 

 Michelle Dooley, Auditor

