

THE MINUTES OF THE REGULAR MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
ON June 6, 2016

The Board of Kingman County Commissioners met in regular session, in the Commissioners' Meeting Room, Kingman County Courthouse, Kingman, Kansas, on June 6, 2016. Those present:

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

John Caton, County Counselor was present.

Visitors: Gayle Dye; Larry Landwehr; Jerry Henning; Jason Jump, Leader-Courier; Randy Thimesch; Daniel L. Giroux; Ernest Beat; Jack Thimesch; Dave Steffen, Cunningham Courier; Judy Albright, Council on Aging; David Gil, Nextera Energy; Dick Neville, City Commissioner; Steve Gough, Attorney for NextEra Energy.

Staff: Nancy Borst, Communications Coordinator; Mark Schnittker, Courthouse Maintenance; Stan Goetz, HR/Planning/Zoning; Charles Arensdorf, Public Works Director; Richard Batchellor, Appraiser and Fred Simon, Emergency Preparedness Director.

Chairperson Foley called the meeting to order at 8:03 a.m.

Chairman Foley asked for Public Comment.

Larry Landwehr brought to the County Commissioners an official notice by the City of Kingman to hold a hearing on June 27, 2016 at 5:30 p.m. for re-adoption of the subdivision regulations for an extraterritorial jurisdiction not exceeding three miles from the City Limits. The Commissioners thought that was something that the County Zoning Regulations allowed.

Mr. Foley asked for any changes to the agenda. Commissioner Voran wanted to add discussion on the Extension Council meeting that she attended on possible districting. Commissioner Steffen wanted to add an executive session to discuss the wind farm agreements.

MOTION: Commissioner Voran moved to approve the agenda with additions for discussion of the Extension Council and an Executive session for the Wind Farm Agreements. Commissioner Steffen seconded. The motion was approved upon the unanimous vote of the County Commissioners.

Commissioner Voran discussed the Extension Council's meeting that was held in Hutchinson for possible district consolidation.

8:19 a.m. Mark Schnittker, Courthouse Maintenance, was in with an estimate from Eck Electric to use a 60ft. Telescopic boom lift and operator to fix roof shingles along the side of the roof, flag pole and connect gutter down spout. Commissioners would like for Mr. Schnittker to get an itemized quote to do it on a weekday instead of the weekend.

Mr. Schnittker also let the Commissioners know that he will be in next week with information on the Heritage Trust Grant workshop coming up in August.

8:28 a.m. Daniel L. Giroux, Candidate for US Representative #4 was in to introduce himself to the Commissioners. Mr. Giroux discussed what area he covers in District #4. Also, Mr. Giroux let the Commissioners know what he is running for and small rural areas are important to him and bringing back small areas.

8:38 a.m. Ernest Beat was in to discuss that he has not had much luck on fixing his waterway problem. Mr. Beat went to the Conservation District and received maps that showed the Commissioners the problem that he is having. The County Commissioners let Mr. Beat know that they have no jurisdiction to make a landowner take care of their waterways. County Counselor let Mr. Beat know that he could start a drainage district but it would have to be a cooperative between the landowners and it again is not the County Commissioners responsibility.

Mr. Beat left the meeting at 8:58 a.m.

9:00 a.m. Judy Albright, Council on Aging Director was in to present the County Commissioners with the 2017 Budget Request. Ms. Albright informed the Commissioners that the State and Federal funding has been cut for two important programs and she has increased the budget by \$8,000.00 to help fund this.

Ms. Albright left the meeting at 9:11 a.m.

The County Clerk submitted the minutes from May 23rd, 2016 Commission meeting for approval.

MOTION: Commissioner Steffen moved to approve the minutes from the May 23rd, 2016 Commission meeting. Commissioner Voran seconded. The motion was approved upon the unanimous vote of the County Commissioners.

EXECUTIVE SESSION: Commissioner Steffen moved to go into executive session with Stan Goetz, HR/Planning/Zoning Director and John Caton, County Counselor at 9:25 a.m. for consultation on a matter protected by the attorney-client privilege in order to protect the privilege and the Board's position for Wind Farm agreements, and will return to open session in the Board Meeting room at 9:40 a.m. Commissioner Voran seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

Commissioners returned to regular session at 9:40 a.m. no binding action taken.

