

BOARD OF COUNTY COMMISSIONERS

March 25, 2014

Chairman Danny Williams called the meeting of the Chautauqua County Board of Commissioners to order on Tuesday, March 25, 2014 at 8:30 a.m. in the commission room of the courthouse. Commissioners Goff Searl and Jack Carpenter were present as was County Counselor Larry King and Deputy County Clerk Helen Matthews. Chairman Danny Williams opened the meeting with prayer.

Minute's approval: Goff Searl moved to approve minutes. Jack Carpenter seconded. Motion carried 3-0.

Lisa Hudson joined meeting as observer.

Joel Haden, Road & Bridge Supervisor, provided his weekly road report. Crews worked Saddle & Rd 27 where a culvert was washed out, and Rd 26 and Heritage. Rock was hauled to the Independence short-cut along Rd 25 at the bridge, down the hill, and at Blankinships' past the English place. Crews are working the right-of-way at Lariat and Rd 24 by taking trees out and putting a pipe across the road. The bridge on Rd 3 has been inspected. Crews had to pull gravel back from some areas to accommodate this process. The department's fire extinguishers were recharged Monday. The Sedan Rural Fire Department has approached the Rd & Bdg Dept about moving a partially burnt structure away from a home so they can safely train on fire techniques. Commissioners gave their approval for the Road & Bridge crews to aid the Fire Dept. Searl wants Haden to check at the north end of Rd 4. It needs gravel, but the ditches also appear to be full so that would need to be corrected first. Carpenter asked that Haden check the intersection of Rd 24 and Cowboy. A spring in this area is going across the road. Searl was concerned about the washboard effect north of the stop sign at Rd 5 & Hiway 166.

Deputy Clerk Matthews presented Commissioners with information from County Attorney Larry Markle about the recent \$200 transfer from District Court to his fund for witness fees. Markle explained he is not statutorily required to pay for witness fees; he has not budgeted for this expense for 2014. The Commissioners will have to pay for witness fees out of their budget, an expense they were not expecting for 2014. Markle will authorize the transfer of the \$200 from his fund to the commissioners' fund.

Matthews also presented information concerning the lawn mowing bid process at the March 18 meeting. There was confusion as to the deadline for accepting bids. County Counselor King reminded Commissioners they did not have to take bids, but they could certainly restart the process for bids for mowing the courthouse square. Commissioners decided to re-advertise for the courthouse square lawn-mowing bids. The deadline will be 8:30am on Wednesday, April 9. Commissioners will not meet on the regularly scheduled Tuesday, April 8 due to a KDOT meeting in Chanute which they will attend.

Chairman Williams signed paperwork required to wrap-up the CDBG grant for the Chautauqua County RWD #4.

Tim Nordell joined meeting as observer.

Searl reported he had attended the meeting with Senator Moran last Tuesday. Nick Reed joined the meeting to discuss cell phone compensation and usage. In 2009 Commissioners did away with county owned cell phones and compensated designated employees \$30 per month for using

their personal phones for county business. Reed explained that his officers now use apps on their phones that also replace equipment formerly needed by the department such as GPS, cameras, and measuring devices. Reed was concerned that a deputy who had recently gone to part-time was only receiving part-time cell phone compensation and that some deputies had not received compensation since becoming deputies. Reed was reminded the human resource department needs to be notified when changes of any type occur within a department so they can be reflected on the employee's paycheck. Reed also wanted to discuss the adopted pay plan. Nordell left meeting.

January and February monthly reports were presented by Linda Kline from the Solid Waste department. Engineers have been testing water at the closed Landfill site and notified Kline that because she had reports dating back to 1994 \$2,800 in fees had been saved.

County Counselor Larry King notified Commissioners Randy Clark had purchased an oil & gas lease with past due taxes. Statute 79-2020 says he is not liable for taxes more than 3 years past due. Williams moved to refund Clark for taxes he was not liable for. Searl seconded. Motion carried 3-0.

The Board of County Commissioners finds that cause of action #23 of the most recent tax foreclosure proceeding (Case No 13 CV-1) should be set aside on equitable grounds. The purchase price thereof of \$400.00 shall be refunded to the purchaser—Robert J. Leis, Jr.—along with 10% interest thereon from the date of sale to 3-26-2014. Said purchaser shall execute an appropriate quit claim deed of the subject real estate to the most recent fee title owners. The Board of County Commissioners notes that this procedure is authorized by Kansas statute.

Reta Pipher joined meeting to ask 2 questions of Commissioners. She voiced concerns about the lack of maintenance of some homes in Sedan. Her first question was about rent of pastures and taking care of fences. The second was about rules concerning fighting dogs in Chautauqua County. Sheriff Russell joined meeting and answered questions regarding dog ownership and fights. There is no ordinance concerning the breed of American Bull Dog.

Sheriff Russell gave Commissioners a list of sheriff employees who are to receive cell phone reimbursement of \$30/month. List also includes back pay to be reimbursed in March.

Searl moved to adjourn meeting, Carpenter seconded. Motion carried 3-0. Meeting adjourned at 11: 25am.

Goff Searl, First District Commissioner

Danny D. Williams, Chairman, Second District Commissioner

Jack Carpenter, Third District Commissioner

ATTEST:

Helen Matthews, Deputy County Clerk