

May 30, 2019

The Mahaska County Board of Supervisors met in work session on the above date at 6:00 p.m. in the third floor conference room in the Mahaska County courthouse. Present were the following board members: Chairman –Mark Groenendyk; Vice chairman – Steve Wanders and Member – Steve Parker. Also present were Channa McMillian; Jacob Dannels; Lorie Jager; Doug Greenlee; Janet Martin; John VanZante; Jim Hughes; Kevin Molyneux; Kim Sytsma; Chuck Bogaard; Keith Beintema; George Toubekis; Russ VanRenterghem, Sheriff; Andrew Ritland, Co Attorney and Susan Brown, Mahaska County Auditor.

Supervisor Groenendyk introduced the topic of contract police protection between a county sheriff and incorporated cities within the county. According to Iowa Code 372.4(2) all cities must either have their own police protection or have a 28E contract in place with an entity that can provide it. The required contract would be for protection/patrolling above and beyond any calls for service. At the present time there are four cities that do not have a contract for protection in place, while four cities do have a contract with the sheriff's department. Oskaloosa and New Sharon maintain their own force.

Information given shows that county is not collecting enough through the contracts currently in place to cover costs of wages, benefits and car expense. Examples of rate schedules from two other counties were shared. To cover costs in Mahaska County the average wage with benefits for all deputies is \$37.18/hr. An extra \$5/hr for the car should be considered. Sheriff would like to leave current contracts as they are for FY20 budget year.

City representatives voiced concern over timing in the fact that budgets have already been certified for FY20 and the current contracts expire July 1, 2019.

County attorney described the code section requirements for incorporated cities from the Supreme Court's interpretation of 372.4(2) in the case *State ex rel. Johnson v. Allen*, 569 N.W.2d 143 (1997).

As 28E agreements are created they should reflect that sheriff will respond to calls for service and they should include the number of extra hours the city desires at the rate of \$42.00/hr. County attorney will create a template, email to supervisors for review and forward on to city officials.

Consensus is to start process for following budget year this coming October.

Attest: _____
Susan L. Brown
Mahaska County Deputy Auditor

Mark Groenendyk
Mahaska County Board of Supervisors