

Tuesday August 17th, 2021
Neosho County Commission Meeting

The Neosho County Board of Commissioners met in a Regular Session on Tuesday August 17th in the Commission room of the Neosho County Courthouse in Erie, KS.

Call to Order: Commissioner Galemore called meeting to order at 1:00 pm. Those present were Commission Board Chair Nicholas Galemore, Commissioner Gail Klaassen, Commissioner Paul Westhoff, and County Clerk Heather Elsworth.

BUDGET WORK SESSION

County Auditor Rodney Burns submitted Draft #3 of the 2022 Budget. The County still needs to decrease 17.173 mills to set levy as it was for 2021.

1:56 pm Commissioner Westhoff moved for a 10-minute recess. Commissioner Klaassen 2nd. Motion passed. 3-0

2:05 pm Commission Counselor Seth Jones joined the meeting.

PUBLIC COMMENT

Marilyn Henry presented concerns for the abundant overload of traffic on Elk Road; 150th to Elk Road to Hwy 47. Mrs. Henry advised there is a lot of traffic occurring because of the 169-Hwy detour and there are many semi-trucks not abiding by signage.

County Sheriff Greg Taylor addressed the issues of not having a Resolution to withstand prosecution by the County Attorney. The current Charter Resolution CR-99-001 does not provide for specifics. Mr. Taylor and Commission Counselor Seth Jones will draft a new resolution.

SCHEDULED ATTENDEE(S)

Greg Vahrenberg/ Consideration of Resolution for Refunding Bond Issues via phone -- Mr. Vahrenberg announced that Neosho County came back with an A Rating from Standard & Poor's and several investors expressed interest in refinancing the Bond's. Refinancing analysis indicates a savings of \$652,460, lowering the interest rate from 3.88% down to about 1.15%, and shortening the repayment period from 2030 to 2026. Bonds would be paid off 4 years sooner than scheduled with a built-in call feature on the Bond Issue where the County can call in the Bond earlier in 2025 without penalty. The fund balance in the sales tax fund would be adequate to call the bonds in 1 year early in 2025. The County would need to adopt the Bond Resolution in order to lock in the interest rate and the savings presented. In order to call in the Bonds in 2025, the County would need to provide a 45-day notice to the State Treasurer that the county intends to pay off the bonds early. The earliest call-in date would be Sept 1st, 2025 making July 14th, 2025 would be the date notice needs to be provided to State Treasurer. The County would need to send the redemption notice to the State Treasurer and also send the sales tax notice termination to the Department of Revenue.

Commissioner Galemore moved to adopt RESOLUTION R-21-P: A RESOLUTION AUTHORIZING AND PROVIDING FOR THE SALE, ISSUANCE AND DELIVERY OF GENERAL OBLIGATION SALES TAX REFUNDING

BONDS, SERIES 2021-A AND TAXABLE GENERAL OBLIGATION SALES TAX REFUNDING BONDS, SERIES 2021-B, OF NEOSHO COUNTY, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH. Commissioner Klaassen 2nd. Motion passed 3-0

PUBLIC COMMENT

Brian Coover shared his concerns with road conditions and structures.

Lon Hale/ Neosho-Allen Rural Water District #2 – Mr. Hale advised the water district currently serves Allen, Bourbon, and Neosho Counties with water purchased from Public Wholesale #5 in Iola, Kansas. The water system was established in 1964 which makes it over 50 years old and is suffering from significant water loss. The apparent loss of water is approximately 43% of the total water purchased that is not reflected in the total of the customer readings and charges. They estimate that 20-30% of this loss comes from the older meters not reporting accurately due their age. Other loss is from leaks in the system.

