

Ringgold County Board of Supervisors Minutes November 19, 2018

The Ringgold County Board of Supervisors met in regular session Monday, November 19, 2018. The meeting was called to order at 9:00 a.m. with the following members present: Kraig Pennington and Lyle Minnick. Absent: Paul Dykstra. Also present: Ron Landphair

A motion was made by Lyle Minnick and seconded by Kraig Pennington to approve the agenda. AYES: Unanimous. NAYS: None.

The Board met to consider appointment of Chief Deputy Rob Haley to fill the vacancy of the Sheriff position.

Paul Dykstra arrived at 9:45 a.m.

Kim Greenland and Regan Main met with the Board to provide an update on a potential wellness facility in the County. Greenland stated he has met with members of the Mount Ayr School Board to discuss the possibility of joining forces, utilizing facilities already available, such as a gym and weight room. Greenland stated the group intends to meet with other key organizations and members of the community to get feedback on the project. Dykstra stated he believes the county needs to be involved as this will be a county facility to benefit the county as a whole. Greenland asked if the Board would continue to have representation on the committee; the Board agreed. Both Pennington and Minnick stated they are in favor of moving along with the research of the project.

The Board recessed at noon for lunch.

At 1:00 p.m. the Board returned to meet with Road Superintendent Rod Shields and Assistant to Engineer Justin Frost to discuss secondary roads updates. Frost began with updates on various projects as well as a design concept for tanker car pipes or Contech steel reinforced poly pipe as a replacement option for two bridges, Tingley 18 and 27.

The group began discussions on motor graders. Shields does not recommend moving forward with a warranty program. Dykstra requested a detailed report on each motor grader, including total hours and dollars spent to date on maintenance for each machine. Dykstra went on to suggest the county get in to a rotation on the machines, starting with the two machines which currently have the highest hours. Then, next year, the Board can budget accordingly to replace the remaining four through rotation.

Shields reported the parking lot in the Sheriff's office is now complete. The patching crew will be out tomorrow. Part of the crew is hauling salt and sand and are working on equipment as well. Pennington questioned the status of FEMA. Shields stated the damage is not enough to account for much of the damage sustained. The county is scheduled to receive an estimated \$38,000 for gravel. Shields reported he will notify EMA Director Mel Burton of the damage in order to move forward with the process.

The Board reviewed claims to be paid Wednesday, November 21st.

RESOLUTION RC18-181

WHEREAS on or about October 22, 2018, the Board of Supervisors was informed that the elected Ringgold County Sheriff, Mike Sobotka, had submitted a written statement

announcing that he intended to retire from his position as Ringgold County Sheriff on November 16, 2018, at 8:00 p.m.;

WHEREAS on November 16, 2018, at 8:00 p.m. Mike Sobotka retired from the position of Ringgold County Sheriff;

WHEREAS Iowa Code § 331.651(1) notes that if a vacancy occurs in the office of the county sheriff, then a successor shall be appointed to the unexpired term as provided in chapter 69;

WHEREAS under Iowa Code § 69.2(1)(d) a vacancy occurs in the event of the resignation of the incumbent, and for purposes of this statute, retirement is the equivalent of a resignation;

WHEREAS Iowa Code § 69.8(3) directs that vacancies in county offices shall be filled by the board of supervisors, unless an election is called as provided in § 69.14A;

WHEREAS the procedures for the filling of the position of an elected county officer are set forth in Iowa Code § 69.14A. Because the county sheriff's office is listed in Iowa Code § 39.17, this office shall be filled pursuant to § 69.14A(2).

WHEREAS Iowa Code § 69.14A(2)(a) requires that, within forty (40) days after the vacancy occurs, the board of supervisors shall appoint a successor to the office. Such appointee would fill the office until the next pending election. This section further provides that the person so appointed shall have actually resided in the county sixty (60) days prior to appointment.

WHEREAS Iowa Code § 331.651(1) further requires that a sheriff meet the following qualifications: (1) have no felony convictions; (2) be age twenty-one (21) or over at the time of assuming the office of sheriff; (3) be a certified peace officer recognized by the Iowa law enforcement academy council under Iowa Code Chapter 80B.

WHEREAS the Board finds that Rob Haley has been a resident of Ringgold County for sixty (60) days prior to appointment. The Board further finds in relation to Rob Haley the following: (1) he has not been convicted of a felony; (2) he is at least twenty-one (21) years of age; (3) he is a certified peace officer recognized by the Iowa law enforcement academy council under Iowa Code Chapter 80B.

WHEREAS the Board further finds that Rob Haley has served fourteen years as Chief Deputy for the Ringgold County Sheriff, and is knowledgeable concerning the duties and responsibilities of the county sheriff;

WHEREAS the Board further finds that it is necessary for the Board of Supervisors to appoint a person to fill the vacancy in the office of county sheriff;

WHEREAS the Board therefore finds that Rob Haley is the most qualified candidate to fill the vacancy in the office of county sheriff; and

WHEREAS the Board passed a resolution on November 8, 2018, expressing its intent to appoint Rob Haley to fill the vacancy in the office of county sheriff, and on November 15, 2018, published notice of its intent to appoint him, notifying the public of its right to petition for special election.

IT IS THEREFORE RESOLVED that pursuant to Iowa Code § 69.14A(2)(a), the Board hereby appoints Rob Haley to the office of Ringgold County Sheriff, such appointment to begin on November 19, 2018, and extend until the expiration of the current term of office following the next pending election, which will be held in November of 2020.

IT IS FURTHER RESOLVED that if a petition for special election is filed by 4:00 p.m. on December 3, 2018, then this appointment shall be temporary and last until the winner of said election takes office. If no such petition is filed, then upon the expiration of said deadline, the appointment shall no longer be temporary, and Rob Haley will thereafter serve as Ringgold County Sheriff until the end of the current term of office.

IT IS FURTHER RESOLVED that Rob Haley's compensation pursuant to this appointment shall be that of the county sheriff for this county, as previously determined according to the County

Compensation Board, the Ringgold County Board of Supervisors, and the approved budget for that office.

WHEREAS, the Ringgold County Board of Supervisors hereby approves the appointment of Rob Haley to fill vacancy of Sheriff.

THEREFORE, a motion was made by Lyle Minnick and seconded by Kraig Pennington stating such.

The vote on the resolution: AYES: All. NAYS: None.

ATTEST: Amanda Waske, Auditor. Passed and approved November 19, 2018.

RESOLUTION RC18-182

WHEREAS, the Ringgold County Board of Supervisors hereby approves claims to be paid Wednesday, November 21, 2018 (see claims register).

THEREFORE, a motion was made by Paul Dykstra and seconded by Lyle Minnick stating such.

The vote on the resolution: AYES: All. NAYS: None.

ATTEST: Amanda Waske, Auditor. Passed and approved November 19, 2018.

A motion was made by Paul Dykstra and seconded by Lyle Minnick to approve the minutes.

There was no further business. A motion was made by Lyle Minnick and seconded by Paul Dykstra to adjourn the meeting at 2:49 p.m.


Board of Supervisors Chair

ATTEST: 
Ringgold County Auditor