

Tuesday February 23rd, 2021

Neosho County Commission Meeting

The Neosho County Board of Commissioners met in a Regular Session on Tuesday February 23rd, 2021 in the Commission room of the Neosho County Courthouse in Erie, KS.

Call to Order: Commissioner Galemore called meeting to order at 2:00m pm. Those present were Commission Board Chair Nicholas Galemore, Commissioner Gail Klaassen, Commissioner Paul Westhoff, County Clerk Heather Elsworth, and Commission Counselor Brandon Cameron.

PUBLIC COMMENT

Shirley Estrada – Ms. Estrada discussed her concerns about the County Counselors’ contracts, billing, charges, and payment.

Commissioner Galemore shared he would like to review the County Counselors’ contracts.

SCHEDULED ATTENDEES

2:15 pm - ZoAnna Bohrer/ Erie Fire Department. Ms. Bohrer requested funds to purchase a new set of extrication equipment “Jaws of Life” The estimate she presented totaled \$43,206.50. Discussion Tabled.

2:30 pm – Stan Basler/ Radar Lighting for Wind Farm. Mr. Basler presented an update on the Wind Farm Advisory Committee. Mr. Basler will be chair. Commissioner Galemore will also be on the committee. Discussion Tabled.

2:45 pm – Curt and Jamie Jansen/ Road Issues and Road Management. – Mrs. Jansen presented information on Jackson Road and 150th road conditions which are to be maintained by Apex. Mr. & Mrs. Jansen have requested multiple times for Mike Brown/ Road & Bridge Director, to fix the roads. Mr. Brown refers county citizens to Apex.

Heather Elsworth/ County Clerk – According to the Daily RUA Route Inspection report’s submitted by Mark Houser/ Wind Farm Footprint Road Inspector – the issue at Jackson road is noted numerous times as far back as August 2020:

“NOTE: Jackson Road – between Substation N of 10th to 50th Road is extremely rough. Numerous areas of Potholes and Washboard. Daily RUA System Inspection site #'s 121, 90, and 107 are included in \$137 (3 miles):. from road inspector Mark Houser, which indicates there has been a long-standing issue on Jackson Road. NEEDS IMMEDIATE ATTENTION!”

DEPARTMENT HEADS

Heather Elsworth/ County Clerk – Mark Houser/ Wind Farm Footprint Road Inspector was being paid 0.58 per mile in 2020. The new Standard Mileage Rate in 2021 is 0.56 per mile. Mr. Houser submitted a new bill for 0.58 per mile. Road & Bridge advised Ms. Elsworth that they had contracts for Mr. Houser to support the 0.58 per mile. There is no valid contract signed by the Commission with Mark Houser to support 0.58 per mile. Discussion Tabled until later in the meeting.

Commissioner Klaassen moved to approve 2 corrections from previous minutes. The first one is to 06/18/2020 Minutes changing Galesburg Fire Department as previously recorded to state Galesburg Relief Fund; and minutes from 11/5/2020 changing 100 tons of river rock as previously recorded to state an approved 1,000 tons of river rock. Commissioner Westhoff 2nd. Motion passed. 2-1. Commissioner Galemore opposed.

Lori Nally/ 911 Director – Ms. Nally gave a Department Update.

3:24 pm – Commissioner Galemore moved to enter into executive session to discuss job duties and performance of non-elected personnel and to protect the rights to privacy of the individual employee for 10 minutes with the Commission, Commission Counselor Brandon Cameron, 911 Director Lori Nally, and HR Director Jim Maher followed by a 5-minute recess. Commissioner Westhoff 2nd.

Motion passed. 3-0

3:40 pm Back in session. No action taken.

Sydney Ball/ County Treasurer – Ms. Ball discussed issues with the Courthouse vending machines.

Commissioner Westhoff moved to give Sydney Ball authority to have the vending machines removed and to reach out to other vendors. Commissioner Klaassen 2nd. Motion passed. 3-0

In addition, discussed tax sale. Also provided a potential new lease for a new postage machine. A better machine and lease will cost less. She will send lease agreements to Commission Counsel Seth Jones for review.