They are seeking funds from the America Rescue Plan Act (ARPA) Grant funds. Their request includes:

- 1) \$94,179.48 to purchase and install 286 digital readers and equipment for Neosho County Benefit Units
- 2) \$19,800 to purchase and install 25 isolation valves in Neosho County
- 3) \$3,266.66 to purchase storage container which will be located in Stark
- 4) \$2,076.91 to purchase and install a fire hydrant in Neosho County

Total Proposal cost for Neosho County = \$119,863.05

SCHEDULED ATTENDEE(S) cont.

Matt Godinez/ SEKRPC – Mr. Godinez provided American Rescue Plan Act (ARPA) fact sheets and would like the following requests be acted on today:

1. That Neosho County execute the ARPA Administration contract – approved and signed.
2. Neosho County Commission assign a point of contact for the funds with Neosho County Commission.
3. That Neosho County Commission make an SEKRPC representative an authorized representative in the treasury’s reporting portal.
4. That ARPA requests follow the below contact flow.
5. That SEKRPC have a standing appointment at 3pm during regular commission meetings for the foreseeable future that will allow for the SEKRPC to provide updates and answer questions relating to ARPA funds.

ARPA Request Contact Flow Recommendation:

1. Requests for use of ARPA funds are submitted to Neosho County Clerk’s Office
2. Submissions are then forwarded to SEKRPC for review of compliance and eligibility of the request

3. SEKRPC will prepare a determination of eligibility for the commission to consider and take possible action. The determination will include the compliance that will need to be followed if the request is approved by commission.
4. If an eligible request is approved by the commission and includes a transfer of funds, a point of contact with the recipient will need to be determined at the time of approval. SEKRPC will then work with selected recipient point of contact to ensure compliance.

Commissioner Klaassen moved to approve the agreement for administration of American Rescue Plan Act between Neosho County and Southeast Kansas Regional Planning Commission effective until Jan 21st of 2027. Commissioner Westhoff second. Motion passed. 3-0

Commissioner Galemore moved to appoint Commissioner Klaassen as the liaison for the ARPA program. Commissioner Westhoff 2nd. Motion passed. 3-0

4:08 pm Commissioner Klaassen moved for a 5-minute break. Commissioner Westhoff 2nd. Motion passed. 3-0

4:15 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 and Health Department Director Teresa Starr. Commissioner Westhoff 2nd. Motion passed. 3-0

4:28 pm Back in session. No action taken.

County Auditor Rodney Burns presented Draft #4 of the 2022 Budget and shared changes made bringing the mil levy down to 61.66 2021 mil levy, 2021 was 52.224 and the 2021 RNR was 53.939.

Commissioner Galemore moved to approve the Neighborhood Revitalization Plan for Benton & Melissa Duff | 1005 Massachusetts | Erie KS 66733. Commissioner Westhoff 2nd. Motion passed 3-0

Commissioner Westhoff moved to approve the Neighborhood Revitalization Plan for Travis E. and Melissa A. Taylor | 222 East Kansas | Stark KS 66775. Commissioner Galemore 2nd. Motion passed 3-0

5:17 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 20 minutes with the Commission, Commission Counselor Seth Jones, County Treasurer Sydney Ball and County Clerk Heather Elsworth. Commissioner Klaassen 2nd. Motion passed. 3-0

Back in session. No action taken.

Commissioner Galemore moved to approve RESOLUTION R-21-R: A RESOLUTION PROHIBITING THE USE OF COUNTY ROADWAYS UNDER THE JURISDICTION AND CONTROL OF THE BOARD OF COUNTY COMMISSIONERS BY COMMERCIAL TRUCKS, COMMERCIAL BUSES, AND OTHER COMMERCIAL VEHICLES. Commissioner Klaassen 2nd. Motion passed. 3-0

Commissioner Galemore moved to reject the Sheriff vehicle bids until specific pricing is available from all local dealers for 2022 vehicles. Commissioner Klaassen 2nd. Motion passed. 3-0

Neosho County Board of Commissioners agreed to have Mr. Taylor add 2 additional vehicles for Road & Bridge Department to the bid.

