

# **BOARD OF COUNTY COMMISSIONERS**

August 19, 2014

Chairman Danny Williams called the meeting of the Chautauqua County Board of Commissioners to order on Tuesday, August 19, 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 County Clerk, Janice A. Fine. Chairman Danny Williams opened the meeting with prayer.

Minute's approval: Goff Searl made a motion to approve the minutes of August 11, 2014 as presented. Jack Carpenter seconded the motion. Motion carried 3-0.

Goff Searl made a motion to approve the Board of Canvass minutes of August 11, 2014 as presented. Jack Carpenter seconded the motion. Motion carried 3-0.

Jack Warren joined the meeting as observer.

Joel Haden, Road & Bridge Supervisor, presented his weekly report. Crews are hauling rock to the following roads: Independence Shortcut from Rd 32 almost to Rd 29, Junction and Rd 32 west, Rd 11 and Marshall going east, Rd 11 and Kansas going west and east, and Nation and Rd 14. Ditch liner was placed on Rd 23 and Independence Shortcut north and Rd 19 and Trail. Debris cleared on Union and Rd 21 west and ditch liner on erosion at the same location. A culvert was installed at Gallop and Rd 3 one mile south on an entrance and Kansas and Rd 32 west and a waterway was cleaned at that location as well. Brush is being sprayed on Kansas from Rd 32 to Rd 31 north, Rd 29 and Ranch west and south, Junction and Rd 32 and near Cedar Vale on Rd 3 and the highway  $\frac{3}{4}$  of a mile north. Haden received an application for a road cut at Junction and Rd 32 west. Jack Carpenter made a motion to approve the road cut. Goff Searl seconded the motion. Motion carried 3-0.

Rennata Kubit, Emergency Management Coordinator and Lisa Hudson, Treasurer joined the meeting as observers.

Commissioners asked Haden to review a couple of roads. Haden continues to work with his crews and the new hire. Falling rocks on roadway issues were discussed.

County Clerk, Janice A. Fine brought the following: 1) Destruction of election records as provided by statute. 2) Request from the American Cancer Fund for Children, Inc. to produce a proclamation recognizing that September is Cancer Awareness Month. Larry King, County Counselor will prepare the proclamation. 3) Advised the commissioners that our Tax Exempt Certificate was renewed. The last renewal was prepared by then County Clerk Lori Richmond. 4) Provided commissioners with a new travel policy for their review. Document was created using sample travel plans from Cowley and Saline Counties. Commissioners will review and discuss at the next meeting.

Heath and Amy Lampson joined the meeting as observers. Tim Nordell, Joe Reed, Donna Reed, Nita Jones, Melody Jones, Sue Kill, Rodney Dickens, Brett Dickens and Gary Alexander joined the meeting as observers.

Heath Lampson thanked commissioners for giving him the opportunity to speak with them. Lampson asked where commissioners were on voting on a Hazardous Mitigation Plan. Chairman Williams is discussing with NRCS Board and a couple of other entities for their review prior to making a decision on next steps. Lampson provided a list of people who are a part of Region H who are involved in the plan. Lampson wants to do anything to assist this county. Adoption of a plan does not immediately mandate zoning of our county. Lampson recognizes that many do not want federal government interfering with personal land management. Lampson does not want to negatively impact Chautauqua County. Lampson is not in favor of a public vote as he believes the majority of citizen's will vote without reading or understanding the Hazardous Mitigation Plan. Lampson informed commissioners that the City of Sedan is reviewing the plan. Amy Lampson asked if Larry King, County Counselor, if he has read the plan and made any recommendation to the BOCC. King advised the attendees of his responsibility to the BOCC. Nordell offered to give Lampson some documentation regarding Flood Plain. Nita Jones offered that "it is better to have it and not need it than to not have it and need it". Kubit states she needs to have this information to know where to place our equipment and where resources may need to be deployed in an emergency. You can opt out of this plan at anytime. Williams stated per Jack Newcomb that the commissioners have the responsibility to represent the majority. Donna Reed voiced her concerns regarding floods. Lampson wants the commissioners to be well informed before making a decision. Ro Adams joined the meeting as observer. Kubit offered that we need an operational plan then the mitigation plan and the operational plan is being developed.

Allen Zadorozny, Linda Foster and Reta Pipher joined the meeting as observers.

Lampson stated and Zadorozny collaborated that Caney Valley Electric is prohibited from being proactive because we do not have a mitigation plan.

Reta Pipher stated she wrote a grant for Chautauqua County several years ago. Pipher came over last week to conduct her personal business at the courthouse and the stairs were blocked and she was questioned about her business in the courthouse. Pipher asked when Tim Nordell became the King of Chautauqua County. Pipher stated Nordell waited for her at her car to voice his opinion and snickered regarding Pipher's tax delinquency issue. Amy Goode joined the meeting as observer. Pipher offered that Nordell has been snooping into her business or Amy Goode is reporting information to Nordell. The situation has become ugly. Personal opinion was offered. Goode offered that tax information is a public record.

Crystal Wade, Deputy County Clerk joined the meeting to bring information to commissioners regarding Project 17. There is a meeting in Independence on October 30, 2014 and it might benefit the county if a commissioner would attend. Commissioners asked that Wade bring this issue back to commissioners next week.

