

BOARD OF COUNTY COMMISSIONERS

January 31, 2013

Goff Searl called the meeting of the Chautauqua County Board of Commissioners to order on Thursday January 31, 2013 at 9:00 a.m. in the commission room of the courthouse. Commissioners Jack Carpenter and Danny Williams were present as was County Counselor Larry King. County Clerk Janice A. Fine was also present. Danny Williams gave prayer.

Chautauqua County received a letter requesting signature on the Federal Disclosure Form for the CDBG grant that the county needed to sign on behalf of the Chautauqua County Rural Water District #4. The money passes through Chautauqua County Government and Vivian Massey is their administrator.

Joel Haden, Road & Bridge Supervisor gave his weekly work report. A letter was drafted to send to KWORCC attesting the requested corrections had been made. Commissioners also received a new letter with two additional corrections requested. Letter was provided to Joel and commission asked that he forward one item from that letter to Noxious Weed director. The new bridge has received compliments from citizens. They continue to work projects around the county. The Sturge's Low water area was discussed briefly. Rock at 13th and Gallop and Eagle areas were discussed. They have finished the right of way on Rd 6. Culverts have been placed at a few different road locations. Joel stated the box Culvert on Rd 11 has been cleaned out. Applications for the open position have been received and provided to the commissioners. Interviews are scheduled for next Tuesday with commission approval at 9:00 a.m. Commission approved. Joel requested monies identified from the CPA be placed in the special machinery fund. Commission requested that Cathy provide the commission with the exact dollar amount and the commission will make a motion to move the funds. Verizon wants to put a cable from 166 Highway up Road 14 all the way to Union Road. They want a right of way and the permit we have says they need to put up \$1,000 per mile to cover any damages for a total of \$13,000. A \$20,000 bond is our preferred request for 2 years since their need is greater than road cuts. The bond covers replacement of all road work. **Danny Williams made a motion to require Verizon to provide a \$20,000 bond to install cable in right of way and Jack Carpenter seconded the motion. Motion carried 3-0.**

Correction to the January 15, 2013 minutes as follows: The road cut bond is in order for one year set to renew on January 14, 2014 with Nowak regarding rural water not seismograph.

The township of Belknap contacted R/B on the old school house. They removed windows and wanted the building knocked down for burning. Joel indicated the most efficient way is to use the backhoe to knock it down. Commission is in agreement.

The Landfill contract came before the commission for signature. Jack Carpenter made a motion to renew the Landfill contract and Danny Williams seconded the motion. Motion carried 3-0.

Linda Kline – Solid Waste. There are five accounts less than \$25.00 Linda is requesting to write off as non-retrievable. Danny Williams made a motion to write-off the accounts and Jack Carpenter seconded the motion. Motion carried 3-0.

Commission requested Linda provide the names on the accounts to be written off. After reviewing the five accounts Solid Waste determined that only three accounts were appropriate to write-off. Accounts belonged to: Jeff Brondige, Earnest Brown and Curtis Palmer.

The County Clerk advised the commission that it was made known to her by the Harrison/Hewins Township trustee that the township treasurer who was elected at the November 6, 2012 election had declined. The commission requested clarification from Larry King, County Counselor, if it was their responsibility to appoint or the Republican Committee's responsibility. Larry made it known that it was the commission's responsibility to make that appointment. The county clerk advised commissioners that two other candidates (write-ins) were given one vote each. Commissioner Danny Williams drew the name of Bernard Lemert to fill the position on Harrison/Hewins Township Treasurer. A certificate of Appointment will be mailed today notifying him of the appointment.

Sheriff Perry Russell met with commissioners. Commission asked to discuss Floyd's Market usage. Sheriff stated they do what they can do, cost is a consideration. January was a better split between EVCO and Floyds. Cedar Vale grocer Doug Baggett, is interested in participating in food item purchases. Sheriff will give business to both local markets when he can. Sheriff discussed that quantity is sometimes an issue. There is a conflict between saving budget and spending more to purchase locally. Floyd's is willing to match EVCO pricing. EVCO is more convenient as they can add to or reduce the order at any time prior to delivery and that option would not be available purchasing locally. Commissioners requested that the Sheriff's Department do more business in Chautauqua County.

Commission asked Sheriff if he had read the employee handbook. He indicated it had been some time since he had reviewed that document. Chairman Goff Searl gave the Sheriff his copy for review as the commission wants to discuss several personnel issues with him. Chairman Searl requested a copy for him to replace the copy given to the Sheriff.

Commissioner Danny Williams asked Sheriff for confirmation that the EVCO personal purchase was resolved.

Commission briefly discussed the upcoming Conceal Carry class that is being discussed and there is interest from employees. Commission requested a date be set for that class as soon as possible. Nick Reed is working on a date and will provide a date to commissioners as quickly as he can. There has been questions regarding the cost of the class and Nick indicated he has provided a reduced price as compared to other areas. Conceal Carry laws were briefly discussed.

Sheriff discussed the article in the Cedar Vale Lookout which he found most disturbing is the part where Julie Bays came to commission to have her medical bills paid. The Attorney General exonerated the deputy from any wrong doing. The officer acted in his best interest and the situation. Paper quoted KCAMP policy who recommended paying her. Sheriff stated the county should not be responsible for citizen's bad behavior.

Commission made 2013 Appointments.

County Newspaper: Danny Williams made a motion to appoint the Cedar Vale Lookout as the official Chautauqua County newspaper. Jack Carpenter seconded the motion. Motion carried 3-0.

Meeting days – No change.