EXECUTIVE SESSION: Commissioner Steffen moved to go into executive session with Stan Goetz, HR/Planning/Zoning Director and John Caton, County Counselor at 9:40 a.m. for consultation on a matter protected by the attorney-client privilege in order to protect the privilege and the Board's position for Wind Farm agreements, and will return to open session in the Board Meeting room at 9:50 a.m. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

Commissioners returned to regular session at 9:50 a.m. with no binding action taken.

9:50 a.m. Stan Goetz, HR/Planning/Zoning Director was in with the Minutes from the Planning/Zoning Meeting. Mr. Goetz also let the Commissioners know that the nuisance that was submitted prior has been responded to and the landowner will be mowing and taking care of the problem.

Mr. Goetz submitted the following building permits:

1. Mike Hrencher for a Pole Shed/Living Quarters in the W/2 NE/4 Section 2-Township 30-Range 6 (Canton).

2. Philip Burford for a Shed/Living Quarters in the NE4 NE4 of Section 36-Township 27-Range 5
3. Ross & Judy Kinsler for a Storage Shed in the SW4 of Section 14-Township 27-Range 8

10:00 a.m. David Gil, NextEra Energy , and his attorney, Steve Gough, met with the Commissioners to discuss the County Wind Farm Road and PILOT Agreements and reported that NextEra is anxious to begin construction. Commissioner Steffen questioned Mr. Gil about the Company's most recent haul route proposed that avoids the County's black top roads.

The Commissioners discussed their concerns about damage to the County black top roads resulting from the transmission line construction and possible damage to the County roads. The Commissioners also pointed out their concern with the structural strength of bridge structures on the Township Roads.

The Commissioners and Mr. Gil agreed that an agreement be made to conduct engineering studies of the roadways and structures to be used as haul routes for the proposed wind farm and that a report is made to the County Commissioners.

Mr. Gil said that if they use a road that isn't on the road agreement that they would return the road to as good or better condition. The core samples that the engineers do will help with what the current conditions are.

Mr. Gil would like to get an action plan together and start moving forward.

The County Commissioners would like to start the engineer report with Kirkham Michael.

The County Commissioners discussed with Mr. Gil the pilot and decommissioning agreements. Mr. Gil would like for them to be separate agreements instead of one agreement combined.

11:57 a.m. Jack Thimesch was in and wanted to tell the Commissioners that he supports this windfarm and the revenue it will bring to the County.

11:59 a.m. Fred Simon, Emergency Preparedness Director was in to ask to remove the barriers on Main Street. Commissioners agreed to remove the barriers.

12:00 a.m. Richard Batchellor, County Appraiser was in to request a vacation extension for Jancy Vaught in his office.

MOTION: Commissioner Steffen moved to approve vacation extension for Jancy Vaught. Commissioner Voran seconded. The motion was approved upon the unanimous vote of the County Commissioners.

12:10 p.m. Larry Landwehr came before the Commissioners to ask questions about the road agreement.

EXECUTIVE SESSION: Commissioner Steffen moved to go into executive session with Carol Noblit, County Clerk, Stan Goetz, HR/Planning/Zoning Director and John Caton, County Counselor at 12:20 p.m. to discuss personnel matters of nonelected personnel in order to protect privacy interests of the individual(s) to be discussed, and they will return to open session in the Board meeting room at 12:30 p.m. Commissioner Voran seconded. The motion was approved upon the unanimous vote of the County Commissioners.

County Commissioners returned to regular session at 12:30 p.m. with no binding action taken.

EXECUTIVE SESSION: Commissioner Steffen moved to go into executive session with Carol Noblit, County Clerk, Stan Goetz, HR/Planning/Zoning Director and John Caton, County Counselor at 12:30 p.m. to discuss personnel matters of nonelected personnel in order to protect privacy interests of the individual(s) to be discussed, and they will return to open session in the Board meeting room at 12:40 p.m. Commissioner Voran seconded. The motion was approved upon the unanimous vote of the County Commissioners.

County Commissioners returned to regular session at 12:40 p.m.

MOTION: Commissioner Voran moved to approve shared leave. Commissioner Steffen seconded. The motion was approved upon the unanimous vote of the County Commissioners.

County Commissioners signed County Vouchers.

MOTION: Commissioner Steffen moved to adjourn the regular board meeting at 1:09 p.m. Commissioner Voran seconded. The motion was approved upon the unanimous vote of the County Commissioners.