LORI NALLY/ 911 DIRECTOR – Ms. Nally advised the IP-224's that were ordered in April 2021 have come in and are installed. The next meeting for the 911 Advisory Board is Nov 16th @ 10am at the Sheriff's Office and is open to the public.

5:47 pm Commissioner Klaassen moved to enter into executive session to discuss matters related to attorney client privilege for 8 minutes in the matter of intra-local agreements with the Commission, Commission Counselor Seth Jones, and 911 Director Lori Nally. Commissioner Galemore 2nd. Motion passed. 3-0

5:55 pm Back in session. No action taken.

5:55 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, Commission Counselor Seth Jones, and 911 Director Lori Nally. Commissioner Westhoff 2nd. Motion passed. 3-0

Ms. Nally advised she does not need a second executive session; the matter can be discussed in open meeting.

Commissioner Klaassen rescinded her motion.

Ms. Nally wanted to make the Commission aware of the increase in their call volume the last 3 months. Phone calls have increased approximately 300-500 phone calls per month. CAD entries have gone up over 300. It has been extremely busy in Dispatch. She has implemented and started to train the on-call people and she will need to utilize them. Ms. Nally is still looking to hire one additional employee.

MIKE BROWN/ ROAD & BRIDGE DIRECTOR – Mr. Brown advised he had an individual call wanting to know what it would take to remove a curve in the road on 80th and Scott roads. They had a hydraulic pump failure on the crusher out at the quarry. He is also having issues on the big excavator; the hydraulic swing motor is going out. Mr. Brown would like to throw out a "Thank You" for all the local farmers and others that mow the county roads. The Field Check on the Grady Road bridge project was done on August 6th, 2021. They will possibly go out for bids soon. The asphalt zipper demonstration will be on August 18th, 2021 at 8:30 am on Udall and 40th road. The Neosho County Board of Commissioners agreed to the chip & seal map presented by Road & Bridge Director Mike Brown from previous meeting.

Commissioner Galemore moved to authorize Mike Brown to sign the Cook Flatt & Strobel document confirming their services for the County's request to provide an Annual Routine Bridge Inspection for 2 bridges and propose to furnish the Routine Inspection for the lump sum of \$1400.00. Commissioner Klaassen 2nd. Motion passed 3-0

Commissioner Klaassen moved to adopt RESOLUTION R-21-Q: A RESOLUTION RELATING TO THE SOLID WASTE MANAGEMENT PLAN OF NEOSHO COUNTY, KANSAS. Commissioner Galemore 2nd. Motion passed. 3-0

Mr. Brown wanted to remind the Commission that the next phase of the RUA inspection is tentatively scheduled for next Tuesday (Aug 24th, 2021). Commissioner Westhoff would like to be there. The Neosho County Board of Commissioners agreed for Commissioner Westhoff to attend the inspection.

Commissioner Galemore moved to approve accounts payable in the amount of \$89,178.11, payroll clearing in the amount of \$68,919.36 and minutes from the 08/03/2021 meeting. Commissioner Klaassen 2nd. Motion passed. 3-0

Commissioner Galemore moved to approve the payment through the Health Department budget/Personal Services for the hazard pay grant to be reimbursed back to the Health Department's budget once the grant money is received. Commissioner Klaassen 2nd. Motion passed 3-0

Commission Counselor Seth Jones advised a ruling has been made on the River Rock case. The County was successful at the Supreme Court. There will be some clean-up items that the Commission will need to make decisions on. Mr. Jones has scheduled Trevor Wohlford to attend the next commission meeting on August 31st at 2pm via phone to go over those clean-up items and to go over the next steps in the process.

6:49 pm Commissioner Westhoff moved to adjourn the meeting. Commissioner Klaassen 2nd. Motion passed. 3-0


Commission Chair, Nicholas Galemore


Commission Member, Gail Klaassen


Commission Member, Paul Westhoff


ATTEST: County Clerk, Heather Elsworth