

Consent Agenda

April 26, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members, except Brian Shea present. Chairman Wichman presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a motion was made by Grobe, and second by Schultz, to approve:

- A. April 19, 2022, Minutes as read.
- B. Public Health – Employment of Kristen Reid as Health Educator.
- C. Veteran Affairs – Employment of Kara Behrens as Administrative Assistant.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, and second by Schultz, to approve and authorize Board to sign Planning and Zoning Resolution No. 2022-07 entitled: Final Plat of Matriarch Manor East and West, subdivisions situated in Garner Township.

PLANNING AND ZONING
RESOLUTION NO. 2022-07

WHEREAS, this Board had approved the preliminary plat of **Matriarch Manor East and Matriarch Manor West**, residential subdivisions situated in **Garner Township**, by approval of Planning and Zoning Resolution No. **2022-04**, dated **March 15, 2022**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2022-01**; and

WHEREAS, this Board has examined the final plat and has found it is in substantial compliance with the approved preliminary plat; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plats of **Matriarch Manor East and Matriarch Manor West**, residential subdivisions in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plat of said subdivisions.

And that the Chairman of the Board of Supervisors is hereby authorized to enter such approval upon said final plat.

PASSED AND APPROVED April 26, 2022

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Tim Wichman, Chairman				
_____	○	○	○	○
Scott Belt				
_____	○	○	○	○
Lynn Grobe				
_____	○	○	○	○
Justin Schultz				

Brian Shea

○ ○ ○ ○

Attest: _____
Melvyn Houser, County Auditor
Pottawattamie County, Iowa

RECORD: After Passage

Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, and second by Grobe, to approve the Board Chairman to sign CO 004 for Roofing Material Price Increase in the amount of \$43,928.03. UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schultz, to approve setting time and place for public hearing on an amendment for the FY 2021/22 Budget for May 17, 2022, at 10:00 AM. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 33-2022** entitled: Resolution Authorizing Transfer from Lost Secondary Roads Fund to Bond Series 2021C Debt Fund.

RESOLUTION NO. 33-2022

RESOLUTION Authorizing Transfer from LOST Secondary Roads Fund to Bond Series 2021C Debt Fund

WHEREAS, it is desired to transfer money from LOST Secondary Roads Fund to Bond Series 2021C Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$401,360.83 is ordered to be transferred from LOST Secondary Roads Fund to Bond Series 2021C Debt Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 26th day of April, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	○	○	○	○
_____ Scott Belt	○	○	○	○
_____ Lynn Grobe	○	○	○	○
_____ Justin Schultz	○	○	○	○
_____ Brian Shea	○	○	○	○

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz. Motion Carried.

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 34-2022** entitled: Resolution Authorizing Transfer from Lost Secondary Roads Fund to Bond Series 2020B Debt Fund.

RESOLUTION NO. 34-2022

RESOLUTION Authorizing Transfer from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund

WHEREAS, it is desired to transfer money from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$192,052.61 is ordered to be transferred from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 26th day of April, 2022.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	○	○	○	○
_____ Scott Belt	○	○	○	○
_____ Lynn Grobe	○	○	○	○
_____ Justin Schultz	○	○	○	○
_____ Brian Shea	○	○	○	○

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz. Motion Carried

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 35-2022** entitled: Resolution Transfer from Lot Secondary Roads Fund to Secondary Roads Fund.

RESOLUTION NO. 35-2022

RESOLUTION Transfer from LOT Secondary Roads Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from LOT Secondary Roads Fund to Secondary Roads Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$2,750,000 is ordered to be transferred from LOT Secondary Roads Fund to Secondary Roads Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 26th day of April, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz. Motion Carried.

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 36-2022** entitled: Resolution for Transfer from Rural Services Fund to Secondary Roads Fund.

RESOLUTION NO. 36-2022

RESOLUTION for Transfer from Rural Services Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from Rural Services Fund to Secondary Roads Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$2,607,500 is ordered to be transferred from Rural Services Fund to Secondary Roads Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 26th Day of April, 2022.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz. Motion Carried.

