

# **BOARD OF COUNTY COMMISSIONERS**

May 7, 2013

Chairman Jack Carpenter called the meeting of the Chautauqua County Board of Commissioners to order on Tuesday, May 7, 2013 at 8:30 a.m. in the commission room of the courthouse. Commissioners Goff Searl and Danny Williams were present as was Human Resources Manager Crystal Wade. County Clerk Janice A. Fine and Deputy County Clerk Helen Matthews were absent as they attend an annual Kansas County Clerks and Election Officials Association meeting. Danny Williams gave prayer.

Joel Haden, Road & Bridge Supervisor, updated commissioners on department business. Rock has been hauled near highway 166 on Road 3 going north, to Junction Road; rock was placed where needed on Road 4, north of Junction Road, while focusing on where traffic is heavy. Rain has caused loss of gravel on Ranch Road and Road 6 west ¼ miles. A call was received about the road near Wilson Cemetery that needed attention. Rock was hauled to Dalton Road 3 ½ miles east of Hewins on the hill near Wilson Cemetery. Project is being finished at Indian Road and Road 30 near Danny Thorne's property. Concrete tiles and culvert have been picked up and moved from north of Indian Road and Road 31 along with equipment to Dalton and Road 29 to clear right of ways and replace culverts. Maintenance on culvert at Road 25 and Indian Road has been completed, and will probably be extended at a later date. Stop signs have been picked up from Fulsom Construction. A call was received regarding plugged culverts near Marshal Cemetery at the Oklahoma State line and Road 19. Excavator and dozer are being moved to Road 29 and Dalton. Goff Searl asked about removing trees from county right of way on a taxpayers land, it is a future project while time allows.

Skemica Contractors have requested to install a fiber optic line near Hewins for Totah Communication, Oshelata Ok. There are several culverts and areas that would require boring to complete the install. Totah has proposed \$1,000 per mile deposit, totaling \$3,400. Goff Searl moved to accept the request, Danny Williams seconded. Motion passed 3-0.

Engine repair: Brian Satterlee has researched the price of having the 966 loader engine replaced. Purchasing a long block would cost approximately \$13,538. Labor would cost an additional \$8,000 if hired out. It is suggested that Brian Satterlee and Richard Hamilton perform the labor to save costs. Bought directly from Caterpillar, the purchase would include a 6 month warranty. Haden is going to do some more research to determine if this is the best option. Least expensive route is the best option. Trade in value would reflect salvage prices. Rebuilding seems to be the best option. The County owns two loaders not in perfect condition, they are 40 plus years old, but still functioning.

Haden spoke to a KCAMP representative about taxpayer use of wood chipper. User

would be required to sign an agreement of liability, if an individual was hurt during use they would be covered under the liability insurance proved by KCAMP. Also researching legalities for taxpayer use of County equipment. Liability is the main issue, Goff Searl suggested that Larry King review the application and liability issue before a decision is made.

Jim Duncan, Noxious Weed Director, presented bill for signs purchased from National Sign Company for \$2504.20 the grant is for \$2,000. Duncan asked of commissioners what department needs to be billed for the difference. Goff Searl asked that Emergency Management be informed to the option of them being billed. Larry Robbinette was asked to join the meeting for billing inquiries. Discussion about what fund is statutorily acceptable and what department has budget to allow payment of approximately \$500. Jack Carpenter asked if capital outlay in Emergency Management could allow for the bill. Danny Williams moved to pay out of Road and Bridge fund and be reimbursed to that same department, Goff Searl second, motion carried 3-0. Duncan called National Sign Company to correct the pricing of signs; he was quoted for \$31.95 per sign and billed \$32.95.

Duncan has also been touring searching for thistle, he has found some properties have been affected and he continues to treat as needed. Musk Thistle should germinate in the fall, but this year has germinated in the spring, because of the extraordinary weather.

