

THE MINUTES OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
ON August 11, 2014

The Board of Kingman County Commissioners met in regular session, in the Commissioners' Meeting Room, Kingman County Courthouse, Kingman, Kansas, on August 11, 2014. Those Present:

Carol Voran, Chairperson
John Steffen, Commissioner
Fred Foley, Commissioner
Carol Noblit, Master County Clerk

Also present was the County Counselor, John Caton.

Visitors: Gayle Dye, Donna Hardesty, David Dinell, Leader Courier, David Steffen, Cunningham City Clerk, Frank Strohl, Cunningham City Mayor, Eric Meyers, Cunningham City Council, Chris Schaller, Cunningham City Council, Aaron Murphy, Cunningham City Council, Greg Graffman, Cunningham City Attorney, Jack Thimesch, State Representative #114, Scott Mullen, KDOT and Daniel Shea, Kingman Economic Development Director.

Staff: Nancy Borst, Kingman County Communications Director, Mark Schnittker, Courthouse Maintenance, Steve Ramsey, Community Service Director, Linda Langley, Kingman County Internal Auditor, Charles Arensdorf, Public Works Director, Steve Bachenberg, County Engineer.

Commissioner Voran called the Board of County Commissioners Meeting to Order at 8:00 a.m.

8:00 a.m. Mark Schnittker, Courthouse Maintenance, reported that the repairs to the sidewalks have been started.

Mr. Schnittker left the meeting at 8:05 a.m.

Commissioner Voran moved to recess the regular meeting to canvass the results of the primary election held on August 5, 2014. The motion was seconded by Commissioner Steffen and approved upon unanimous vote of the Commissioners.

The regular meeting recessed at 8:05 a.m.

Commissioner Voran called to order the board of canvassers for the canvass of the August 5, 2014 Primary Election.

The County Election Officer, Carol Noblit, presented the board of canvassers with the preliminary final abstract of election returns and reviewed thirteen Provisional ballots received. After reviewing the provisional ballot envelopes the board of canvassers determined that seven of the thirteen provisional ballots should be counted. The County Election Officer then took the ballots to the counting board to count the provisional ballots.

Commissioner Voran announced a recess of the meeting of the board of canvassers until the County Election Officer returned with the provisional results at 8:20 a.m.

Commissioner Voran reconvened the meeting of the board of canvassers of the August 5, 2014 Primary Election at 8:55 a.m.

The County Election Officer presented the following provisional votes cast:

UNITED STATES SENATE:

Pat Roberts 4

Milton Wolf 3

UNITED STATES REPRESENTATIVE; 4TH DISTRICT:

Mike Pompeo 4

Todd Tiahrt 3

GOVERNOR/ LT GOVERNOR:

Sam Brownback/Jeff Colyer 7

SECRETARY OF STATE:

Kris Kobach 6

ATTORNEY GENERAL:

Derek Schmidt 6

STATE TREASURER:

Ron Estes 6

STATE REPRESENTATIVE DISTRICT #114:

Jack Thimesch 5

BOARD OF EDUCATION DISTRICT #7:

Kenneth R. Willard 4

STATE COMMISSIONER OF INSURANCE:

Clark Shultz 2

Ken Selzer 2

David J. Powell 1

COUNTY COMMISSIONER DISTRICT #1:

Gregory G. Ellis 1

Fred A. Foley 1

Michael C. Eidem 1

COUNTY CLERK:

Carol D. Noblit 7

COMMITTEEMAN 1ST WARD:

Michael C. Eidem 1

COMMITTEEWOMAN 1ST WARD:

Bonnie J. Eidem 1

UNION COMMITTEEMAN:

David F. Rohlman 2

UNION COMMITTEEWOMAN:

Martha Rohlman 2

COMMITTEEWOMAN 3RD WARD:

Becky Luntsford 1

DRESDEN TWP CLERK:

Kevin Halderson 1

MOTION: Commissioner Steffen moved to finalize and approve the preliminary final abstract of returns for the August 5, 2014 Primary Election with the added provisional ballot totals. Commissioner Foley seconded. The motion was approved upon the unanimous vote of the board of canvassers.

