

CHAUTAUQUA COUNTY BOARD OF COMMISSIONERS

February 28, 2017

Chairman Jack Carpenter called the regular meeting to order on Tuesday, February 28th, 2017 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 20th minutes with corrections. Commissioner Shaw seconded the motion. Motion carried 3-0.

Joel Haden, Road & Bridge Superintendent, reported the crews have spread rock in the following areas; Saddle & Rd 2, Dalton & Rd 8, Union & Rd 29, Saddle & 30.

Repairs have been made to the bridge at Rd 23 & Lariat, and it is open again. Mr. Haden leased a skid steer with rock bucket for a week, to try it out. He invited commissioner to come out and see it work.

Linda Kline, Solid Waste Department and Dale Stone brought monthly reports, and two bids for a new trash truck. Mrs. Kline states it is within their budget.

Linda provided pictures of individuals improperly dumping in the dumpster near the animal shelter, from the newly posted camera. Discussion was had about how to proceed. Commissioners asked that more signs be hung and for County Counselor, Ruth Ritthaler to look into possible fines.

Crystal Wade, HR Administrator, brought an employee's request to the commissioners in regards to changing the travel policy in regards to the mileage. After discussion, it was determined to leave the mileage reimbursement as is. It can be revisited at the end of the year when changes and updates are reviewed. She then reviewed travel request for Commission approval.

Cathy Sanders, Road & Bridge Office Administrator, has been working with Mrs. Wade the past months on the needed training to be the backup for the payroll. Training is coming along and will continue.

Amy Goode, Treasurer informed the Commissioners about real estate and personal property warrant letters that she has prepared. These are sent out if no payment has been received on 2016 taxes.

County Counselor, Ruth Ritthaler presented information she had researched in regards to the same individual holding the position of County Counselor and County Attorney. She stated that Chautauqua County passed resolution 90-02 on February 28, 1990, establishing the position of County Counselor and separating the responsibilities from the County Attorney.

Ruth clarified that Attorney General opinions are not usually oral and provided process for requesting a written opinion, she also stated that an opinion is not binding law. Ruth made a suggestions to resolve the concern that Commissioner Shaw has, the Commissioner's make a resolution stating the County Attorney would resume the responsibility of providing the Commissioners legal counsel and handle all civil matters for the county and combine the two budgets.

After discussion, Commissioner Shaw felt that there needed to be further clarification and made a motion to request the Attorney General provide an opinion in regards to whether, it is a conflict of interest for one person to be both the County Counselor and County Attorney.

Goff Searl 2nd the motion, Jack Carpenter opposed and the motion carried 2-1

Motion from Commissioner Shaw to adjourn the meeting at 10:00, 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