

September 20, 2022

Tuesday 9:00 am

The Bourbon County Commission met in open session with all Commissioners and the County Clerk present.

Clint Walker, Anne Dare, Jason Silvers, Michael Hoyt, Matt Quick, Delwin Mumbower, and Shawn Wyatt were present for some or all of the meeting.

Nelson made a motion to open up the public budget hearing. Clifton seconded. All approved. Susan Bancroft stated that now is the time for the public to ask any questions regarding the budget. Anne Dare asked if there was an increase in taxes from this year to next year. Susan explained that the County remained revenue neutral. Clint Walker asked if we transferred \$160,000 out of Jail Sales Tax to the Sheriff's fund. Susan stated yes. Clint stated if we had not moved the money we could have used it to pay down the debt a little quicker. Susan stated that is a fair statement. Anne stated she understood the budget for law enforcement was being raised by \$150,000. Susan stated that's not correct. Their budget is the same for 2022 and 2023. Michael Hoyt stated, focusing on District Court \$10,591 last year, \$10,500 this year back to \$10,500 in 2023. Are these the unfunded mandates that you keep referring to? Susan stated that is revenue. Michael stated point me to where the state is not funding the District Court. Susan stated District Court had to expand and create another court room. A lot of the build out was taken through Jail Sales Tax fund because it can also support County building improvements; but on top of that District Court requested additional funds to give support to the third Judge that will be coming. They still have to fund things like supplies and equipment. Their budget is going from \$316,000 to \$375,000. Judge Ward came and talked with the Commissioners and explained so if there are questions about their budget you would need to contact Judge Ward. Michael stated that he wished he could have heard Judge Ward when he presented his budget but there was no volume on this YouTube service that you are providing as a courtesy. All we heard was him standing here but we couldn't hear what he said. Michael continued there is roughly \$60,000 in unreimbursed expenses for the District Court Judge, the second one, because the state pays 91% of the Judges salary. Michael asked if that was a project that was bid out and how much was that project. Jim stated this is a budget hearing and if you have questions about how the court room was built I suggest you go talk to Judge Ward. Michael asked where the money came from for the third court room. Susan stated Jail Sales Tax funds. Michael stated we had a secret meeting in the hallway and allocated \$50,000 for a forensic audit. Susan stated that was not a secret meeting it was a public meeting. Jim stated that he appreciated his questions but it was not a secret meeting. It was a public meeting in the foyer and talked about some things. Susan stated the reason it was in the foyer is because at that time there was voting going on in this room so we had to have it in the foyer. It was on YouTube. There was a decision made to do a forensic investigation and those dollars are coming out of the general fund where they have some reserves. Michael asked so did we have to bid out that project? Susan stated that the County Attorney has authority to spend up to that amount. Jim stated it's not a bidding process that's up to the County Attorney. Clifton made a motion to close the public budget hearing. Nelson seconded. All approved. Clifton made a motion to approve the budget for 2023 to remain revenue neutral. Nelson seconded. All approved.

Clifton made a motion to approve the minutes from the previous week. Nelson seconded. All approved.

Eric Bailey requested a motion to allow him to put weight limit signs on bridges from our engineer following their study. We need to change the load limits on them per their recommendation. The following is a list of the bridges with weight limit sign changes: 23.2-H.0: post 3 ton; 15.5-J.0: post 5-9-14 east, or 5 tone; 19.3-T.0 post 4-6-10 west, or 4 ton; 17.0-Y.0 post 13-24-30 south; RS 100 post 14-18-28; RS 210 post 11-20-38; RS 230 post 10-18-20 north; RS 430 post 14-18-28 south. Clifton made a motion to accept the changes by David Beach, P.E. of Schwab-Eaton on the bridge posting changes for weight limit. Nelson seconded. All approved. We asphalted from Grand to 150 yards south of Hackberry. We are waiting on our oil to come in so we can get back at it. Our goal is to finish 215th today if possible. Yesterday one of the drivers ran over a ball of twine, didn't realize it, got up on the drive shaft and ripped some air lines and electric lines out. We are in the process of getting that back together. I would like to thank the city for allowing us to borrow a truck so we could have another truck in the fleet. We have a great working relationship with the City and we appreciate it. Bridge on Hackberry west of 245th was completed. This bridge should come off of our bridge inspection list next time around. Eric presented a mowing map to each commissioner representing the areas that have been mowed. The crusher had a radiator hose on the motor blow. We were able to remove the part with the crack and there was enough slack to put it back on for now. They are going to send us a new hose. The switch on the loader has started working again.

