

# **CHAUTAUQUA COUNTY BOARD OF COMMISSIONERS**

**February 20, 2017**

Chairman Jack Carpenter called the regular meeting to order on Monday, February 20<sup>th</sup> at 8:30 a.m. in the commission room. Commissioners Goff Searl and Rodney Shaw were both present. As were County Clerk, Niki Collier and County Counselor, Ruth Ritthaler. Commissioner Goff Searl opened the meeting with prayer.

Commissioner Searl made a motion to approve the February 13<sup>th</sup> minutes as presented. Commissioner Shaw seconded the motion. Motion carried 3-0.

Joel Haden, Road & Bridge Superintendent, reported the crews have spread rock in the following areas; Rd 3 & Heritage, Rd 5 & Kansas, Rd 27 & Indian, Rd 2 & Trail, Rd 8 & Hwy 166, Rd 8 & Bronco. Culverts were put in at Saddle & Rd 10, and Eagle & Rd 12.

Mr. Haden talked to Kenny Blair the engineer this week. They discussed steps to get the bridge at Lariat & Rd 3 back open for use.

After last week's discussion about ways to handle the row of rock down the middle of the high traffic roads, two graders worked together on them and it is working well. Joel Haden updated the commissioners on his search for a rock bucket or picker.

Commissioner Rodney Shaw motioned at 8:50 to go into an executive session with Crystal Wade, HR Administrator, present for a discuss about non-elect personnel, to protect the privacy of the personnel, lasting for 10 minutes and Commissioner Searl seconded. Motion passed 3-0

Returned to regular session at 9:00. No action taken in executive session.

Crystal Wade, HR Administrator, brought information about our participation in Kansas Association of Counties, County Compensation Survey. After discussion Commissioner Goff Searl motioned to continue our participation in Kansas Association of Counties, and pay the participation fee. Commissioner Shaw seconded. Motion passed 3-0

Commissioner Searl looked into Conservation District funds for 2016. The last disbursement for 2016 of \$3,000.00 was sent out December 31<sup>st</sup>, the District would have received it in January 2017. Bringing the total county distributions for the Conservation District for 2016 to \$12,000.

Jeremy Hendren, County Appraiser, joined the meeting to answer questions about Controlled Shooting Areas. He explained, land owners must complete an application process though the State of Kansas to receive this designation.

County Clerk, Niki Collier brought reports to the commissioners and informed them of the upcoming special election to fill the vacancy in the 4<sup>th</sup> District. In order to cut expenses to

the county there will be only one poll location in Sedan for this election, located at The First Christian Church.

Commissioner Goff Searl motioned to approve a request from Raymond Sproul to have Scott Barnhart of the Montgomery County Environmental Health/Zoning Department complete the needed inspection for him. Commissioner Shaw seconded, motion passed 3-0

Commissioner Goff Searl asked County Counselor, Ruth Ritthaler if she had found out if the sheriff school had been paid correctly, by paying it out of the general fund? She confirmed that it had been paid correctly.

Commissioner Shaw had questions for County Counselor, Ruth Ritthaler about the contract and how the firm would be paid. He requests a copy of the contract for review.

Commissioner Shaw revisited his concern about possible conflicts of interest, with Mrs. Ritthaler being both the County Counselor and the County Attorney. Commissioner Shaw stated he spoke with the Attorney General's office and was referred to an Attorney General opinion #2013-15 that cites KSA 19-705. Ruth Ritthaler, County Counselor, assured Commissioner Shaw that she had inquired with the Kansas County Counselor Association and they had informed her it was permissible. He disagreed and referred to the Kansas Association of Counties Desk Book for clarification of the definition of a county officer.

Ruth Ritthaler, County Counselor noted the discussion involved non elect personnel, she suggest going into executive session to continue discussing the county counselor position.

Commissioner Shaw motioned for a 30 minute executive session at 10:25 to keep the privacy of non-elect personal, seconded was made by Commissioner Searl. Motion passed 3-0. Returned from executive session at 10:35 with no action taken.

Motion from Commissioner Shaw to adjourn at 10:40, seconded by Commissioner Searl, motion passed 3-0.

---

Goff Searl, First District Commissioner

---

Rodney Shaw, Second District Commissioner

---

Jack Carpenter, Chairman, Third District Commissioner

ATTEST:

---

Niki Collier, County Clerk