Mike Brown/ Road & Bridge Director – KDOT will be here on March 2nd, 2021 to discuss the new project. Mr. Brown borrowed a traffic counter to use on Elk Road.

Commissioner Galemore moved to accept Resolution R-21-D A RESOLUTION FOR THE IMPLEMENTATION OF A TEMPORARY SPEED LIMIT MODIFICATION OF CERTAIN PORTIONS OF NEOSHO COUNTY UNDER COUNTY CONTROL, ALL IN NEOSHO COUNTY, KS. This will temporarily reduce the speed to thirty (30) miles per hour on Chase Road from 200th Rd to Kansas Highway 47, Neosho County, Kansas.

Commissioner Westhoff 2nd. Motion passed. 3-0

Commissioner Klaassen moved to accept Resolution R-21-E A RESOLUTION FOR THE IMPLEMENTATION OF A TEMPORARY SPEED LIMIT MODIFICATION OF CERTAIN PORTIONS OF NEOSHO COUNTY UNDER COUNTY CONTROL, ALL IN NEOSHO COUNTY, KS. This will temporarily reduce the speed to thirty (30) miles per hour on Douglas Road, from 190th Road to 150th Road, Neosho County, Kansas. Commissioner Galemore 2nd. Motion passed. 3-0

Commissioner Klaassen moved to accept Resolution R-21-F A RESOLUTION FOR THE IMPLEMENTATION OF A TEMPORARY SPEED LIMIT MODIFICATION OF CERTAIN PORTIONS OF NEOSHO COUNTY UNDER COUNTY CONTROL, ALL IN NEOSHO COUNTY, KS. This will temporarily reduce the speed to thirty (30) miles per hour on Elk Road between 150th Road and Kansas Highway 47, Neosho County, Kansas.

Commissioner Westhoff 2nd. Motion passed. 3-0

Mr. Brown is working on a quote for Dust Abatement on the roads mentioned in Resolutions R-21-D, R-21-E, and R-21-F.

Mr. Brown would like to rent a roller to be used on Elk Road. He has quotes from Caterpillar for \$1800 per week or \$5400 per month.

Mr. Brown would like to rent a D6 dozer to remove the overburden out of the quarry because the quarry needs a new blast.

Commissioner Westhoff moved to rent from Foley Equipment in Chanute, KS, a D6 dozer to remove overburden in the quarry for up to 4 weeks or as needed. Commissioner Klaassen 2nd.

Motion passed. 3-0

Commissioner Klaassen moved to accept the rental quote from Foley Equipment in Chanute, KS for a roller to use on Elk Road for the Hwy 169 project up to 4 weeks totaling \$5492.00 as needed.

Commissioner Galemore 2nd. Motion passed. 3-0

Commissioner Klaassen moved to ratify the contract with Mark Houser for our road inspection in the footprint of the Wind Farm that was first initiated May 18, 2020 and that we sign a new contract effective January 1, 2021 with a new mileage rate of 0.56 per mile per State regulation. Commissioner Galemore 2nd. Motion passed. 3-0

4:28pm Commissioner Galemore moved to take a 10-minute recess. Commissioner Klaassen 2nd. Motion passed. 3-0

4:38pm Back in session.

Commissioner Galemore moved to authorize overtime to Road & Bridge employees to go to the Health Department on Sunday Feb 28, 2021, if needed, to help place the heavy furniture back to its place. The Health Department had pipes freeze during the winter storm causing flooding in their department.

Commissioner Klaassen 2nd. Motion passed. 3-0

4:45pm Commissioner Klaassen moved to enter into executive session to discuss job duties and performance of non-elected personnel and to protect the rights to privacy of the individual employee for 10 minutes with the Commission, Commission Counselor Seth Jones, and HR Director Jim Maher.

Commissioner Westhoff 2nd. Motion passed. 3-0

4:55pm Back in session. No action taken.