Susan Bancroft stated that she was meeting with the commissioners as a citizen. She has a concern at her property. It adjoins with Otie Thomas' property. When I moved into this home he told me that we had a platted road that runs between the two properties. I completed the necessary road vacation paperwork but am having trouble getting the third signature necessary. According to the statutes, it requires you to go out and do a viewing of the road. When you look at the document you can see the road runs right between us and it's a pretty steep hill where that road would be. It would cause drainage issues if a road were to ever go in there to my property as well as properties on down the road. Otie and I have been maintaining the property since I moved in. He's done it for years beyond that. I want to know what the next steps are. Otie has signed off and I have signed off but the property that joins at the fence do not want to vacate the road. They do have access in three other locations so this is not a primary access for them to get to their field. Justin stated that the application, even though it doesn't have all three signatures, can be presented to the commissioners and they will make the final decision. Lora Holdridge stated that they are working on some of the roads in the county that do need to be vacated.

Bill Martin stated that last week was stated the Super Sport got the bid on the new vehicles. Actually, Exford got the bid. I was informed when I made the phone call that cars cannot be ordered this year. Ford and Chevrolet have closed the window on ordering. I reached out to KHP and they have two vehicles; one is a K9 Charger and one is a Challenger. The K9 has 71,000 miles and the other has 59,000 miles. There is a waiting list. There is 19 agencies looking for Explorers; 25 agencies looking for Chargers; 74 agencies waiting for Durango's. That is 122 agencies throughout the state of Kansas that is on a waiting list, which is extremely large. We are looking at late spring or early summer before these start coming out. Plan B is to go to Missouri Highway State Patrol. They have none until after the first of the year depending on how many vehicles they are going to turn in. Option C is to contact Arkansas Highway Patrol and I have not received an e-mail back from them. So, today I'll contact Oklahoma. As of

today, there are no cars that can be ordered for the Bourbon County Sheriff's Office. So when you see an increase in mechanical issues with the cars you'll know why. Bill stated that the price for vehicles will increase next year. When I was talking to the Chevy representative, he said the Tahoe's would be at the high \$40's or low \$50's just for a basic police package vehicle. This is about \$7,000 more than before. Clifton asked what kind of maintenance program is in place for these vehicles. If they are breaking down all the time, why? Bill stated because they are old and worn out. Clifton stated he doesn't own a vehicle with less than 150,000 miles on it and I drive them pretty hard. I've been told there is one with a blown motor at 70,000 miles. Bill stated there were actually two motor replacements. One engine was blown and had it replaced with the dealership. The engine blew the following week. We were in arguments as to who would replace that one. Clifton asked who does the oil changes? Bill stated this is done every three to five thousand miles. The deputy maintains the vehicle as though it were their own. Clifton stated that he has seen deputies driving 100+ miles per hour. Bill asked if that had been reported to him and Clifton said yes. Clifton suggested an incentive program for the deputies to take better care of the vehicles. Nelson stated when he was a deputy he got his oil changed every 3,000 miles. He didn't want to have to drive someone else's vehicle. He stated that what he observed was the deputies took good care of the vehicles. Jim asked if there would be a benefit to have a centralized maintenance location. We use local businesses to share with those that are tax payers. Get the money back into their pockets. Bill stated that we discuss in staff meetings that each deputy is responsible for their car.

