

Tuesday March 30<sup>th</sup>, 2021

Neosho County Commission Meeting

The Neosho County Board of Commissioners met in a Regular Session on Tuesday March 30<sup>th</sup>, 2021 in the Commission room of the Neosho County Courthouse in Erie, KS.

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

**PUBLIC COMMENT**

MATT GODINEZ – Reporting on Windfarm Moratorium. The committee is not interested, at this time, in county wide zoning. Mr. Godinez and the committee would like to start work sessions.

CRDA is willing to participate in helping distribute the upcoming \$3.2 million funding that the county will be receiving from the State of Kansas.

JASON MARTINSON – APEX Windfarm Project Update. There are 9 turbines left to commission which they hope to have erected by the end of the week. APEX met with Kirkham and Michael, and they are working on assessing the larger structures. APEX will start working on the quadrants the week of April 12<sup>th</sup>, 2021 and they have 2 more culverts to install. They also installed approximately 800 tons of rock on Jackson Rd.

RODNEY WARREN – Foley Equipment. Mr. Warrant presented a Maintenance Agreement Renewal for Road & Bridge Department Unit #95.

Commissioner Klaassen moved to renew the Foley Maintenance Plan on unit #95 which is a 2016 model 12M2 motor-grader, as presented. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

JENNIFER WILSON and AMY DANIELS – CASA of the 31<sup>st</sup> Judicial District. Ms. Wilson & Ms. Daniels asked to declare April as Child Abuse Awareness and Prevention month.

Commissioner Galemore moved to approve April 2021 as Neosho County Child Abuse Prevention month. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

Road & Bridge Director Mike Brown asked Sheriff Greg Taylor to be present to comment on the use of the River Bridge on Elk Rd north of Chanute. Currently, the posted weight limit is based on the inventory weight of 8 tons instead of the operating weight which would allow empty semi-trucks to travel over the bridge. There was a resolution signed in 2015 limiting commercial vehicle weights -- Resolution R-15 I: A RESOLUTION PROHIBITING THE USE OF ELK ROAD AND ELSWORTH ROAD FROM 250<sup>TH</sup> ROAD TO 230<sup>TH</sup> ROAD, NEOSHO COUNTY, KANSAS, BY COMMERCIAL VEHICLES WITH A TAG OF 16 GVM OR GREATER.

Mr. Taylor advised that the Sheriff's Department will have difficulty enforcing the current weight limit of 8 tons because there are no scales. Kenny Blair with CFS is coming to next commission meeting on April 13<sup>th</sup>, 2021. Discussion tabled.

TODD NEWMAN, Chanute City Manager & SUSAN GALEMORE, Chanute City Grant Writer – Plummer & 21<sup>st</sup> St. Cost Share Project. This plan adds a short turn lane to 3 legs of the intersection and increases radii for truck turning movements. To minimize impacts on ROW, the plan includes a storm sewer inlet at each quadrant, with added drainage to the existing ditch. BY placing piping under the roadway, the back side of the curb is basically the edge of the construction limits and decreases the ROW needed. KDOT is requesting that the county be a co-sponsor of the project regardless if any county funding is presented towards the project costs. The Financial Consideration – approval from the governing body for the project costs not to exceed \$780,000 with the city's share not to exceed \$250,000. No monies are required for the county and no deadline for construction completion.

Commissioner Galemore moved to support the grant application for the City of Chanute and to have County Clerk draft a letter of support on the county's behalf. Commissioner Klaassen 2<sup>nd</sup>. Motion passed. 3-0

#### DEPARTMENT HEADS

BOB MCELROY – County Appraiser. Mr. McElroy presented 2 NRP's for approval.

Commissioner Galemore moved to approve an NRP for Scott and Whitney Jinn | 521 S. Osage | Thayer KS 66776 for a new house build. Commissioner Klaassen 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Galemore moved to approve an NRP for Rick D Hastings | 2768 S Plummer PO Box 24 | Kincaid KS 66039 for a new house build and pole barn. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

Evaluations for APEX windfarm assessed valuation puts each turbine at 1 acre to be taxed.

Appraisal for Ash Grove is still pending.

HEATHER ELSWORTH – County Clerk. Mrs. Elsworth was seeking clarity on what the Commission is doing with Payroll and what the Commissions expectations are.

3:40 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 20 minutes with the Commission, Commission Counselor Seth Jones, and the option to add additional people as needed followed with a 5-minute recess. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

3:57 pm Back in session. No action taken.

3:57 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 15 minutes with the Commission, Commission Counselor Seth Jones, and the option to add additional people as needed. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

4:13 pm Back in session. No action taken.

4:13 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 5 minutes with the Commission, Commission Counselor Seth Jones, and County Treasurer Sydney Ball. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

4:26 pm Back in session. No action taken.

MIKE BROWN – Road & Bridge Director. Mr. Brown needs a No Thru Trucks resolution for Country Club Rd (Chase Rd) for the Hwy 169 project. Discussion tabled while Mr. Jones draws up a resolution.

Mr. Brown proposed a Spring Clean-Up for April 27<sup>th</sup> – May 1<sup>st</sup>.