Motion by Grobe, and second by Belt, to approve and authorize Board to sign **Resolution No. 37-2022** entitled: Resolution Authorizing Transfer from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund.

RESOLUTION NO. 37-2022

RESOLUTION Authorizing Transfer from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund.

WHEREAS, it is desired to transfer money from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$9,266.65 is ordered to be transferred from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 26th day of April, 2022.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Tim Wichman, Chairman				
_____	○	○	○	○
Scott Belt				
_____	○	○	○	○
Lynn Grobe				
_____	○	○	○	○
Justin Schultz				
_____	○	○	○	○
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz. Motion Carried.

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 38-2022** entitled: Resolution Authoring Transfer from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund.

RESOLUTION NO. 38-2022

RESOLUTION Authorizing Transfer from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund

WHEREAS, it is desired to transfer money from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$405,000 is ordered to be transferred from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 26th day of April, 2022.

ROLL CALL VOTE			
AYE	NAY	ABSTAIN	ABSENT

_____	○	○	○	○
Tim Wichman, Chairman				
_____	○	○	○	○
Scott Belt				
_____	○	○	○	○
Lynn Grobe				
_____	○	○	○	○
Justin Schultz				
_____	○	○	○	○
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: **AYES: Wichman, Belt, Grobe, Schultz. Motion Carried.**

3. RECEIVED/FILED

A. Salary Action(s):

- 1) Sheriff - Payroll Status Change for John Cool.
- 2) Sheriff – Payroll Status Change for Josh Kirlin.
- 3) Sheriff – Payroll Status Change for Ryan Olderog.
- 4) Conservation – Payroll Status Change for Sarah Arbogast.
- 5) WIC – Payroll Status Change for Luz Collins.
- 6) Conservation – Employment of Steven Fox as Natural Areas Management Intern.
- 7) Conservation – Employment of Isabella Lombardo as Natural Areas Management Intern.
- 8) Conservation – Employment of Kate Williams as Environmental Education Intern.
- 9) Conservation – Employment of Nicole Truax as Natural Areas Management Seasonal.

B. Report:

- 1) Sheriff’s Report of Fees Disbursed and Collected for March 2022.

4. PUBLIC COMMENTS

Dave BuShaw feels there is a gap in ARPA Funding for the public.
Shawna Anderson wants Board to attend Town Hall meeting at Avoca at 7.
Joshua Springhower inviting Board for Dialogue.

5. ADJOURN

Motion by Belt, second by Schultz, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:30 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn House, Auditor

APPROVED: May 3, 2022
PUBLISH: X

Scheduled Sessions

**Tom Kallman /General Manager, Regional
Water**

Update on water project to Pioneer Trail.

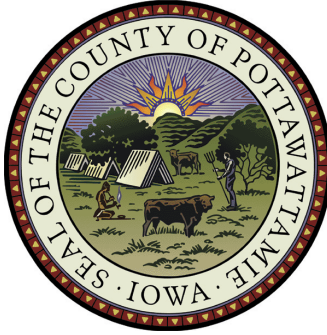
Lea Voss / Treasurer

Update on gaming revenue and local option sales tax.

Jana Lemrick/Director, Human Resources

**Discussion and/or decision to approve
updated job description and exemption
status for Natural Resource Specialist
position.**

POTTAWATTAMIE COUNTY
DEPARTMENT OF HUMAN RESOURCES
227 S 6th Street
COUNCIL BLUFFS, IOWA 51501



Jana Lemrick
Human Resources Director
Phone (712) 328-4777
FAX (712) 328-5770
E-mail jana.lemrick@pottcounty.com

MEMORANDUM

TO: Board of Supervisors

FROM: Jana Lemrick, Pottawattamie County Human Resources

SUBJECT: Exemption Status

DATE: 4/20/2022

The FLSA (Fair Labor Standards Act) requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at no less than time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees.

To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at no less than \$684* per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations. https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fs17a_overview.pdf

After reviewing job descriptions in the Conservation Department, the position of Natural Resource Specialist (Park Officer/National Resource Specialist) meets criteria for exemption testing. It is my recommendation that this position be changed from non-exempt to exempt effective July 1st, 2022.

