

CALL TO ORDER – PLEDGE OF ALLEGIANCE

Commission Board Chair Gail Klaassen called meeting to order at 9:30 am, the Pledge of Allegiance was recited.

Commissioners Present:

- Commissioner Gail Klaassen
- Commissioner Nicholas Galemore
- Commissioner Paul Westhoff

Others Present:

- Heather Elsworth – County Clerk
- Bret Heim – Commission Counselor
- Tohnjua Stipp – Appraiser
- Cindy Graff – HR/Payroll Administrator
- Mike Brown – Road & Bridge Director

INVOCATION

The invocation was given by Cindy Graff

AGENDA

Commissioner Westhoff requests 2 non-elected executive sessions.
Commissioner Klaassen requests to remove the AP from the consent agenda.

PUBLIC COMMENT

Leroy Burke shares his concerns about the turbine lighting. Invites the commission to visit his home and view the lights from within the windfarm, offering refreshments. Mr. Burke also shares his concerns about the replacement of the 59 Hwy River bridge. The 10-mile detour and the 2 year rebuild of bridge may hurt not only constituents of the area but also the merchants of the city of Erie.

CONSENT AGENDA

The Consent Agenda is used to approve non-controversial or routine matters by a single motion and vote. The Consent Agenda consisted of the following:

- Accounts Payable in the amount of \$8,701.49
- Payroll Clearing in the amount of \$81,356.79
- Minutes from 1/17/2023
- Leave request for Road & Bridge Director
- Leave request for Maintenance Director

Commissioner Klaassen moved to approve the Consent Agenda. Commissioner Galemore 2nd. Motion passed. 3-0

Commissioner Galemore moved to change the HVAC payment to be paid from Courthouse Contractual fund rather than ARPA fund as stated in the adopted 2023 budget. Commissioner Klaassen 2nd. Motion passed. 3-0

Commissioner Klaassen moved to approve the Accounts Payable in the amount of \$470,491.62. Commissioner Westhoff 2nd. Motion passed. 3-0

SCHEDULED ATTENDEE(S)

Melissa Duff – Neighborhood Revitalization Program (NRP) extension request – Commissioner Galemore moved to approve a 30-day postponement ending as of March 17, 2023 on a decision for Benton and Melissa Duff request for a 2nd 6-month extension of their current NRP Program. Commissioner Westhoff 2nd. Motion passed. 3-0

DEPARTMENT HEADS REPORT

CINDY GRAFF/ HR-PAYROLL ADMINISTRATOR – Mrs. Graff presented an amendment to the County Employee Sick Policy, paragraph 3, Infectious Disease Requiring Quarantine.

Commissioner Galemore moved to approve amendment 1 to the sick leave policy. Commissioner Klaassen 2nd. Motion passed. 3-0

TOHNJUA STIPP/ APPRAISER – Department update & update on employee raises – Mrs. Stipp provided a cost sheet for copies and laminating within the Appraisers office. Mrs. Stipp shared that she is 1/3 of the way complete in setting values. Residential going up 11%, Commercial increasing 3%, and Ag may be decreasing some this year. Mrs. Stipp requested 2 credit cards for her 2 employees for upcoming training.

Commissioner Galemore moved to approve to seek 2 prepaid credit cards from Community National Bank for 2 employees in the Appraiser office in the amount of \$300 each. The cards each are at the employee responsibility with the oversight of these cards from the Appraiser herself. Commissioner Westhoff 2nd. Motion passed 3-0

Mrs. Stipp inquired about employee raises. The Commission will have a work session on Wednesday February 22, 2023 at 1:30 p.m. to discuss employee raises.

MIKE BROWN/ ROAD & BRIDGE DIRECTOR – Department update

Commissioner Klaassen moved to accept the contracts from Cook Flatt & Strobel for the county bridge VSN660 in the amount of \$234,000. Commissioner Galemore 2nd. Motion passed. 3-0

Commissioner Klaassen moved to approve the letter from the solid waste committee, with no changes for 2023. Commissioner Westhoff 2nd. Motion passed. 3-0

Small bridge(s) on 210th Road west of Chase Rd – Kenny Blair estimated a permanent culvert in the amount of \$350,000 or to fix both small bridges for \$700,000. The second bridge did pass inspection with a limit of 8-ton load.

Bill Carson will be retiring on March 31, 2023. Mr. Brown requested throwing him a department retirement party. Commission was agreeable to this.

Commissioner Galemore moved to adopt Resolution R-23-D: A RESOLUTION FOR THE IMPLEMENTATION OF A SPEED LIMIT MODIFICATION OF CERTAIN PORTIONS OF NEOSHO COUNTY UNDER COUNTY CONTROL, ALL IN NEOSHO COUNTY, KANSAS. This Resolution will reduce the speed limit on 200th Road (also known as West 21st Street) from Brown Road to Douglas Road (also known as Plummer Road) shall be permanently modified to forty-five (45) miles per hour. Commissioner Klaassen 2nd. Motion passed. 3-0

Commissioner Westhoff suggested changing policy on how Road & Bridge installs culverts for taxpayers. Commissioner Westhoff questioned if the County is “dinging” the constituents double when the taxpayer is already being taxed for the employee’s salary, equipment, etc. Road & Bridge Director Mr. Brown disagreed and stated he feels the taxpayer is getting a “good deal” as they are cheaper for culvert and install than what a private citizen can install a culvert for themselves. Commissioners Galemore and Klaassen are agreeable to the current culvert install county policy. Commissioner Westhoff disapproved to the fairness of said policy. County Clerk requested policy for culvert install. Mr. Brown shared there is no actual policy. Commission Counselor, Bret Heim will work with Mr. Brown to create a policy in writing for this process.

Mr. Brown requested an update on employee increases.

