



**Hardin Emergency Management Commission Minutes
May 22, 2018
Hardin County Courthouse, Eldora IA**

Supervisor: BJ Hoffman
Sheriff: Dave McDaniel
Ackley:
Alden:
Buckeye:
Eldora: Aaron Budweg
Hubbard:
Iowa Falls: Wade Harken
New Providence: Terry Beare

Owasa: James Nehring
Radcliffe:
Steamboat Rock:
Union: Cynthia Knight
Whitten: Bill Lott
Roxane Warnell, Coordinator

Guest: Bryce Knudsen, Julie Towne, Rocky Reents, Gary Van Den Boom

Call to order @ 7:15 pm

Approval of Agenda; Motion to approve the agenda as proposed by Beare, second by Budweg, voice vote taken all ayes, none opposed. Agenda approved

Approval of Minutes from April 24, 2018; Motion to approve the minutes as presented by Budweg, second by Lott, voice vote taken, all ayes, none opposed. Minutes stand accepted.

#4 Coordinator Position; Chair stated that he thought everyone got the email that Roxane had sent out. {Attachment to these minutes¹}

Budweg “an email was sent out, I wasn’t aware or maybe I didn’t listen well enough at previous meetings, but it is my understanding that documentation of notification was given to the current coordinator by the chair, is that a proper statement”.

Chair McDaniel “yes I did, the letter that Rick Dunn had prepared” Roxane “yes that is the letter I distributed” Chair McDaniel “and then I gave you a letter prior to the last meeting, Ahlers @ Cooney”

Roxane” The letter you hand delivered had no date or signature, did not look official, it was typed and not on letterhead”. Dave “this one I provided you” (Dave held up the letter) Roxane “yes”.

Roxane “ my question goes back to the board that you have changed the position from the one I was hired at 7 years ago, you have talked in meetings of the job description and I know you have taken out of the budget benefits, you took that out to make it part time, so basically I haven’t seen anything else other than Rick’s letter and that other one, stating thank you we hope applications will come out in a timely manner”.

Budweg asked James if we had the letter from the county attorney and if he could project it on the screen.

Budweg read the letter from County Attorney Dunn, dated February 14, 2018 and then discussed the need for the board getting together and establishing the new coordinator position and criteria and move

¹ Attachment Letter addressed to Roxane from Hardin County Attorney Rick Dunn dated 2/14/2018
Attached letter addressed to the Commission from Roxane Dated May 21, 2018



forward. Budweg “we have a little time to do that, develop a job description for the part time position as outlined by the board and move forward with posting the position per county protocol.”

Roxane then stated” so it is my understanding that the board is saying your terminating my position and me June 30th, that’s your intention?”

Knight “you would have to reapply?”. Roxane “that is what the letter says I would have to reapply”

Roxane” All I want from the board is an official document stating your actions so I know where I am going moving forward, I know my health insurance is stopping, so I have to go out and search for health insurance and I don’t know what documents I need, I have received nothing from the insurance people here saying when my family will come off the group policy, I need those kind of things and it is coming up, so that is what I would like from the board”

Budweg to BJ “is there anyway, opportunity, to ask the acting County Attorney or HR department to help us and walk us through the proper procedure for this to happen?”

BJ “yes, it is laid out in this letter, Ahlers & Cooney” (referring to the undated, unsigned letter with block signature of Dave McDaniel)

Roxane” I was not told who that letter came from, there is not a date, no signature, there’s no letterhead anyone could have typed it”

McDaniel “I’m of the opinion the position is yours moving forward” I don’t think our intent is to terminate anybody, it’s just financially, the budget constraints, its gone to part time”

Roxane “its changed completely from the perimeters of what I was hired at 7 years ago, I accepted a package at that time and it was discussed where I live, and it was okay at that time, it was discussed before I even accepted the job, you are changing the perimeters of residency, you are changing the hours, it is on call 24/7 but you are going to and excuse me Quote “Screw with the Core Hours” is what Mr. Nehring had said in one meeting and it would be hard for me to find another part time job when I am required to be on call 24/7 and my hours are always fluctuating depending on what I am doing, I am not voluntarily resigning my current position, but I am not interested in what I am hearing of this other position.”

Budweg announced that in light of the employee issues we should go into closed session for discussion of human resources and employee resources.

Hoffman made a motion to go into closed session pursuant to Iowa Code 21.5 subsection I (motion died due to lack of second)

Julie Towne advised the board that Roxane has to request that, and she can put it on paper right now if she wanted to go into closed section.

Roxane asked if the board had discussed any of this prior to this meeting, such as the job description?

McDaniel said that in March or April a job description was handed out for review but didn’t believe it was approved.



Roxane asked if all the commission members were given this new job description? McDaniel said it was distributed to those that were at that meeting.

BJ “ I would like to interject that Attorney Dunn drew up that letter to you and he then enlisted the help of Ahlers & Cooney, Mike Galloway to draft this letter for disbursement by the sheriff to you, I am aware that it is not on letterhead but I think the intent of delivery, {addresses comment to McDaniel} in less you got it and didn’t read it blindly then the intent was there”

Roxane asked the board to please redo the letter and make it official with some signatures, she also asked if all the members at the meeting had seen this last letter, there were members in attendance who said they had not seen this document.

McDaniel “that was my concern with the date, that the commission hadn’t established that timeframe”

Roxane requested copies be made for all the attendee’s, BJ excused himself to go make copies.

Budweg then asked Roxane while they were waiting for copies if she was interested in the budgeted position. Roxane asked him to rephrase that.

Budweg “The position that we have; the part time position, not changing anything just what is there now, are you interested at this time in that position?”