CONSENT AGENDA

Commissioner Galemore moved to amend his motion on the Feb 2, 2021 minutes to state "Commissioner Galemore moved to enter into a design contract with Cook, Flatt & Strobel Engineers for the reconstruction of the bridge on Grady Road, approximately ¼ mile south of K39 Hwy, bridge #12.25-3.75 as part of the Kansas Local Bridge Improvement Program (KLBIP)". Commissioner Westhoff 2nd. Motion passed. 3-0

Commissioner Galemore moved to accept Accounts Payable. Commissioner Klaassen 2nd. Motion passed. 3-0

Commissioner Galemore moved to accept Payroll Register in the amount of \$207,130.51. Commissioner Klaassen 2nd. Motion passed. 3-0

2/2/2021 Minutes tabled to 3/2/2021 meeting.

5:04 Commissioner Klaassen moved to enter into executive session to discuss job duties and performance of non-elected personnel and to protect the rights to privacy of the individual employee for 10 minutes with the Commission, Commission Counselor Seth Jones, County Clerk Heather Elsworth and HR Director Jim Maher. Commissioner Galemore 2nd. Motion passed. 3-0

5:17 pm back in session. No action taken.

Jim Maher/ HR Director – The Courthouse was closed on Feb 15, 2021 for President's Day and Feb 16-27, 2021 due to a weather emergency. Policy states that employees must use personal sick/vacation time to cover those hours but the Commission has the authority to make an exception.

Commissioner Klaassen moved to pay for the employees that were off last week because of inclement weather, low energy levels, and for the safety of our citizens; and that we pay regular pay for the full-time and part-time that were off including the Health Department. Commissioner Westhoff 2nd. Motion passed. 3-0

5:24 pm Commissioner Klaassen moved to enter into executive session to discuss job duties and performance of non-elected personnel and to protect the rights to privacy of the individual employee for 10 minutes with the Commission, Commission Counselor Seth Jones, and HR Director Jim Maher. Commissioner Westhoff 2nd. Motion passed. 3-0

5:34 pm Back in session. No action taken

5:34 pm Commissioner Galemore moved to enter into executive session to discuss job duties and performance of non-elected personnel and to protect the rights to privacy of the individual employee for 10 minutes with the Commission, Commission Counselor Seth Jones, and HR Director Jim Maher. Commissioner Westhoff 2nd. Motion passed. 3-0

5:46 pm Back in session. No action taken

COMMISSION DISCUSSION – NEW BUSINESS

Table the Mask Mandate review until March 31, 2021.

Commissioner Galemore moved to accept and approve Smithy's Express LLC CDBG Application. Commissioner Westhoff 2nd. Motion passed. 3-0

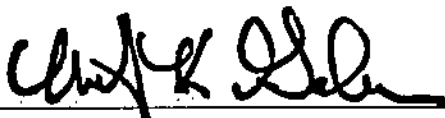
Commissioner Westhoff moved to approve CDBG RFP (Request for Payment) for Payment for StandCo LLC and Westside Auto. Commissioner Klaassen 2nd. Motion passes. 3-0

Commissioner Klaassen moved to approve the CDBG RFP (Request for Payment) for Smithy's Express LLC. Commissioner Westhoff 2nd. Motion passed. 3-0

COMMISSION COMMENT

Commissioner Westhoff requested clarity of the Wind Farm Funds distribution specifically for Thayer. 50% was to be for safety and 50% was to be for infra-structure. It is up to the individual Cities to determine what "safety" and "infra-structure" means to them. The Commission is asking that the Cities report to them what the intent is and how the funds were spent.

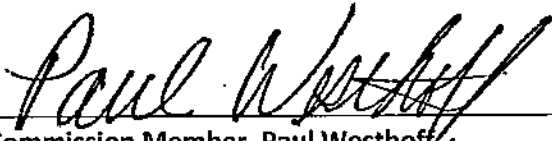
6:15 pm Commissioner Westhoff moved to adjourn. Commissioner Klaassen 2nd. Motion passed. 3-0



Commission Chair, Nicholas Galemore



Commission Member, Gail Klaassen



Commission Member, Paul Westhoff



County Clerk, Heather Eisworth