

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING
MONDAY, JANUARY 3, 2022**

At 9:00 a.m. Chairperson Richard Young called to order in regular session a meeting of the Washington County Board of Supervisors which took place in the Washington County Courthouse. Items on the agenda included the following: approval of agenda; public comment related to agenda items; appointment of 2022 Board of Supervisors Chairperson; appointment of 2022 Board of Supervisors Vice-Chairperson; public hearing regarding a proposed revised County Supervisor districting plan and corresponding precinct plan; discussion and action regarding a proposed revised County Supervisor districting plan and corresponding precinct plan; 1st reading of proposed Ordinance 22-1 related to Washington County Reprecincting Ordinance; Washington County Library Association Report and FY23 Funding Request; personnel change request – Washington County Ambulance Services; discussion and possible action regarding Call Pay for Washington County Ambulance Services Director; discussion and possible action regarding proposed changes to Washington County Ambulance Services Policy and Procedures Handbook; appointment of Barb Donkersloot to 5-year term beginning January 1, 2022, on the Washington County Conservation Board; appointment to 8th Judicial District Correctional Board; appointment of various commission, board, and committee members; review and approve Supervisor assignments to various commissions, boards, and committees; open discussion; adjourn. Supervisors Jack Seward, Marcus Fedler, Bob Yoder, and Stan Stoops were also present.

Others attending included Kalen McCain, SE Iowa Union; Jeremy Peck, County Ambulance Services Director; Amber Armbruster, Deputy Auditor; Jacob Thorius, County Engineer; Cyndie Sinn, County IT/Budget Director; Erin Campbell, Wellman-Scofield Library; Trevor Shering and Olivia Kahler, Kalona Public Library; Cary Ann Siegfried, Washington Public Library; Amber Williams, Board of Supervisors Administrative Assistant; and citizens Rick Hofer, Harold Frakes, and Bill Poch. Various other individuals listened and/or watched remotely by way of electronic means.

All motions were passed unanimously by those Supervisors in attendance unless noted otherwise.

On motion by Fedler, seconded by Stoops, the Board voted to approve the agenda as published.

There was no public comment.

Stoops moved to nominate Young for the position of Chairperson of the Board of Supervisors for calendar year 2022 and Fedler seconded the motion. There was no discussion and hearing no other nominations the Board voted to appoint Young as Board of Supervisors Chairperson for calendar year 2022. The vote on the motion was as follows: Aye-Stoops, Miller, Seward, Yoder; Abstain-Young.

Stoops moved to nominate Yoder for the position of Vice-Chairperson of the Board of Supervisors for calendar year 2022 and Fedler seconded the motion. There was no discussion and hearing no other nominations the Board voted to appoint Yoder as Board of Supervisors Vice-Chairperson for calendar year 2022. The motion passed as follows: Aye-Stoops, Miller, Seward, Young; Abstain-Yoder.

On motion by Yoder, seconded by Fedler the Board voted to open a public hearing regarding a proposed revised Washington County Supervisor districting plan and corresponding precinct plan. Auditor Dan Widmer thanked the members of the Washington County Redistricting Commission which included Bill Poch, Harold Frakes, Lorraine Williams, Chris Graber, and Steve Swaffer for their hard work and willingness to serve. Widmer provided maps of the proposed plan and contrasted the new proposed plan with the current plan. There was no public comment from those gathered and Widmer stated that his office had received no public comment prior to the hearing. On motion by Seward, seconded Stoops, the Board voted to close the public hearing.

On motion by Seward, seconded by Fedler, the Board voted by way of roll call vote to consider adopting proposed Washington County Ordinance 22-1 regarding the Reprecincting of Washington County, Iowa, and to identify this motion as the first reading of Ordinance 22-1.

Trevor Shering and Olivia Kahler with the Kalona Public Library, Cary Ann Siegfried with the Washington Public Library, and Erin Campbell with the Wellman-Scofield Public Library provided the Board with a summary of the activities and programs conducted at each of their libraries that comprise the Washington County Public Library Association (WCPLA). Such activities and programs included continuing education reimbursement for library staff, enhancements of digital collections and databases, acquisition of movie licenses, and summer reading programs. The remainder of funds provided for library services were used to offset the costs of providing services to rural residents as well as the cost of an Information Technology maintenance contract. Also, during the past fiscal year 6,877 individuals attended a library program and there were 36,106 children's items and 83,059 adult items checked out during FY21 which ended June 30, 2021. Individuals saved approximately \$788,585.00 by borrowing items rather than purchasing them. For FY23 the group requested funding in the amount of \$168,300.00 which is an increase of \$3,300.00 (2%) from FY22. This amount would bring the county per capita funding for FY23 to \$19.96 based upon Washington County 2020 census figures. The complete report is available by contacting the Auditor's office. The Board took no action.