By moving from non-exempt to exempt, the employees in these positions would receive a salary, rather than an hourly rate, and no longer be eligible to earn overtime and comp time. Any comp time currently on the books would be paid out on the first paycheck in July.

Pottawattamie County, Iowa

Class Description

Title: Natural Resource Specialist

FLSA Status: Exempt

Department: Conservation

Job Code:

Division: N/A

Updated: 1/22/2020

General Definition of Work

Coordinate the development and implementation of land management plans and presentation of education programs and projects that promote conservation ethics, natural resource appreciation and county parks, facilities and properties, in accordance with Conservation Board policies, state laws and standard conservation practices, and related work as apparent or assigned. Work is performed under the limited supervision of the Conservation Director and/or Deputy Director. Supervision is exercised over Natural Resource Technicians, Interns, seasonals and volunteers.

Essential Functions

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.

Oversees department programs; participates in habitat management programs; performs invasive species control; removes invasive species through mowing, cutting, pulling, and by applying chemicals; plans and conducts prescribed fires in natural areas.

Develops and implements environmental education programs and special events for the public and schools; schedules and organizes program dates, registrations, volunteers, and contracted presenters.

Monitors, repairs, and maintains assigned equipment and vehicles; maintains equipment and vehicle service log.

Assists the general public with inquires by phone, email, and in person; directs inquires to appropriate resource as needed; monitors, maintains, and delivers reports, records, logs, and other related documents; performs data entry and maintenance.

Performs general park maintenance on grounds, buildings, roads, and trails; feeds and waters animals housed on county property; stocks facilities with supplies.

Patrols assigned park; assists the general public with inquires; performs first aid in emergencies; enforces laws, rules, and regulations; provides testimony in court as needed.

Prepares and maintains an inventory of flora and fauna species in County parks; utilizes specific research techniques to identify, record, and photograph species found while conducting hikes or surveys.

Performs other duties as assigned or required.

Minimum Qualifications

Bachelor's degree with coursework in environmental science, conservation, or related field and minimal experience assisting with environmental education programs and conservation efforts, or equivalent combination of education and experience.

Pottawattamie County, Iowa

Class Description

Special Qualifications

Obtain State of Iowa CPR / First Aid certification within 6 months of hire.

Obtain National Wildfire Coordinating Group Basic Wildland Firefighter and Arduous Work Capacity Test certification within 6 months of hire.

Obtain Iowa Department of Agricultural and Land Stewardship Pesticide Applicators license within 6 months of hire.

Valid driver's license.

Job Specifications

Knowledge of the principles and practices of conservation and environmental education programming; knowledge of the methods and techniques of natural resource conservation; knowledge of department regulations, policies and procedures; knowledge of Federal, State and local laws pertaining to the department; skill in the use of personal computers, associated software packages, hardware, and peripheral equipment; skill in project management, customer service, and relationship building; ability to identify needs and issues and develop responses and solutions; skill in the use of hand and power tools; skill in the use and operation of assigned equipment and vehicles; ability to perform manual labor; ability to complete work in a timely fashion; ability to communicate effectively orally and in writing; ability to analyze situations and in reaching decisions quickly; ability to perform and organize work independently and in a team; ability to multitask; ability to use strong interpersonal and customer service skills using tact, patience and courtesy; ability to establish and maintain effective working relationships with consultants, contractors, employees, supervisors, vendors, and the general public.

Working Conditions

This work requires the occasional exertion of up to 50 pounds of force; work regularly requires standing, walking, using hands to finger, handle or feel, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and repetitive motions, frequently requires speaking or hearing and occasionally requires sitting and smelling; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires working near moving mechanical parts, working in high, precarious places, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to outdoor weather conditions, exposure to extreme heat (non-weather) and exposure to vibration and occasionally requires exposure to the risk of electrical shock, exposure to blood borne pathogens and may be required to wear specialized personal protective equipment; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

Received/Filed

Public Comments

Closed Session