

November 15, 2022,

Tuesday, 9:00 a.m.

The Bourbon County Commission met in open session with all commissioners and the County Clerk present.

Anne Dare, Jason Silvers, Rob Harrington, Tiana McElroy, Susan Bancroft, Mark McCoy, and Shane Walker were present for some or all of the meeting.

Clifton made a motion to approve the minutes from the previous week. Nelson seconded. All approved.

Eric Bailey, asphaltting on 195th on the east side of the lake is completed. No more big projects. A little patching we would like to do, weather permitting. Onyx on Soldier to Native is complete except for one lane mile from Native to Osage. We had a little trouble with the weather. They will be back to apply the rest, weather permitting. Eric stated that we will watch and see how it holds up. We were going to 75th from 54 to Maple but they didn't feel it was a good candidate for putting that surface on so we will have to look at chip and seal for that. Kaw Valley completed the geotechnical engineering report on our bridge on 160th and Fern and received the report. Eric stated they plan to start the North sidewalk project on the later part of this week or early next week. We will start on the east end first and work our way west. We will inconvenience some people for a little while but it will be a nice product when finished. Eric stated 260th & Kansas tube was replaced yesterday. We still need to do a little ditching. Eric stated that winter storm prep was done by getting a couple of trucks ready with spreaders and plows. We are full on salt. The John Deere skid steer went down with DEF issues. Eric stated that all the guys from Public Works wanted me to thank you for the longevity pay.

Courtney Goucher discussed longevity pay that was just paid out. She shared feedback from the employees who greatly appreciated it. There were some questions regarding taxes because it is taxed income and they must pay KPERs on that. Those that received \$100 after taxes it was about \$86. There were a few employees that have added deductions removed, for example an additional \$50 - \$60 withheld from their pay stubs. Some employees only received \$20 out of the \$100. People who received more didn't notice that but people from new to below 5 years. We had an employee with \$100 additional deduction on their federal and they would have had to pay the County. Another issue was the Service Purchase Credits. Those with KPERs and were in the military and they are buying back those years of service they are doing a withholding every pay period. That is also required out of longevity pay. I have some suggestions for this in the future if we do it next year. For those receiving \$100 for years of service less than 5 years is Visa Gift Cards. Courtney also stated that if this is done again next year she would appreciate a little more lead time because there is a lot of prep work in the system to be done in order to do a special payout. Courtney stated there were also those employees that were for a time an elected official and do those years count toward longevity. Last year we didn't pay anyone for the years that they were an elected official. We used that rule again this year but please let me know if you want to do something different next year. Courtney presented Accounts Payable to the Commissioners for approval and signature.

Clifton read the attached Kansas Proclamation promoting reading to preschoolers under the age of 5. Jim thanked teachers and all those that serve at USD 234 & 235.

Jim requested an executive session. Clifton made a motion for executive session (job performance) KSA 75-4319(b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy including three commissioners and Justin Meeks for 10 minutes returning here at 9:32 a.m. Nelson seconded. All approved. Clifton made a motion to return to normal session at 9:32 a.m. with no action. Nelson seconded. All approved.

Clifton asked for discussion regarding vacation and sick leave time. It was determined that a work session will be set up for further discussion.

Justin requested to move his time to end of meeting. Clifton made a motion to move Justin Meeks to after Public Comment. Nelson seconded. All approved.

Susan Bancroft – The Christmas dinner is scheduled for November 30th from 11 – 12:30 at the 4-H building. It will be catered and elected officials will bring desserts. Clifton made a motion that the commissioners may attend the Christmas dinner with no business being conducted. Nelson seconded. All approved. Susan continued with Section 1 of the handbook and asked if the commissioners want to have a Mission/Vision Statement. It sets the direction of the County and our values. It was determined not to be needed. Susan asked for approval of Section 1 of the handbook. County Attorney McElroy asked for a week to review. Susan presented commissioners with a list of appropriations. Nelson stated that there are several on the list that are optional and we should look at it. Justin stated when looking at juvenile housing expense you have to be in a coop to get kids in. By paying monthly, we have a guaranteed bed space. You can't keep a juvenile in with adults. If you are not in a coop then you have to have a motel and a deputy to watch them 24/7. Tiana McElory, County Attorney, added that the closeness of Girard is helpful. Justin stated in looking at the remaining option appropriations; the Fair Board expense; the statute could be interpreted differently. It states it shall be funded depending on population but I don't think we want to go down that road. The two mental health is a lot of like a coop like Girard. If an overnight stay is needed, they have to go to Larned or Osawatomie. Justin spoke with the Assistant Director of the Conservation District; there is a matching grant that the state does with that. He is not aware of any counties that do not fund the Conservation District. Nelson stated that just because every other county does; we don't have to. Intellectual disabilities are the same kind of coop which is Tri-Valley. Nelson asked if the old jail could have been used as a juvenile detention. Justin stated that was looked at but it would take staffing to watch them 24/7. Tiana stated that Girard provides school as well while they are being detained. Justin stated that he feels the fair board should be funded statutorily. Jim asked in regards to Area Agency on Aging; how many meals are served in the city limits. He stated that this needs to be discussed with the city because his understanding is that 90% of the meals are in the city.

