JOURNAL OF PROCEEDINGS AND MINUTES

OF THE CHASE COUNTY, KANSAS

BOARD OF COUNTY COMMISSIONERS

December 13, 2021

December 13, 2021 at 10:00 am; Anthony Hazelton-Chairman, Randy Talkington-Vice chairman, Matt Miller-member, Connie Pretzer-County Clerk, Tiffany Harshman-Deputy Clerk and Ryann Brooks-Chase County Leader assembled in the Chase County Commission Chambers. Hazelton opened the meeting with a moment of silence honoring the service of Senator Bob Dole and the Pledge of Allegiance.

Chairman Hazelton called the Budget Amendment Hearing to order. Amended were the funds for Service for the Elderly and Special Road. ***Motion to approve budget amendments*** by Hazelton was 2nd by Talkington. Motion carried 3-0.

***Motion to adjourn the Budget Hearing*** by Hazelton was 2nd by Talkington. Motion carried 3-0.

***Motion to approve 12/02/2021 Warrant*** by Hazelton was 2nd by Talkington. Motion carried 3-0.

***Motion to approve 12/13/2021 Warrants*** by Hazelton was 2nd by Talkington. Motion carried 3-0.

***Motion to approve Minutes of November 30, 2021*** by Hazelton was 2nd by Talkington***.*** Motion carried 3-0.

***Motion to approve Resolution 2021-14*** honoring the service of Health Department office manager Gayla Armagost by Hazelton was 2nd by Talkington. Motion carried 3-0.

***Motion to approve change orders 2021-10 through 2021-14*** my Hazelton was 2nd by Talkington. Motion carried 3-0.

***Motion to approve the following transfers: 2021-06 $31,640 from General Capital outlay to Capital Improvement ; 2021-07 $205,293 from General Special equipment reserve to County equipment reserve ; 2021-08 $902.10 from Courthouse debt to Courthouse preservation; 2021-09 $39,500 from Special road to Road machinery and bridge building***  by Hazelton were 2nd by Talkington. Motion carried 3-0.

EMS Director Scott Harris visited with the Board about ambulance rates for 2022. EMS is funded through County general and receipts go to the County. User fees have remained the same for several years and Harris proposed raising base fees from $395 to $455 and mileage from $10.50 to $12.50. Harris researches the Medicare allowable rate along with what other counties are charging in addition to other factors such as inflation. Commissioners approved the rate changes.

Jan Sciacca of the Council Grove Republican (CGR) presented the BOC with a packet of information. Sciacca previously spoke to the Board in August of 2021 regarding the County publishing legals in the CGR and appointing her paper as the official county newspaper. The CGR is a daily publication which would eliminate weekly deadlines for legal publications. All billing is done in-house. Sciacca also gave examples of the news, sports and general coverage the CGR is giving to Chase County. The paper can be purchased the same day it is published at Casey's and Dollar General in Cottonwood Falls or online. Commissioners thanked Sciacca for her information.

County Attorney Bill Halvorsen was present to explain a quit claim deed for the old Cedar Point Fire Station. The land that the old station sits on had a reversionary interest to the Mill property. The quit claim deed will revert ownership to the successor/owner, Bruce McMullen. Commissioner Miller raised a question as to whether the property (approximately 2 acres) will revert to the tax roll. Clerk will contact the county appraiser and get the question answered. ***Motion to sign a Quit Claim Deed to Bruce R. McMullen*** by Hazelton was 2nd by Talkington. Motion carried 3-0. Description is as follows:

A tract of land in the Southeast Quarter (SE ¼) of Section 36, Township

20 South, Range 5 East of the 6th Principal Meridian, Chase County,

Kansas, commencing at a point 60 feet north and 226.5 feet west of the

southeast corner of said section; thence 30 feet west, thence north to

the center of the Cottonwood River; thence southeasterly along the center of the Cottonwood River to a point 226.5 feet west of the east line of said

section, thence south to the place of beginning.

