

MINUTES OF THE KINGMAN COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ON December 23, 2019

The Board of Kingman County Commissioners met in the Commissioners' Meeting Room, Kingman County Courthouse, Kingman, Kansas on December 23<sup>rd</sup>, 2019. Those present:

John Steffen, Chairman  
Fred Foley, Commissioner  
Jerry Henning, Commissioner  
John Caton, County Counselor  
Carol Noblit, County Clerk

Visitors: Carol Voran; Jon B Halbaewachs PE VP Kirkham Michael; Richard Chandler, AEP (teleconference) and Roy Riggs, The Law Company.

Staff: Mary Schwartz, Health Nurse; Mark Schnittker, Courthouse Maintenance; Stan Goetz, HR/Planning/Zoning/Wastewater Director; Amber Hartley, County Appraiser; Susan Hubbell, Register of Deeds and Becky Luntsford, County Treasurer.

Chairman Steffen called the Board of County Commissioners Meeting to order at 8:00 a.m.

The Pledge of Allegiance was said by all in attendance.

Chairman Steffen asked if there were any additions to the agenda.

8:05 a.m. Mary Schwartz, Health Nurse was in to discuss an issue that she had with the Treasurer's office and the Attorney's office.

The County Commissioners called the Attorney's office and found that Ms. Schwartz's issue had been handled.

Ms. Schwartz left the meeting at 8:25 a.m.

8:26 a.m. Mark Schnittker, Courthouse Maintenance was in to talk about the elevator not working and waiting for KONE to come fix it.

Mr. Schnittker discussed the parking on the East side of the Courthouse and that he would like to paint lines for parking.

The County Commissioners approved Mr. Schnittker to paint parking on the East side of the Courthouse.

Mr. Schnittker requested an Executive session for non-elect personnel matters for performance.

EXECUTIVE SESSION: Commissioner Henning moved to go into executive session with Mark Schnittker and John Caton, County Counselor at 8:30 a.m. to discuss an individual employee's performance pursuant to the exception under the Kansas Open Meetings Act for discussion of non-elected personnel matters of nonelected personnel in order to protect the privacy interests of the individual to be discussed, and they will return to open session in the Board meeting room at 8:35 a.m. Commissioner Steffen seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

The County Commissioners returned to regular session at 8:35 a.m. with no binding action taken.

The County Commissioners discussed the roads that wind farms are using to fix wind turbines.

The County Commissioners signed County Vouchers in the amount of \$72,022.51.

The County Commissioners approved the following abatements and addition:

ABATEMENTS		ADDITION	
2019000384	-18.30	2019000382	+756.98
2019000385	-1226.66		
2019000387	-38.42		
2019000388	-1504.62		
2019000389	-951.36		

8:43 a.m. Jon B Halbaewachs PE VP with Kirkham Michael and John Riggins, Kirkham Michael were in to discuss the engineering services for the Windfarm.

Mr. Halbaewachs let the Commissioners know that there was an escrow account set up for payments to Kirkham Michael on some other projects that they have worked on.

The County Commissioners discussed that if they would do an escrow account the wind farm would have to make sure funds are available or the County could pay with a 10% handling fee per payment made.

9:00 a.m. Richard Chandler, AEP representative was on a teleconference with the County Commissioners to discuss the engineering agreement.

Mr. Halbaewachs discussed the Kirkham Michael agreement for engineering services and what it would include. Also, he let Mr. Chandler and Commissioners that the agreement would help the County with the Road Agreement for the windfarm.

Mr. Chandler requested a copy of the agreement so they could process the information.

Mr. Halbaewachs went over processes with the Commissioners and Mr. Chandler.

Commissioner Steffen discussed the traffic on County & Township Roads by windfarm vehicles with Mr. Chandler.

Mr. Halbaewachs and Mr. Riggins left the meeting at 9:49 a.m.

Mr. Goetz discussed the road closing recommended by the planning commission and would like to open the meeting for discussion.