Commission Chairman: Jack Carpenter nominated Danny Williams as Chairman. Goff Searl nominated Jack Carpenter for Chairman. After discussion Goff Searl made a motion to appoint Jack Carpenter as Chairman and Danny Williams seconded the motion. Motion carried 2-0 with 1 abstain. Jack Carpenter will be the chairman for 2013.

Banks: Both remain.

See-Kan RC&D Board was deleted
Chautauqua County Fair Board – no change
Four County Mental Health Board – no change
County Planning Board – no appointment
County Economic Development Board – no change
SCKEDD Board – no change
Juvenile Correction Board – need to appoint
Freedom of Info Officer – no change
Federal Compliance Officer – no change
KCAMP Board Representative – no change
Fire District Boards:
District One – no change
District Two – reduced to Kyle Finney, David Deal and Shane Signier
District Three – no change
District Four – delete Jason Ward and replace with Tim Kyzer. All others remain.
District Five – no change
District Six – no change
District Eight – no change

Danny Williams made a motion to modify and accept 2013 Appointments as stated above. Jack Carpenter seconded the motion. Motion carried 3-0.

Commission requested an Executive Session at 10:35 for 10 minutes. Danny Williams made a motion to go into executive session to discuss client lawyer privilege. Jack Carpenter seconded the motion. Motion carried 3-0.

Commission meeting reconvened at 10:50 a.m. in the commission meeting room. As a result of the executive session no action was taken.

Commission meeting recessed to move to the courtroom on third floor to accommodate concerned citizens who arrived to discuss an issue with commissioners. Meeting moved to the court room at 10:51 a.m.

Commission meeting reconvened at 10:56 a.m. in the third floor courtroom. There was an in-depth discussion regarding wage increases for County Clerk staff. Individuals voiced their concern to commissioners. At the conclusion of the discussion the County Clerk voluntarily revoked her wage increase. Danny Williams made a motion to rescind the pay increase and Jack Carpenter seconded the motion. Motion carried 3-0.

All prior salary discussions were not made public nor would they have impacted the decisions made during this discussion.

Concerned citizens asked the commissioners if the other County Clerk staff's wage increase would be revoked and Larry King indicated that Fair Labor Laws needed to be reviewed before a determination could be made. Commission will make that decision at the next scheduled commission meeting and will review documents to establish the salary for the County Clerk. Commission was advised that a pay plan, approved by resolution, needed to be in place prior to the 2014 budget planning process.

The commission meeting recessed at 11:45 a.m. to move back to the commission meeting room.

The commission meeting resumed in the commission meeting room at 11:48 a.m.

Annetta Kelley – County Director met with Commissioners to discuss the most recent County Director meeting in Wichita. That meeting discussed what happens to the elderly in a 10 county area from KanCare and what information is provided by Governor Brownback. Annetta is talking with Nurses and caregivers and they have a grant for the elderly regarding hoarding. The grant is to evaluate and assist elderly as many illnesses exist that produce the need for elderly to hoard and this impacts their living conditions. Upcoming events include a hoarding conference, an older Kansas day, and a Sr. Medicare Patrol. In Chautauqua County the Health Department receives funds for the elderly. Annetta will update commissioners after each monthly meeting. The County Director Advisory Board includes one director from 10 counties. Mary Woods is the head of the group in Winfield.

Jerry Bowman discussed the issues with Transportation. Discussed the need to have someone here to oversee and run any transportation program locally. There was a brief discussion regarding counties that have lost funding for transportation.

Michael Young came before the commissioners to discuss the no fund warrant and how Chautauqua County planned to repay them. \$267,000.00 is the amount of the no fund warrant and the counties CPA found funding which will assist in paying back the no warrant funds. \$80,000 belongs to road and bridge and \$120,000.00 belongs to the county. Commissioners are looking at spending and budgets regularly now and will make necessary changes as we progress through the year. If taxes are needed to be raised to meet the annual yearly payment for the no fund loan it would probably be @ 2 ml. Commission indicated the 2013 budget was changed during the budget process to reduce loss gaps. The 2013 budget excluded inmate revenue and Boy Scout taxes.

Cedar Vale pays more for the Police Chief than Chautauqua County pays the Sheriff. \$268,000 is the entire budget for Sheriff. \$146,000 is Dispatch, 246,000 is Jail.

Sedgwick County did tell us that they had inmates available, but none have been housed. The proposed income was pulled from the budget.

Reporting hasn't been as reliable as possible.

Susan Shaff – Volunteered to clarify that the article published in the Cedar Vale Lookout should reflect this was Julie Bay's opinion. KCAMP policy is that county pays to mitigate a lawsuit. Julie was in custody and the county owes for the injury.

Commissioners reviewed and approved the Payroll and Warrants Payable expenditures as follows:

<u>Fund</u>	<u>Totals</u>
001 General Fund	94,862.12
103 Ambulance Dist. #1	3,492.50
105 Ambulance Dist. #2	11,295.83
107 Appraiser	10,222.24
121 Employee Benefit	87,467.76
123 Health	22,777.36
131 Noxious Weed	2,631.08
135 Road and Bridge	53,985.53
138 Special Bridge	420.00
301 Solid Waste	12,951.40
401 Treasurer Auto	2,397.66
411 ROD Tech Fund	624.91
990 Payroll Clearing Fund	76,006.31
Total All Funds	379,184.70

Minutes: Danny Williams made a motion to approve the minutes from January 22, 2013 with one correction. Jack Carpenter seconded the motion. Motion carried 3-0.

Danny Williams made a motion to adjourn at 1:14 p.m. Jack Carpenter seconded the motion. Motion carried 3-0.

Goff Searl, First District Commissioner, Chairman

Danny D. Williams, Second District Commissioner

Jack Carpenter, Third District Commissioner

ATTEST:

Janice A. Fine, County Clerk