Commissioner Galemore moved to offer a Spring Clean-Up for Neosho County April 27<sup>th</sup>, 2021 through May 1<sup>st</sup>, 2021 with specified rules to be published and posted on the website. Commissioner Klaassen 2<sup>nd</sup>. Motion passed. 3-0

Mr. Brown would like authorization to hire a new employee to replace an operator/truck driver who is transferring to the Sheriff's Department.

Neosho County Board of Commissioners authorized Mr. Brown to hire a new employee for the Road & Bridge Department.

Commissioner Galemore moved to allow Road & Bridge Director Mike Brown to purchase an enclosed trailer in the amount up to \$2,500.00. Commissioner Klaassen 2<sup>nd</sup>. Motion passed. 3-0

4:43 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 5 minutes with the Commission, Road & Bridge Director Mike Brown, and Commission Counselor Seth Jones via phone if needed. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

4:50 pm Back in session. No action taken.

Mr. Brown advised he will be going out for chip and seal oil bids with a deadline of April 27<sup>th</sup>, 2021.

#### CONSENT AGENDA

Commissioner Klaassen moved to approve the Consent Agenda to include Accounts Payable, Payroll Clearing, Road & Bridge Director Mike Brown's vacation request, and 911 Director Lori Nally's vacation request. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

#### COMMISSION DISCUSSION – NEW BUSINESS

Commissioner Galemore moved to nominate Alison Mih to the NMRMC Board. Commissioner Klaassen 2<sup>nd</sup>.

Motion passed. 3-0

Commissioner Klaassen moved to nominate Garrett Sharp to the NMRMC Board. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Westhoff moved to approve a liquor license for the American Legion of Erie for the rodeo grounds. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Galemore moved to approve an endorsement letter for the City of Erie applying for a special KDOT Cost Share Grant to replace the reinforced concrete box (RCB) culvert and for street repair on 4th Street from east of the Union Pacific railroad track to East Street. Commissioner Klaassen 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Klaassen moved to accept the audit engagement letter with County Auditor Rodney Burns, CPA for the 2020 audit. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Klaassen moved to accept the engagement letter for budget preparation assistance for the year 2022 with County Auditor Rodney Burns, CPA. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Klaassen moved to pass Resolution R-21-J: A RESOLUTION FOR THE PROHIBITION OF COMMERCIAL TRUCKS ON CERTAIN ROADS WHICH ARE UNDER COUNTY CONTROL, ALL IN NEOSHO COUNTY, KANSAS. Commissioner Westhoff 2<sup>nd</sup>. Motion passed 3-0

Commissioner Klaassen moved to pay Advantage Computer invoice 81389 for \$297.00 and invoice 81189 for \$18,383.00 to be taken out of the Miscellaneous General fund in reference to District Court. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Galemore moved to pass Resolution R-21-K: NEOSHO COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEALTH ORDER. Neosho County will opt out of mask mandates and any subsequent renewal. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

Commissioner Klaassen moved to amend the minutes from October 8<sup>th</sup>, 2020 with the following change on page 2 "Commissioner Orr moved to give \$9000 split 3 ways for a 90-day period to Thayer, St. Paul and Erie Fire Departments" to reflect the correct motion that was made on October 8<sup>th</sup>, 2020. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 2-0 Galemore opted out

5:45 pm. Commissioner Klaassen moved to enter into executive session to discuss matters related to attorney client privilege for 10 minutes with the Commission and Commission Counselor Seth Jones. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

5:57 pm Back in session. No action taken.

6:05 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 15 minutes with the Commission, Commission Counselor Seth Jones, County Treasurer Sydney Ball, and County Clerk Heather Elsworth followed with a 5-minute recess. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0

6:25 pm Back in session. No action taken.

6:25 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 15 minutes with the Commission, Commission Counselor Seth Jones, County Treasurer Sydney Ball, and County Clerk Heather Elsworth. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

6:47 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 20 minutes with the Commission, Commission Counselor Seth Jones, County Treasurer Sydney Ball, and County Clerk Heather Elsworth. Commissioner Galemore 2<sup>nd</sup>. Motion passed. 3-0

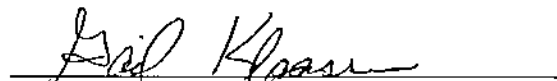
7:10 pm Back in session. No action taken.

Commissioner Galemore moved to adopt resolution R-21-H: A RESOLUTION TRANSFERRING THE PREPARATION OF EMPLOYEE PAYROLL AND HUMAN RESOURCES FROM THE BOARD OF COUNTY COMMISSIONERS OF NEOSHO COUNTY, KANSAS, TO THE OFFICE OF THE NEOSHO COUNTY CLERK which will be supervised through the Neosho County Clerk and the Neosho County Treasurer. Commissioner Klaassen 2<sup>nd</sup>. Motion passed. 2-1 Commissioner Westhoff opposed.

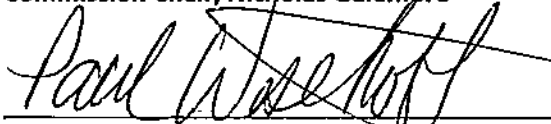
7:22 pm Commissioner Klaassen moved to adjourn this meeting. Commissioner Westhoff 2<sup>nd</sup>. Motion passed. 3-0



Commission Chair, Nicholas Galemore



Commission Member, Gail Klaassen



Commission Member, Paul Westhoff



ATTEST: County Clerk, Heather Elsworth