

CHAUTAUQUA COUNTY BOARD OF COMMISSIONERS

August 21, 2017

Chairman Jack Carpenter called the regular meeting to order on Monday, August 21, 2017, at 8:30 a.m. in the commission room of the Court House. Commissioner Goff Searl, Commissioner Rodney Shaw, County Clerk Niki Collier and County Counselor Ruth Ritthaler and Deputy Clerk Becky Smilko were all present. Commissioner Goff Searl opened the meeting with prayer.

Commissioner Searl motioned to approve the minutes of August 14, 2017 as presented. Commissioner Shaw gave the second, motion passed 3-0.

Road & Bridge Superintendent Joel Haden reported rock has been spread in the following locations, RD 19 & Quivira, RD 21 & Bronco, RD 25 & Eagle, and RD 13 & Trail. Right of Way has been maintained around the intersection of Rd 10 & Saddle. Commissioner Carpenter noted that RD 25 is in good shape, and asked Mr. Haden to review a washed out area on RD 23 north of Highway 166. Commissioner Searl noted that we have had such good weather, that many of the areas previously mowed have grown back up and need to be mowed again. Commissioner Carpenter inquired about the lots in Cedar Vale that needed mowed. Joel stated that when the bush hog operator went to complete the task most of the property had already been mowed, and the brush hog completed the job. Commissioner Shaw also expressed concern about concrete exposed on the Independence shortcut.

County Clerk Niki Collier brought a response letter from Dish Network in which they stated it was not feasible at this time for Dish network to complete a study to possibly add Wichita channels for the local area as requested by Chautauqua County Commission. Mrs. Collier provided a resolution to continue participation in the Rural Opportunity Zone (ROZ) as requested by the Commission at last meeting. Commissioner Carpenter moved to adopt resolution 2017-08 thus continuing the County's support for the ROZ program with \$1,500.00 annually, Commissioner Searl gave the second. Motion passed 3-0.

Deputy Clerk Becky Smilko informed the Commission about a request received from the US Department of Commerce to participate in Local Update of Census Address (LUCA). This is the last chance to update the addresses listed for the county before the 2020 census. After reviewing the request, Counselor Ritthaler informed the Commission that the request is not mandatory. Commission asked that Mrs. Smilko visit with Appraiser Jeremy Hendren and report back.

HR Administrator Crystal Wade brought employee travel request for approval. At 8:47 am Commissioner Carpenter moved for a 5 minute executive session for non-elected personnel to protect the privacy of employee, Commissioner Searl gave the second, and motion passed 3-0. The regular meeting resumed at 8:57 with no action taken.

Treasurer Amy Goode joined the meeting and Commissioner Searl asked her if the local DMV was able to provide the new federal ID's and she stated that Chautauqua County DMV could provide a "Real ID" with a gold star to indicate they were federal ID's and provided the commissioners with a pamphlet regarding the Real ID Act.

Treasurer Amy Goode gave the commission an update regarding the tax levy refund regarding Elk County USD 283. She stated she could issue refund checks, however there is a incurred cost with that and the software program was able to provide her technical support to issue the taxpayers effected a credit on their current year's tax. County Counselor Ruth Ritthaler reviewed statute K.S.A. 79-1701a with the commissioners. After discussion and consideration of K.S.A. 79-1701a, the small number of parcels impacted by the refunds, the small dollar amount of individual refunds, and the additional expense to the tax payers involving mailing paper refund checks, Commissioner Shaw made a motion that the Board of County Commissioners direct the Treasurer to issue electronic refunds that would credit the 2017 taxes for parcels effected by the mill levy collected regarding USD 283. Commissioner Searl gave the second and the motion passed 3-0.

Sheriff Richard Newby and Emergency Manager Cody Collier joined the meeting. Sheriff Newby gave an update regarding the truck that was totaled in an accident. He stated insurance paid \$29,850 for the truck and emergency equipment damaged in the accident and he was able to purchase a truck for \$21,000 and purchase the K-9 cage and electronic door release and the remaining funds have been placed in the equipment reserve fund. Sheriff Newby stated there is still one vehicle that needs to be replaced and he was looking into purchasing a Charger from Kansas Highway Patrol.

Emergency Manager Cody Collier stated he had some updates regarding security for the courthouse. At 9:35 am Commissioner Searl moved for a 10 minute executive session for the purpose of discussing security options for the courthouse with the counselor in attendance, pursuant to the security justification. Commissioner Carpenter gave the second, motion passed 3-0. At 9:45 the Commissioner Carpenter moved to extend the executive session for 10 minutes. Commissioner Searl gave the second, motion passed 3-0. The regular meeting resumed at 9:53 am with no action taken.

Cody Collier thanked Sheriff Richard Newby, County Attorney Ritthaler, Commissioner Shaw, and Clerk Niki Collier and employees Undersheriff Nick Reed, 911 Director Larry Robinette, as well as Sedan Police Officer Kirk Richards and Cedar Vale Police Chief Wayne Kline for joining him in attending the Active Shooter presentation given by Harvey County EM Director Gary Denny in Independence KS on August 17, 2017.

Mayor Jack Warren, Dick Jones and Crystal Wade, joined the meeting. Mayor Warren inquired about the status of a possible landfill to assist the cities with demolition of dilapidated houses.

Commissioner Carpenter informed him that at this time, considering the state regulations and cost, he believes the county cannot afford to open a new landfill. Commissioner Shaw spoke in favor of a landfill or at least getting bids to properly price the venture. Mr. Warren and Mr. Jones feel that the lack of available housing or vacant lots to build on has adversely affected Sedan and the county as a whole. Without the size of homes young family's want or lots for retiree's to build on, it is difficult to draw them to the county. Counselor Ritthaler suggested the Commission and Cities consider forming a task force to gather the needed

information on the topic and maybe find solutions. After extended discussion everyone agreed the county is in a difficult position and community building is a long term investment.

Commissioner Shaw motioned to adjourn the meeting at 11:15 a.m., 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