Justin Meeks requested two executive sessions. Clifton made a motion for executive session KSA 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship for possible litigation including three commissioners, Justin Meeks and Susan Bancroft for seven minutes returning here at 9:53am. Nelson seconded. All approved. Clifton made a motion to return to normal session at 9:53am with no action. Nelson seconded. All approved.

Clifton made a motion for executive session KSA 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship including three commissioners, Justin Meeks and Rob Harrington for 20 minutes returning here at 10:14 a.m. Nelson seconded. All approved. Clifton made a motion to return to normal session at 10:14 a.m. with no action. Nelson seconded. All approved. Clifton made a motion for executive session KSA 75-4319(b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy including three commissioners and Justin Meeks for five minutes returning here at 10:19am. Nelson seconded. All approved. Clifton made a motion to return to normal session at 10:19 a.m. with no action. Nelson seconded. All approved.

Susan Bancroft-CFO: No Comment

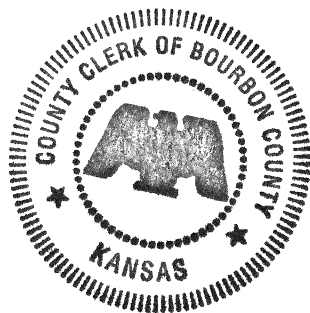
Shane Walker-CIO: I finally got repeaters from Motorola so we're going to put the one on the big tower out east for the Sheriff and EMS and then we're going to start the process of putting the new tower at Tomahawk. Replacing the 30 foot tower with a 120 foot tower and put the secondary repeater there. Hidden Valley is still an engineering issue. They are working on this middle-mile grant and I think they are going to talk to Rob in a month or so and see if we can't bring fiber in from Mildred over there through that federal grant. It will be easier to deal with the problems out there. They may be able to get it to come from Tomahawk up to Hidden Valley

and spread it around that way. We have to get the other tower put up first. It should give the radio coverage up there a huge boost.


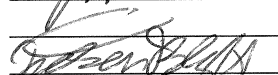

Public Comment: Clint Walker stated people are not happy with the RNR process. He gave information to Eric Bailey about a program with an 80/20 match. We need an equipment maintenance schedule for the entire county. Jim stated Public Works has a good schedule. Delwin Mumbower asked the commissioners about a burn ban county wide. He stated there had been fires recently and had to get assistance from Linn County. The fires are very difficult to stop. It's taking more personnel and more water to get them put out. Clifton made a motion to enact a burn ban for Bourbon County until further notice from Delwin Mumbower, District 3 Fire Chief with input from other districts. Delwin will be here each meeting to report conditions. Nelson seconded. All approved. Michael Hoyt handed out copies of the US Constitution to those that wanted them. Michael stated two years ago in our budget discussion the County Attorney approached you and wanted to make the position full-time and double her pay. It was approved. Give me your expectations of what full-time position in her position should look like. Michael asked if the commissioners were aware that she holds a part-time job with the City of Fort Scott, 4 – 5 hours once a month, but soon to be twice a month. Clifton stated that full-time to him means you get your job done whether it takes 10 hours or 60. If someone wants a part-time job somewhere else it's none of our business. Michael asked the commissioners to consider that she should not be working part-time at the city particularly if that is to be increased to two days per month. Clifton stated that we can't control her. She is an elected official and the citizens control her. Michael called on the voters to speak in November. Lora stated she was here in the capacity as a tax payer. She stated that the County Attorney may not need to be here due to Judge not being here. I know she takes her work home. There weren't a lot of attorney's that applied for the County Attorney position. If she is getting the job done and no one else applied.

Commission Comment: Nelson stated that he feels the County Attorney is doing a good job. Clifton stated he hopes the citizens are happy that we stayed revenue neutral. We didn't raise taxes. Jim stated that Susan worked hard on the budget and hopes the citizens appreciate it.

At 10:38 a.m. Clifton made a motion to adjourn. Nelson seconded. All approved.



ATTEST:

THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS
 , Chairman
 , Commissioner
 , Commissioner

Ashley Shelton, Bourbon County Clerk
9-27-22 , Approved Date