

O'BRIEN COUNTY CONSERVATION BOARD

Minutes-Regular Session June 14, 2023

The O'Brien County Conservation Board meet in regular session at the Prairie Heritage Center June 14, 2023. The meeting was called to order at 3:00pm. In attendance were: Tom Konz, Dan Verrips, Greg Burmakow, Jack Wallinga and Kathy Luedke.

Agenda was approved as presented by Verrips, seconded by Burmakow. Motion carried, unanimous.

Motion to approve May 10, 2023 minutes by Verrips, seconded by Burmakow. Motion carried, unanimous.

Motion to approve May 24, 2023 minutes with amendment of \$400 added to the vest cost by Verrips, seconded by Wallinga. Motion carried, unanimous.

Motion to approve May 31, 2023 minutes with amendment of "Motion made by Konz, seconded by Verrips to approve Mark Wilson, Interim Director, at a salary of \$68,640.00 (\$33/Hour) at non-exempt status effective June 1, 2023, continuing until a new successor begins his/her full-time employment. The successor will be appointed by the O'Brien County Conservation Board. Mark Wilson will resume his former position of Operations Supervisor at the 2024 approved salary at the time the new Director begins employment." by Burmakow, seconded by Verrips. Motion carried, unanimous.

Motion to approve bills as presented by Burmakow, seconded by Verrips. Motion carried, unanimous.

Motion to approve IPIB Informal Resolution by Luedke, seconded by Wallinga. Motion carried, unanimous.

Motion to approve to adopt Public Records Request Policy that was approved by the O'Brien County Board of Supervisors by Luedke, seconded by Wallinga. Motion carried, unanimous.

Motion to approve the Director for lawful custodian of records by Verrips, seconded by Burmakow. Motion carried, unanimous.

Motion made by Wallinga, seconded by Luedke to approve Sarah Fiddelke, Office Manager, at a salary of \$54,080.00 (\$26/Hour) at non-exempt status effective June 1, 2023, and continuing until a new Director has been hired and begins his/her full-time employment. At the time the new Director begins employment, Sarah Fiddelke will resume her 2024 approved salary.

Interim Directors Report listed general park maintenance, upkeep and a new playground, 540 program participants, Tjossem project is near completion.

Visitors: 8 present

Adjourn at 3:57 pm on a motion by Verrips, seconded by Burmakow.

The Iowa Public Information Board

In re the Matter of:	Case Number: 23FC:0035
Concerned Citizen, Complainant	Informal Resolution
And Concerning:	
O'Brien County Conservation Board, Respondent	

On March 9, 2023, Concerned Citizen filed formal complaint 23FC:0035, alleging that O'Brien County Conservation Board (Board) violated Iowa Code chapter 21.

A Concerned Citizen filed this Complaint alleging that on February 8, 2023, the Board held a meeting in violation of Iowa Code Chapter 21 at the Prairie Heritage Center. The meeting included three members of the Board who held a discussion about a conservation land purchase after an official board meeting. The second meeting was not posted 24 hours in advance and no agenda was made or distributed. The Concerned Citizen also alleged that this type of meeting had happened previously and included the same members of the Board.

In response to the Complaint, the Board agrees that a violation did occur and states it is willing to remedy the violation through education and training.

The Iowa Public Information Board (IPIB) accepted the complaint on May 18, 2023. Pursuant to Iowa Code section 23.9, the parties have agreed upon the following terms for an informal resolution of this matter:

1. The O'Brien County Conservation Board will acknowledge that there are sufficient facts to show that on February 8, 2023, the Board held a meeting in violation of Iowa Code Chapter 21 at the Prairie Heritage Center. This meeting included a majority of the Board who held a discussion about issues within the scope of the policy-making role of the Board after an official board meeting ended.
2. The O'Brien County Conservation Board will acknowledge that Iowa Code chapter 21 requires that all meetings of the Board require public notice and an agenda provided at least 24 hours in advance of a meeting and that all discussion of Board policy is to be done within the scope of Chapter 21.

3. All members of the O'Brien County Conservation Board will attend training on Iowa Code chapters 21 and 22 during an open and public meeting, to be scheduled and presented by the Iowa Public Information Board staff.

4. Members of the O'Brien County Conservation Board will acknowledge that under Iowa Code § 21.6(3) that continued violations of Iowa's Open Meetings Law can result in fines assessed to individual members of the Board in addition to removal from office.

5. The O'Brien County Conservation Board will approve this Informal Resolution at an open and public meeting and will include this Informal Resolution in the official minutes of said meeting.

All terms of this Informal Resolution shall be completed within 60 days of the date of approval of this Informal Resolution by all parties. Upon showing proof of compliance, the IPIB will dismiss this complaint as successfully resolved.

THIS INFORMAL RESOLUTION HAS BEEN REVIEWED AND APPROVED BY THE FOLLOWING:

Concerned Citizen

Date

Tom Kowz

O'Brien Conservation Board

6/14/23

Date

By: Tom Kowz
(Print Name)