Carl Eyman from KWORCC updated commissioners on loss ratios and workers compensation. He presented the experience rating sheet. The county is 1.08 based on actuarial statistic information, this is high, the County should be around 1. In essence the County is competing against its self to save money and rank nearest to 1. This is from 2009 to 2011. Most loss is generated from Road and Bridge, and volunteer fire. Solid waste has also incurred high loss for the county. Motor vehicle accidents are the most costly issue.

Commissioners receive quarterly reports to review open claims. Goff Searl asked about injured fire fighters, and why is a volunteer covered under workers compensation. Law dictates that the individual can use fireman's relief fund or workers compensation through the county. Small fire claims, attribute to a large amount of payouts. Fire fighters can issue claims to any entity they choose.

The 2014 premiums will likely increase due to the injuries incurred in the past three years, approximately 10-15% Commission asked if and where KWORCC can help to lower costs and prevent increased premiums. KWORCC has classes and seminars available to educate employees on safe practices. Danny Williams asked if Solid Waste could be removed from county insurance, workers compensation has to be assessed through payroll.

Eyman reviewed the year end and year to date reports on the funds.

Karen Spencer, County Appraiser joined the meeting to update commission on department business. Oil and Gas mail out is ready; Personal Property has been

mailed out. The office is currently working on assessments of personal property and Spencer has asked Theresa Wells, Elk County employee, to assist.

Spencer suggested that the Commission allow her time to review her department and the possibility of reorganization might be a better choice than immediately hiring a new individual. Spencer then asked for an executive session to discuss non-elected personnel. Danny Williams moved to go into executive session at 9:48am for 10 minutes; Goff Seal second, motion passed 3-0. Meeting resumed at 9:58, no action was taken.

Former Employee, Linda Chase, joined the meeting. Amy Goode, Deputy Treasurer, also joined as an observer. Chase provided documentation regarding the verbal reprimand she received in July, 2012. Chase also provided documentation and dates reflecting when Jeremy Hendren, Deputy Appraiser worked in Elk County. Chase, pointed out that the disconnect in communication between herself and Karen Spencer, County Appraiser started near the time Hendren was appointed deputy, however this was also the first incident that Chase stood up to Spencer. Chase stated no one has stood up to Karen before and she is the first one who ever has.

Goff Searl asked what the conflict was regarding Hendren; Chase explained that Hendren was in Elk County when a tax payer received the wrong tax document. It was asked if Hendren was under contract to provide services in Elk County. Theresa Wells is under contract for Chautauqua County work. Chase requested that Spencer's behavior be reviewed and that they be aware of the working conditions in the Appraisers office.

Chase asked about receiving KPERS payout and COBRA costs. Chase asked Crystal Wade, Human Resources Manager about KPERS options. Chase requested a copy of her personnel file, a copy will be provided at 1:30pm. Chase also requested the minutes for the special meeting held on May 2, 2013, the minutes had not yet been approved, but will be provided to Chase when approved.

Amy Goode asked if any consequence will be given to Spencer. Commission responded that none had been made at the time, but was under review.

Jeanie Beeson, Health Department Administrator joined the meeting to discuss department business. Danny Williams moved to go into executive session for 15 minutes to discuss non-elected personnel at 10:20am. Goff Searl second, motion carried 3-0. Meeting reconvened at 10:35am. No action was taken.

Crystal Wade, Human Resource Manager presented an unemployment claim from previous employee, Linda Chase, received on Monday May 6, 2012. Motion was made by Danny Williams to approve the unemployment claim, motion was seconded by Jack Carpenter motion passed 2-1 with Goff Searl opposing.

Commissioners reviewed end of month budget reports. Sherriff's office remains in budget, however Register of Deeds and Commissioner funds are over budget.

Danny Williams made a motion to accept the meeting minutes for April 30, 2013 and the special meeting on May 2, 2013. Goff Searl seconded the motion. Motion carried 3-0.

Danny Williams made a motion to adjourn the meeting at 11:05 a.m. Goff Searl seconded the motion. Motion carried 3-0.

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Goff Searl, First District Commissioner

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Danny D. Williams, Second District Commissioner

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Jack Carpenter, Chairman, Third District Commissioner

ATTEST:

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Crystal Wade, Human Resources Manager