Ashley stated that the road closing hearing is to be held at 10 a.m. Jim opened up the public hearing regarding road closings. Lora Holdridge stated Mr. Belford requested a road closing of approximately 110 X 34 feet on 45th street. It is not a maintained road. It is between Section 5 and 6 in Township 24, Range 22. He owns all property on both sides and is trying to keep

people from riding their 4 wheelers down in this area. He wants to put a gate up to prevent this. Nelson made a motion to close the road. Clifton made a motion to adopt Resolution 15-22 to vacating a road in Franklin Township, Bourbon County, KS. Nelson seconded. All approved.

Jim stated the second road vacation request is for Susan Bancroft; her address is 2029 Maple Rd. It's a section of land between her and neighbor to the west. It's a platted road called Hereford Drive. It would serve the area to the north if it were developed. Lora stated it is a 415 X 60 foot wide Hereford Drive in Hereford Addition, Bourbon County. It is not a maintained road. Susan stated that if the road were to be developed it would cause water issues because of the way the hill runs down into my property. I already have concerns in the back part of my property of how that is done but there would have to be some kind of a way to catch some of that runoff otherwise it goes directly into my garage. Jason Marberry stated that when Frank sold that there was one stipulation. They cut all the highway frontage off of that 160 when they did that. The one stipulation was that the remaining 120 have access to blacktop road for future development. Without that access it devalues that property. We have plans in the future for building up there and that would be the access road to them. If it does create water issues we are more than happy to take care of that at the time. That road was there before any of the houses. Jim asked where the nearest access would be if that road wasn't there. Jason stated there isn't another access to that. The river is to the north and the other direction would be ½ mile away. Then you would have to fence it for half a mile to keep the cattle in. In a sense, you would be land-locking that section by vacating this road. Nelson asked Susan why she wanted it closed. She stated the road would run very close to my garage. Lora stated she would have to do some more investigating. She does not believe there are any deed restrictions. I don't believe there is anything on the plat that says that this would remain open for future access for this. I don't believe there is anything on the plat that says that this guarantees to stay open. Otherwise, this would have needed to be maintained as a road, but I would have to go back and look on the plat itself and then also look at the two deeds to see if there is anything on it that says this road has to stay open. Justin suggested this be tabled to allow Lora to investigate the plat and deeds. Lora stated there is a lot of roads need vacated to go back on the tax roll. They are platted roads that are not maintained. The discussion of vacating roads will be tabled until Lora investigates. Nelson made a motion to close the public meeting on vacating roads. Clifton seconded. All approved.

Susan stated that Shane has been working on Parks and Recreation type grants and we are asking for authority to search out these grants. If there is a significant match, we will bring it back to the commission before we apply for them. Permission was granted.

Justin requested an executive session to discuss a personnel matter; job description and job function. Clifton made a motion for executive session KSA 75-4319(b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy for 15 minutes including three commissioners, Susan Bancroft and Justin Meeks returning here at 10:42 a.m. Clifton made a motion to resume normal session with no action. Nelson seconded. All approved.