On motion by Yoder, seconded by Fedler, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from Washington County Ambulance Services for the hiring of

Michael Johnston as a full-time non-exempt EMT, effective December 29, 2021, at the rate of \$20.37 per hour. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

The Board once again took up determining a response to the request of Washington County Ambulance Services Director Jeremy Peck for compensation for 180 hours or approximately \$9,000.00 that he worked in an ambulance response role that he maintains was above and beyond his normal administrative duties, Such extra hours, or Call Pay, occurred during September, October, and a portion of November of calendar year 2021 with Peck explaining he worked such hours due to staff shortages and/or unavailability. Seward expressed support of Peck working such extra hours in order to ensure ambulance service availability. Seward in turn offered that the real question at hand was the manner in which Peck should be compensated. Peck is classified as an exempt employee which means he is ineligible for overtime compensation but Seward cited opinions of the County's human resources advisor Renee VonBokern, as well as from the County's labor attorney Bill Sueppel, that the County would have a legal basis to compensate Peck for the extra hours if the County was of the opinion that the hours were "above and beyond" Peck's normal duties. Sueppel also noted in his correspondence that the Fair Labor Standards Act provides that non-exempt employees (those eligible for overtime compensation) must be paid at time and a half for all hours worked in excess of 40 hours per week. As the director of a major department of the county, the ambulance director is expected to work more than 40 hours per week when necessary. Sueppel warned that losing the exempt status and having to pay overtime to Peck could cause the department's payroll to increase to an unsustainable level. Stoops, based on his past employment with the Washington County Jail, voiced understanding with Peck's dilemma in filling shifts but nonetheless stated that other exempt county employees also go above and beyond their regular duties and do not receive additional compensation. Stoops concluded his remarks by stating he opposed the additional compensation that Peck was requesting as it would establish a precedent. Young stated that it was his understanding that a main reason for the recent increases in compensation for ambulance employees was to increase the incentive for part-time non-exempt ambulance employees to fill shifts, especially on short notice, and thus reduce Peck having to fill in. Young stated his desire to see what effect recent pay raises have on the willingness of part-time non-exempt ambulance employees to fill shifts. Peck reminded that the hours in question occurred prior to wage increases and that he was optimistic that the wage increases would result in part-time non-exempt employees being more willing to fill in as well as to aide in hiring more individuals which would increase the number of employees from which to draw from. Fedler voiced his dislike of exempt employees working excessive hours in that it creates difficulty in tracking actual costs as well as increasing the possibility of employee burnout. Also, with regard to compensation for exempt employees working extra hours Fedler warned of the possible temptation of an exempt supervisor to spend little or no effort to fill an open shift and instead work the shift themselves in order to receive extra compensation. In closing, Fedler described the 180 extra hours Peck worked as excessive. Fedler suggested that a policy regarding the number of hours that exempt employees may work is unneeded. Instead, he recommended it be determined, on a departmental basis, which employees have the potential to work overtime hours and that in turn such employees be classified in a way so as to be compensated on an overtime basis. Yoder expressed agreement with Stoops' position that exempt employees at times must work over 40 hours per week without additional compensation. Seward countered the comments of some of his colleagues by stating that if Peck was changed to non-exempt status he would receive overtime compensation for attending evening and weekend meetings such as trainings, presentations to civic groups, and other similar type events. On motion by Seward, seconded by Fedler, the Board voted to pay Ambulance Services Director Jeremy Peck for 181 documented working hours during the months of September, October, and November of 2021 at the rate of \$25.00 per hour. During discussion Seward opined that if approved the motion would not set a policy while Fedler stated that approval of the motion would assist in computing real costs related to the Ambulance Department. The vote on the motion: Aye-Seward, Fedler; Nay-Young, Stoops, Yoder. Motion failed.

Next, the Board took up discussion and possible action regarding proposed changes to the Washington County Ambulance Services Policy and Procedures Handbook. On motion by Seward, seconded by Stoops, the Board approved Washington County Ambulance Services Policy AMB 1010. The policy calls for non-exempt employees that are on-call for the purpose of staffing the District 3 ambulance to be paid at the hourly rate specified by the Ambulance Director or Administrative Assistant and approved by the Board of Supervisors. Employees called in to work while on-call will revert to their regular pay rate for these hours including overtime compensation if the 40-hour weekly threshold is reached. On-call hours do not count towards overtime or seniority. After the motion was passed discussion continued and focused on the effective date for Policy AMB 1010. On motion by Fedler, seconded by Yoder, the Board voted to establish December 15, 2021 as the retroactive effective date for Washington County Ambulance Services Policy AMB 1010.

On motion by Stoops, seconded by Fedler, the Board voted to appoint Barb Donkersloot to a five-year term ending December 31, 2026, on the Washington County Conservation Board.

On motion by Seward, seconded by Fedler, the Board voted to appoint Stoops to a 1-year term ending December 31, 2022, as the Washington County representative on the 8th Judicial District Correction Board, to appoint Yoder to a 1-year term that ends December 31, 2022 as the alternate Washington County representative on the 8th Judicial District Correction Board, to appoint Seward as the alternate representative on the SEMCO Board, and to no longer appoint a Supervisor to chair monthly department head meetings.

There was no comment from Department Heads.

At 10:50 a.m. on motion by Yoder, seconded by Fedler, the Board voted to adjourn.

ATTEST:
January 3, 2022

RICHARD L. YOUNG, CHAIRPERSON
Washington County Board of Supervisors

DANIEL L. WIDMER
County Auditor