Halvorsen also spoke to the Commissioners regarding weight limits on county roads and bridges. An engineering study was performed years ago as required by federal authority that placed weight limits on bridges in order to receive federal money. The study is updated periodically and requires signage designating the appropriate weight. A proposed Resolution will make violations to posted weight limit sign a class A misdemeanor and punishable by a $2500 fine. Talkington expressed concern about harvested crops being transported. Halvorsen explained there are built in exceptions for certain situations. Agriculture, by State law, has exemptions during harvest season. Also, truck routes as designated by the Road & Bridge supervisor have exemptions for heavy loads up to a certain weight. A separate resolution would be needed to limit the state legal limit weights of 85,500 lbs. ***Motion to approve Resolution 2021-15 restricting vehicles to the posted bridge weights on county roads*** by Hazelton was 2nd by Talkington. Motion carried 3-0.

Halvorsen then spoke to the BOC about the FEMA flood plain management resolution regarding Special Flood Hazard Areas. Emergency preparedness director Scott Wiltse was also present. The resolution is necessary since the flood plain map has been updated and required by FEMA in order to stay eligible for flood insurance. Wiltse will email the state to proceed with the process of drafting the resolution for approval.

Wiltse also presented the State approved draft of the County Emergency Plan he recently received from the State. A signed promulgation from the Commission is required in order to move forward. ***Motion to sign the Promulgation for the Chase County Emergency plan*** by Hazelton was 2nd by Talkington. Motion carried 3-0.

County Fire Chief Steve Fillmore reported he had placed a burn ban on the county last week due to extremely dry conditions. Fillmore explained that the decision to ban burning results in checking with surrounding counties, the National Weather Service and other factors. Fillmore asked if a resolution was necessary to which Attorney Halvorsen referred to Resolution 2013-20 that has trigger points to activate the Resolution such as the red flag warning. All open burning is to be reported to the Sheriff's office dispatch before beginning the burn.

Detention Facility administrator Larry Sigler requested executive session. ***Motion at 11:25 for 10 minutes of executive session for non-elected personnel with clerk, attorney and Sigler*** by Hazelton was 2nd by Talkington. Motion carried 3-0. Meeting resumed at 11:35 with no action taken. Sigler spoke to the BOC about possibly setting up a fund within his budget to receive commissary profit. Deputy Clerk Harshman will discuss with the auditor and report to the Commissioners.

Chairman Hazelton recessed the meeting at 11:50 for Commissioners, Clerk and assistant road supervisor Tom Scott to drive Diamond Creek Road to address concerns. The 3 commissioners and clerk rode in Commissioner Miller's personal vehicle and Tom followed in the road & bridge truck. Meeting resumed at 1:25 with no action taken. Discussion was held and steps will be taken to address the Diamond Creek Road concerns.

Deputy Clerk Harshman reported that she had spoken to both auditor Cindy Jensen and Detention Facility supervisor Larry Sigler. Harshman explained that the detention facility was a "stand alone" business, meaning that no tax dollars are used to facilitate the facility. All income & expenses from the facility come from and go back into the detention facility fund. There is commissary income and expense funds already set up, therefore profits from commissary can be tracked, there is no need to set up any additional funds. Harshman reminded the Commissioners that the County has a jail excess revenue fund set up to which the facility is to make monthly excess revenue transfers of $12,000 per resolution 2019-03, but the facility has been unable to make transfer for several months due to decreased income. Sigler is projecting more income in the near future due to recent Marshall contracts.

***Motion to adjourn at 1:25 by Hazelton was 2nd by Talkington.*** Motion carried 3-0.

Next scheduled meeting is Friday, December 31, 2021 at 10:00 am.

ADOPTION OF ABOVE MINUTES

STATE OF KANSAS

COUNTY OF CHASE

NOW ON This 31th day of December, 2021 as shown in the Minutes of this date’s meeting, the above Minutes are hereby ADOPTED as the official record of the proceedings, business and actions of the Board of Chase County Commissioners during the session above described.

BY THE BOARD OF COUNTY COMMISSIONERS

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Anthony Hazelton, Chairman

SEAL

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Randy Talkington, Vice Chairman

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Matt Miller, Member

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Connie M. Pretzer, County Clerk