MOTION: Commissioner Foley made a motion to adjourn the meeting of the board of canvassers for the August 5, 2014 Primary Election at 9:15 a.m. Commissioner Steffen seconded. The motion was approved upon the unanimous vote of the County Commissioners.

The regular Board of County Commissioners Meeting reconvened at 9:16 a.m.

Commissioner Voran called the Budget Hearing to order at 9:17 a.m. with Justin Mitchell, Auditor with Adams, Brown, Beran and Ball, Chartered, present via telephone conference call.

Mr. Mitchell apologized for not being in attendance and said the budget was published with an increase of just over one mill with the mill levy being 59.682. Mr. Mitchell reviewed the reasons for the budgeted increase and pointed out that the Commissioners added \$45,000.00 for funding of emergency medical system operations and that the General Fund increased in part due transferring the Election Fund to the General Fund.

Commissioner Voran asked if there was any discussion from the public on the budget. No discussion was made.

Commissioner Steffen discussed proposed reallocation of \$100,000.00 from the Activity Center 2015 capital outlay budget for 2015 to the General Fund Capital Improvement Fund to provide more flexibility to meet the County's needs. Mr. Mitchell said that could be done with no changes made to the budget totals. Commissioner Voran asked the public in attendance if there were any comments regarding the proposed reallocations. No comments were offered by the public.

MOTION: Commissioner Steffen moved to reallocate \$100,000.00 from the Activity Center Improvement Fund to the General Fund Capital Improvement Fund. Commissioner Foley seconded. . The motion was approved upon the unanimous vote of the County Commissioners.

MOTION: Commissioner Foley made a motion to approve the 2015 County Budget with the proposed changes from the Activity Center to the General Fund. Commissioner Steffen seconded. The motion was approved upon the unanimous vote of the County Commissioners.

MOTION: Commissioner Foley made a motion to adjourn the Budget Hearing at 9:40 a.m. Commissioner Steffen seconded. The motion was approved upon the unanimous vote of the County Commissioners.

Commissioner Voran reconvened the regular Board of County Commissioners meeting at 9:41 a.m.

9:41 a.m. Linda Langley, County Internal Auditor, presented a report of monthly fund transfers and County funds that are high in the percentage of their budgets used.

MOTION: Commissioner Steffen moved to approve the transfer of funds provided by Ms. Langley. Commissioner Foley seconded. The motion was approved upon the unanimous vote of the County Commissioners.

Ms. Langley left the meeting at 9:50 a.m.

The County Clerk submitted minutes for the August 4, 2014 County Commission meeting and the Special City/County Joint Meeting on August 6, 2014 for approval by the County Commissioners.

MOTION: Commissioner Steffen proposed to amend the minutes of the August 4, 2014 County Commission meeting to clarify that that the motion to approve a promotion of a music festival in Kingman by One Spark included the promoters working with the Activity Center Director to book dates for a festival and that the local government share of the festival proceeds would be used to promote economic development in Kingman County.) Commissioner Steffen moved to approve the August 14,

2014 meeting minutes as amended. Commissioner Foley seconded. The motion was approved upon the unanimous vote of the County Commissioners.

MOTION: Commissioner Foley made a motion to amend the portion of the minutes of the August 6, 2014 special meeting relating to Commissioner Steffen's comment regarding County operation of the emergency medical services to read as follows:

Mr. Steffen said that the Kingman EMS takes care of the whole county including the cities within the County and that it would be a duplication of services and people would be double taxed."

Commissioner Foley moved to approve the minutes with the proposed revision. Commissioner Steffen seconded the motion and it was approved upon the unanimous vote of the County Commissioners.

10:00 a.m. Stan Goetz, HR/Planning/Zoning Director presented a revised draft of Policy #36- Workplace Violence, Firearm/Weapons for approval by the Commissioners.