Roxane” Unless I saw a description and some of the other perimeters” Budweg “Let’s Hypothetically say it’s the same position”

Roxane “How can you ask hypothetically, I just want the board to address to me that my current position is done, that’s all you need to do” you are doing away with my current position June 30”, and then we all know”.

There was some group discussion Knight questioned what that letter said, and Towne commented that she did not think anyone wanted to terminate Roxane.

Roxane” the letter says I would have to reapply” Budweg commented that the verbiage in County Attorney letter says “I anticipate” Roxane’s response was “why would you ask for applicants before you ask the current person in the position if they were interested”

{BJ arrives with copies.} Chair said he would give the members the opportunity to read it and digest it.

Budweg commented that this was a status change, and Knight commented that it was not a position change it was a time change.

Roxane questioned if just a status change, why are the perimeters changing, why are you taking a 40 hour a week, and sometimes more than that, to 29 hours, your saying your not going to pay benefits for that, but you want to have that person be on call 24/7, live in the county, so these are pretty important changes to the current position that I serve in now, that I was hired for, I don’t see it as a status change.

Budweg stated “that’s your opinion the vote was taken to cut the budget because of the finances, we can relive it, but the vote was taken to decrease the budget which takes it to a part-time position as outlined and if you’re not interested.”



Roxane commented that she did not have a lot of information on the position and just asked the commission to officially let her know so she could move forward with insurance and whatever else she needed to do.

McDaniel again stated the position is being moved to part time July 1st and he thought it was Roxane's decision if she was interested in it. Roxane questioned again what all was involved in the new position a description and any other perimeters. McDaniel assumed Roxane had the job description and Roxane told him no she was not given it, McDaniel said that may have been at the meeting you had missed, and he would be more than happy to give her the one that was typed up, but no action was taken on it.

McDaniel again said the position is going to part time and human resources has said it is an essential position and that is why the residency requirement changed, like a road deputy or snow plow driver. Roxane reminded the board that this is a new change and was not a condition of her employment previously for the full- time position.

Knight asked Roxane "so you would like from the board a statement stating the position you were hired for 7 years ago is now gone and no longer a position and the position is going to a part-time position."

Roxane "yes that is what I was asking for." Knight commented she could understand what Roxane is saying that the job description and full time and benefits and all of that, is what she signed her contract for and so that is no longer available and that the fulltime position is gone; dissolved.

Nehring "we debated in previous meetings whether we would have had to go out for new applicants or if it was just a simple transition taking it from full to part -time because we didn't know, and we were going to have HR give us their recommendations and their thoughts on how it should be handled as a simple transition from full time to part time or a complete change." Knight seemed to remember the HR person attending one of the meetings, Roxane commented Paul was at the same meeting when the motion was made to take it to part time.

Knight "So what she needs is just a letter from this commission that says the assignment she was given is no longer available, its gone"

McDaniel "I think that is what that letter says"

Roxane "No that letter says I would be voluntarily resigning my position, and I am not voluntarily resigning my current position"

Nehring "there were fundamental changes in residency and hours."

Knight asked Nehring what HR had said, and Roxane then replied "you've spoken to HR, but no-one has ever asked me to speak to HR."

James asked what job description McDaniel gave out, was it the existing job description or a revised one, McDaniel said revised with the hours and the residency, the duties did not change.

Roxane asked how the duties did not change when the hours have changed so drastically, to which Nehring replied a lot of your duties are set by code.



Knight asked if there was a way to get in touch with an HR person tomorrow, in which Hoffman replied that he was texting him right now, and that the letter didn't need to be on letterhead or signed as long as the chairperson delivered it, it was valid.

Hoffman addressed Roxane and asked "if you got it and you didn't think it was valid why you didn't ask someone or me tonight, and the validity, or ask Dave and he could have said here is Mike Galloways number"

Towne asked Dave if he hand delivered the letter to Roxane, and he replied yes, Towne said then she knew it was from you, {speaking to McDaniel}.

Roxane then asked McDaniel if he wrote that letter, at which he replied "no I did not, I was given the letter to give to you"

After more comments, Roxane stated she wasn't there to have a conflict in an open meeting and she had asked for what she wanted, and the board could decide whether they want to give it.

Nehring "We need to clarify with HR whether it is a change of status or complete different position"
Knight agreed.

Towne commented that she felt there should be a deadline on this as we could be without an EMA come July 1 because it is only 6 weeks away and we do need to post, "if her intentions are; if she knows tonight according to that job description if she has no intentions of taking the job I think it is fair to this commission who is here that we know that as well. Nehring, "she is right she deserves clarification as well".

At this point Roxane said she was done talking for the night, as she wanted to see what her rights were, she had not spoken with an HR person or anyone concerning this.

Budweg recommended to the chair the discussion be tabled until HR was contacted.

Knight discussed talking with HR tomorrow and getting this decided so it will be clear, and Roxane can make a decision. Budweg asked who would take care of contacting HR? McDaniel said he would get a hold of Mike Galloway. Roxane wanted to know who Mike Galloway was as the HR person for the County was Paul Greuffe. Hoffman said Mike Galloway is a HR Attorney with Ahlers and Cooney Law Firm. Knight asked who the HR person was for the County so if Roxane had questions, Hoffman said Mike Galloway, Knight asked if Roxane could go there too? Hoffman said "sure".

Towne said that we should get her insurance papers to her as insurance is being illuminated,

Discussion led back to speaking with HR to determine how to proceed.

Roxane commented "I did not come here for conflict, I came here for face to face communication."

It was decided to set a special meeting to discuss what HR recommends.



Next meeting set for June 6th @ 6:00 pm for a special meeting of the commission.

Adjourn at 7:45 pm

Respectfully submitted,

Roxane Warnell, Coordinator