Commissioner Foley presented pictures and discussed the tree pile on the road right of way that he took after visiting the road that is in recommended to be closed by the planning/zoning commission.

Mr. Ricke was in the meeting representing landowner Mr. Gage.

Bill McIntire was in representing property he leases from a landowner.

Mr. Ricke discussed if a road is open to the public then it needs to be maintained.

Commissioner Henning discussed some of his concerns with closing a road.

Mr. McIntire discussed what he has done to keep the road as a trail and not as a road.

MOTION: Commissioner Henning moved to approve the recommendation of the planning/zoning commission to close the road. The motion died for a lack of a second.

MOTION: Commissioner Henning moved to not approve the recommendation of the planning/zoning commission to close the road. Commissioner Foley seconded the motion. The motion was a unanimous vote of the County Commissioners.

Mr. Ricke and Mr. McIntire left the meeting at 10:28 a.m.

10:33 a.m. Susan Hubbell, Register of Deeds was in to let the Commissioners know that the Courts will be closed all day Christmas Eve.

Ms. Hubbell submitted a letter from Garber Surveying Service, PA for County Survey Review for the 2020 year.

MOTION: Commissioner Foley moved to approve Garber Surveying services for 2020. Commissioner Henning seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

EXECUTIVE SESSION: Commissioner Henning moved to go into executive session with Susan Hubbell and John Caton, County Counselor at 10:40 a.m. to discuss an individual employee's evaluation pursuant to the exception under the Kansas Open Meetings Act for discussion of non-elected personnel matters of nonelected personnel in order to protect the privacy interests of the individual to be discussed, and they will return to open session in the Board meeting room at 10:50 a.m. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

The County Commissioners returned to regular session at 10:50 a.m. with no binding action taken.

10:54 a.m. Becky Luntsford, County Treasurer was in with a signature card for the County Commissioners to sign.

Ms. Luntsford left the meeting at 11:00 a.m.

Mr. Goetz requested an executive session.

EXECUTIVE SESSION: Commissioner Henning moved to go into executive session at 11:10 a.m. with Stan Goetz, HR and John Caton, County Counselor discuss an individual employee's evaluation pursuant to the exception under the Kansas Open Meetings Act for discussion of non-elected personnel matters of nonelected personnel in order to protect the privacy interests of the individual to be discussed, and they will return to open session in the Board meeting room at 11:30 a.m. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

The County Commissioners returned to regular session at 11:30 a.m. with no binding action taken.

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will return to open session in the Board meeting room at 11:35 a.m. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

The County Commissioners returned to regular session at 11:35 a.m. with no binding action taken.

MOTION: Commissioner Henning moved to increase the pay for the wastewater director from \$9000.00 a year to \$12,000.00. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

MOTION: Commissioner Foley moved to approve the Cereal Malt Beverage license for the West Side Bait Shop & Beer for 2020. Commissioner Henning seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

11:42 a.m. Amber Hartley, County Appraiser was in to discuss the windfarm payments by the landowners.

Commissioners discussed that it is the property owners responsibility to request the reimbursement from the windfarm for the.

The Commissioners requested that the Clerk return the check received from Kingman Wind Energy I LLC.

Mr. Caton let the Commissioners and Clerk know that he will send an email to Kingman Wind Energy I LLC in response to the payment.

Ms. Hartley left the meeting at 12:14 p.m.

Chairman Steffen read correspondence from KAC for the 2020 Membership Dues.

MOTION: Commissioner Henning moved to be members of KAC for 2020 Membership Dues in the amount of \$2435.17. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

The Commissioners discussed the Economic Development Director and the possibility of appointing her to the SCKEDD Board.

MOTION: Commissioner Henning moved to appoint the Economic Development Director to the SCKEDD Board. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

12:40 p.m. Roy Riggs with The Law Company was in to go over some of the changes that have been made.

Commissioner Henning asked how much was included in the fixed cost.

Mr. Riggs let the Commissioners know that he will get more detail on the changes that are made.

MOTION: Commissioner Henning moved to adjourn the regular meeting at 1:04 p.m. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.