11:03 am Commissioner Klaassen moved to recess into executive session to discuss personnel matters of non-elected personnel, regarding Road & Bridge for 10 minutes to include the Commission, Commission Counselor Bret Heim, HR Director Heather Elsworth and Road & Bridge Director Mike Brown to resume in the Commission Room at 11:15 am. Commissioner Galemore 2nd. Motion passed. 3-0

11:15 am back in session. No action taken.

COMMISSION DISCUSSION UNFINISHED BUSINESS

County Attorney Diversion fund.

Commissioner Galemore moved for immediate transfer of all funds from the County Attorney Diversion fund to the County Treasurer’s office, with complete accounting of the fund account and all funds held in the office. All future payments to the diversion account must be paid to County Treasurer via money order or cashier check or wire transfer. County Attorney will no longer accept payment thru his office. Commissioner Westhoff 2nd.

Discussion was had.

Motion from above passed. 3-0

Commissioner Galemore seeks to recoup funds through litigation, if necessary, in regards to Reynold’s Law Firm invoices. Commission Counselor Bret Heim requested the help of the Clerk’s

office in researching minutes for any agreement or authorization of payment for lawyer fees with County Attorney. Commissioner Klaassen questioned if the current Board of County Commissioners has any right to act upon this. Mr. Heim would like to table this matter until he has time to research.

Commissioner Galemore moved for immediate transfer of funds and open a new bank account for the Diversion account from Community National Bank to Bank of Commerce with 3 signatures – Sydney Ball Treasurer, Heather Elsworth Clerk and County Attorney Linus Thuston. Commissioner Westhoff 2nd. Motion passed. 3-0

Commissioner Galemore moved to remove current signature card and add Linus Thuston, Heather Elsworth, and Sydney Ball to the Community National Bank Diversion bank account. Commissioner Westhoff 2nd. Motion passed. 3-0

Commissioner Galemore moved that all transactions and payments be approved by Neosho County Board of Commissioners from the current Community National Bank Diversion bank account. Commissioner Westhoff 2nd. Motion passed. 3-0

Commissioner Galemore moved to authorize the signature card on the new Bank of Commerce Diversion account include Attorney Linus Thuston, County Clerk Heather Elsworth and Treasurer Sydney Ball. All payments/vouchers from this account will be approved by the Board of County Commissioners prior to being paid. Commissioner Klaassen 2nd. Motion passed. 3-0

Procurement Policy – Tabled

County Auditor Selection – At previous meeting, commission opened 2 bids.

Commissioner Klaassen moved to approve the County audit services for the years 2022, 2023, and 2024 with James Gordon & Associates CPA out of Manhattan, KS. Commissioner Galemore 2nd. Motion passed. 3-0

12:09 pm Commissioner Klaassen moved to recess into executive session to discuss matters deemed privileged in the attorney-client relationship, regarding litigation with Liberty/Apex for 5 minutes to include the Commission and Commission Counselor Bret Heim to resume in the Commission Room at 12:15 pm. Commissioner Westhoff 2nd. Motion passed. 3-0

12:15 pm Back in session. No action taken.

COMMISSION DISCUSSION NEW BUSINESS

Counselor Agreements – Commissioner Galemore moved to engage Neosho County Commission Counselor services for Heim Law Offices with Bret Heim as our County Counselor for 1 year time restarting February 1, 2023. Commissioner Klaassen 2nd. Motion passed. 3-0

12:17 pm Commissioner Klaassen moved to recess into executive session to discuss personnel matters of non-elected personnel, regarding Road & Bridge for 5 minutes to include the Commission, Commission Counselor Bret Heim, and HR Director Heather Elsworth to resume in the Commission Room at 12:25 pm. Commissioner Galemore 2nd. Motion passed. 3-0

12:25 pm Back in session. No action taken.

The next Commission meeting will be on Wednesday February 22, 2023 at 2:00 pm. There will be a work session at 1:30 pm to discuss county employee raises.

County Clerk Heather Elsworth requested clarification on the 2023 outside entity disbursement payments.

Discussion was had. Neosho County Board of Commissioners agreed to pay outside entities in a lump sum with the exception of Neosho Memorial Regional Medical Center Ambulance Sales Tax which will continue to be paid quarterly and SEK Regional Juvenile Detention Center which will continue to be paid as billed.

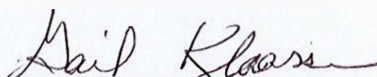
12:35 pm Commissioner Klaassen moved to recess into executive session to discuss personnel matters of non-elected personnel, regarding HR for 5 minutes to include the Commission, Commission Counselor Bret Heim, and HR Director Heather Elsworth to resume in the Commission Room at 12:40 pm. Commissioner Westhoff 2nd. Motion passed. 3-0

12:40 pm Back in session.

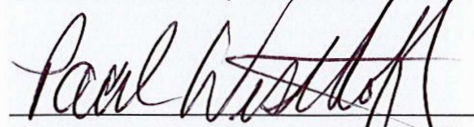
HR Director Heather Elsworth and the Neosho County Board of Commissioners selected Aimee Cope from Health Department as the Employee of the month for February 2023.

ADJOURNMENT

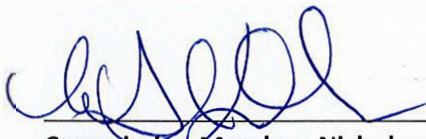
With no more business to discuss, Commissioner Westhoff moved to adjourn the meeting. Commissioner Galemore 2nd. Motion passed. 3-0. Meeting adjourned at 12:41 pm.



Commission Chair, Gail Klaassen



Commission Member, Paul Westhoff



Commission Member, Nicholas Galemore



ATTEST: County Clerk, Heather Elsworth