Susan stated the REDI funding; I sent to commissioners allocations from some of the Pilot money that we had given to them; and allowed you to have time to review them of how they've done their grant funding. If anyone has questions about how they've done their grant funding, please visit with Rob Harrington. Jim asked Rob about the grant for sidewalks in Mapleton. Jim

asked who does the follow up to make sure the sidewalks are done. Rob stated us. Susan stated there is a monthly budget report that I would like to start providing to the commissioners so that you can keep an eye on line items. Susan stated that on November 22nd there is a meeting with the city and county commissioners at the Empress Center at 12:30pm. Jim stated that he would like to discuss Meals on Wheels and why the city does participate. Jim stated Eric will be there and thinks he will want to talk about the north end of the lake road. Justin wants to talk about the city letting us use their paver this summer possibly in exchange for gravel. Justin suggested a possible equipment agreement. Clifton stated we had a decent path with the city in the past and then the last 6 months that all fell apart and I don't know why. Hopefully this is the start to getting back to savings for the tax payer.

Shane Walker – gave a copy of the signed landfill agreement to the commission and I'll give a copy to Lora and have her set up a deed. He thanked Public Works for picking up antennas in Norton. We are going to get with the guys that we've been doing radio stuff with and see about getting that big one put up at Tomahawk before the weather gets bad.

Tiana McElroy requested an executive session. Nelson made a motion for executive session KSA 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship including three commissioners, Justin Meeks and Tiana McElroy for 20 minutes returning here at 11:20 a.m. Jim Harris seconded. All approved. Clifton made a motion to return to normal session at 11:20 a.m. with no action. Nelson seconded. All approved.

Nelson made a motion for executive session KSA 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship for 10 minutes including three commission, Justin Meeks and Tiana McElroy returning here at 11:31 a.m. Clifton seconded. All approved. Clifton made a motion to resume normal session at 11:32 a.m. with no action. Nelson seconded. All approved.

Clifton made a motion for executive session KSA 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship with contracts for five minutes including three commissioners and Justin Meeks. Nelson seconded. All approved. Clifton made a motion to amend the executive session adding Rob Harrington. Nelson seconded. All approved. Clifton made a motion to return to normal session with action. Nelson seconded. All approved.

Clifton made a motion to allow Chairman Harris to sign lease amendment with Via Christi for rent free until 12/31/23. Nelson seconded. All approved. Clifton made a motion for Chairman Harris to sign, on Thursday, Transfer of Hospital to Legacy Health and any other documents. Nelson seconded. All approved. Clifton made a motion to transfer ARPA funds and Mercy funds to an escrow account by the county. Nelson seconded. All approved. Justin stated that Ashley will receive a copy of the signed documents to be uploaded to the system so that anyone can access.

Public Comment: Mark McCoy represents the SEK Multi-County Health Department Board. There is an open position in Bourbon County for that board. I have spoken to Anne Dare who

has accepted to serve in that position if this commission would appoint her to it. Clifton made a motion to appoint Anne Dare to be 3rd Bourbon County board member. Nelson seconded. All approved. Anne Dare thanked the commission for looking deeper into the budget and spending. Anne asked them to look at the transient guest tax to be proactive instead of catching up.

Justin Meeks requested executive session. Clifton made a motion for executive session KSA 75-4319(b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy including three commissioners and Justin Meeks for five minutes for job duties & performance returning at 11:52 a.m. Nelson seconded. All approved. Clifton made a motion to resume normal session at 11:52 a.m. Nelson seconded. All approved.

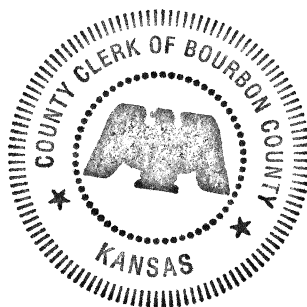
Commission Comment: Clifton stated that he is not in favor of two separate transient guest taxes. If the city and county could come together and have just one I could possibly be in favor of that. Jim stated it will be on the list to be discussed next week during the city/county work session.

Clifton stated we received the deed for the SW corner of the property from CHC.




Clifton stated the transfer of the building has been a very long process. Rob Harrington has worked hours on it, we've all worked hours on it. The ink isn't dry. There was a question as to whether we make this announcement today but we had to due to timing and everything has to be transferred. As far as Legacy Health, they will be in town tomorrow. Legacy would not be here without the feasibility study. A big multi-million dollar project takes time; not instant gratification. Jim thanked Clifton and Rob for their work on this project. Every decision we make is with the citizen's best interest.

At 11:58 a.m., Clifton made a motion to adjourn. Nelson seconded. All approved.

ATTEST:



THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS

, Chairman
, Commissioner
, Commissioner

Ashley Shelton, Bourbon County Clerk

11/22/22, Approved Date