MOTION: Commissioner Steffen moved to approve Policy #36-Workplace Violence, Firearm/Weapons. Commissioner Foley seconded. The motion was approved upon the unanimous vote of the County Commissioners.

Mr. Goetz discussed his thoughts on changes to Policy #16-Personal Leave of Absence to cover health benefits only for a serious health condition that makes the employee unable to perform the employee's job. Mr. Goetz reviewed the Department Head Meeting minutes with the County Commissioners.

Mr. Goetz submitted the following approved zoning permit to the County Commissioners:

1. Donald Stearns-Loafing Shed-(Vinita).

The County Clerk submitted one abatement to the County Commissioners in the amount of \$46.00 for signatures.

Mr. Goetz left the meeting at 10:45 a.m.

11:00 a.m. Charles Arensdorf, Public Works Director, Steve Bachenberg, County Engineer, David Steffen, Cunningham City Clerk, Frank Strohl, Cunningham City Mayor, Eric Meyers, Cunningham City Council Member, Chris Schaller, Cunningham City Council Member, Aaron Murphy, Cunningham City Council Member, and Jack Thimesch, State Representative for District 114 met with the Commissioners to discuss the proposed 170 road improvement within the City of Cunningham. Scott Mullen, Kansas Department of Transportation presented a preliminary estimate of the costs of improving the road.

MOTION: Commissioner Steffen moved that the County reimburse for the engineering design and inspection of the improvements to Road 170 in Cunningham in an aggregate amount not to exceed \$65,000.00 and to be reimbursed out of the County's sales tax revenues. Commissioner Foley seconded. The motion was approved upon the unanimous vote of the County Commissioners.

Mr. Strohl, Mr. Meyers, Mr. Schaller, Mr. Graffman, Mr. Murphy, Mr. Thimesch, Mr. Steffen and Mr. Mullen left the meeting at 11:28 a.m.

Charles Arensdorf, Public Works Director presented for approval an inspection contract for the Hot Mix Overlay Program and discussed with the Commissioners an update on the 2014 Hot Mix Program-Phase 2.

MOTION: Commissioner Foley moved to approve the Hot Mix Overlay contract for consulting services between Schwab-Eaton P.A. and Kingman County. Commissioner Steffen seconded. The motion was approved upon the unanimous vote of the County Commissioners.

Mr. Bachenberg requested preparation of a resolution to approve proposed reclassifications of county roads to be submitted to the State of Kansas in connection with Funding for future road improvement projects. The County Counselor was asked to prepare an appropriate resolution for the Commissioners consideration at the August 18, 2014 County Commission meeting.

Mr. Bachenberg and Mr. Arensdorf left the meeting at 12:00 p.m.

12:05 p.m. Daniel Shea, Kingman Economic Development Director, discussed with the Commissioners funding of the Kingman Economic Development Council.

Mr. Shea left the meeting at 12:13 p.m.

12:15 p.m. Richard Batchellor, County Appraiser, discussed with the Commissioners the existing wind farm facilities and the number of turbine sites in operation and planned for future operation in Kingman County.

Mr. Batchellor left the meeting at 12:24 p.m.

The County Counselor presented to the Commissioners a propose agreement for settlement of pending disputes between Kingman County and Flat Ridge 2 Wind Energy, LLC relating to payment of the payments in lieu of taxes due under the provisions of the Decommissioning and PILOT Agreement between the parties. The proposed settlement agreement was reviewed and the provisions thereof discussed by the County Commissioners.

MOTION: Commissioner Foley moved to approve the proposed settlement agreement between Kingman County and Flat Ridge 2 Wind Energy LLC as presented Commissioner Steffen seconded. Commissioner Voran called for discussion of the motion. Mr. Batchellor was asked to review the settlement agreement and he recommended the agreement be approved. The motion was approved upon the unanimous vote of the County Commissioners.

MOTION: Commissioner Steffen moved to adjourn the regular Board of County Commissioners at 1:23 p.m. Commissioner Foley seconded. The motion was approved upon the unanimous vote of the County Commissioners.