Jack Carpenter asked to go into executive session for 15 minutes at 9:35 a.m. with Jeremy Hendren, Deputy Appraiser to discuss non-elected personnel. Goff Searl seconded

the motion. Motion carried 3-0. Chairman Williams called the regular meeting back in session at 9:50 a.m. As a result of the executive session Goff Searl made a motion to increase the hourly wage of an employee of the appraiser's office. Jack Carpenter seconded the motion. Motion carried 3-0.

Elroy Smith joined the meeting as observer. Several observers left the meeting.

Linda Kline, Solid Waste Department Head joined the meeting to provide commissioners with her monthly report. Numbers remain good. Chautauqua County dumps the trash at Winfield and they transfer to another site. There are issues involved and it was determined that there is not a more efficient process available to us. Kline has done the research.

County Clerk, Janice Fine brought a Sales Tax Bond obligation contract with Gilmore Bell to commissioners. There was discussion months ago that someone familiar with the process should be contracted with to perform this state requirement and Gilmore Bell was the original writer of the sales tax bond issue. Goff Searl made a motion to approve the contract with Gilmore Bell to complete the reporting requirement to the state for all past years and provide the annual service. Jack Carpenter seconded the motion. Motion carried 3-0.

There was zoning discussion between commissioners and Adams and Lampson regarding Cowley County. Continued discussion between Carpenter and Lampson regarding map issues. Continued discussion between Lampson and Adams regarding the mitigation plan.

Lisa Hudson, Treasurer was asked by County Counselor Larry King to discuss with commissioners issues within her department. Hudson discussed the meeting between Rodney Burns, Larry King and herself regarding her travel reimbursements. Hudson offered that it was accusatory in nature and it upset her. When the county auditor Rodney Burns was performing a cash count he located a \$100.00 personal check from 2011 and asked why this was in the cash container and Hudson believes it was for interest that she owed the county for removing her delinquent tax interest on her home and she had never been given the dollar amount she owed so she had forgotten it was in the cash container. Burns asked Hudson about the \$100.00 shortage from the cash count and she can't account for the missing money. She stated she did not take it. Amy Goode, Deputy Treasurer offered that she did not take it and she knows Traci Ward did not take it either. Hudson stated she knows she is responsible for it. Hudson felt this entire thing was a witch hunt. King reminded Hudson of the memorandum of understanding issued from the Board of County Commissioners dated January 24, 2012 which was a result of the county auditor's report for inconsistencies in the Treasurer's Office regarding how her office needed to work and financial obligation information. King offered that a personal check, for unknown reasons, should never be placed in any county money containers. King asked if Hudson owed the county money then why wasn't the check deposited. Hudson replied again that she was waiting for the exact dollar amount from the auditor which she never received. King offered the specific authority the BOCC has in regards to funds in any office. Hudson offered at some point she was asked about the \$100.00 long issue. Hudson offered she did not know what happened on that issue. Hudson believes it is strange that all this happened on the same day. Goff Searl stated that as a commissioner he is responsible for every dollar and questioned mileage reimbursement as the example.

Hudson stated she writes her mileage down after taking a picture of her odometer. Williams stated that Burns was here two weeks prior and offered he was alarmed and the commissioners have a responsibility to review any irregularities. Heath Lampson offered that in the military they use zip code to zip code for mileage and King offered that the state offices have a map which provides their interpretation of actual mileage. Hudson offered that she was told the County Clerk was who began this conversation regarding travel reimbursements. King offered that the County Clerk has been developing a travel policy and asked Rodney Burns what was the most common travel reimbursement process after reviewing all travel requests from all county employees as no one handled this process in the same manner. Burns asked to see what Fine was reviewing and that's when Burns became alarmed. Hudson explained she fills up with gas before leaving town and would create a mileage reimbursement form and subtract the cost of gas put on the county credit card and be reimbursed the difference. Hudson stated the auditor stated that placing gas on the county credit card and then deducting it from a mileage reimbursement constituted a short term loan using county tax dollars. Hudson stated that in the past her reimbursements went through Treasurer's checks, payroll and accounts payable. Goff Searl asked about a trip from Sedan to Wichita to Topeka. Goff Searl stated that gas was purchased in Wichita for a trip to Topeka and that would be considered irregular. King offered the trip to Wichita was not in reference to county business but the credit card was used in Wichita for gas.

King offered that the commission should rely on the auditor going forward. The county auditor is expected to provide the commissioners with a report and next steps. Commissioners thanked Hudson for her information.

Ro Adams asked about the resolution for the mitigation plan and the Project 17 meeting. Fine offered the information to Adams.

Commissioners reviewed and approved the Warrants Payable expenses for Mid-Month expenditures as follows:

FUND	TOTAL
General Fund	\$ 23,513.42
Appraiser	\$ 2,814.31
Election	\$ 4,693.84
Health	\$ 608.72
Noxious Weed	\$ 114.10
Road & Bridge	\$ 57,930.41
Special Bridge	\$ 22,440.00
County 911	\$ 745.06
Solid Waste	\$ 7,705.32

Treasurer's Auto	\$ 1,052.00
<b>TOTAL ALL FUNDS</b>	<b>\$ 121,617.18</b>

Jack Carpenter made a motion to adjourn at 11:13 a.m. Goff Searl seconded the motion. Motion carried 3-0.

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Goff Searl, First District Commissioner

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Danny D. Williams, Chairman, Second District Commissioner

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Jack Carpenter, Third District Commissioner

ATTEST:

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County Clerk, Janice A. Fine