

January 17, 2023,

Tuesday, 9:00 a.m.

The Bourbon County Commission met in open session with two Commissioners (Jim Harris and Nelson Blythe) and the County Clerk present.

Clint Walker, Anne Dare, Jason Silvers, Patty Ropp, Michael Hoyt, Lora Holdridge and Mendy Shoemaker were present for some or all the meeting.

Nelson Blythe made a motion to approve minutes from last week. Jim seconded. Both approved.

Clifton arrived for the meeting.

Clifton asked about accounts payables. He questioned an entry on 1/13/23 for Ascension Via Christi for \$2,875.00 and there are 3 SANE exams and 2 attorney contracts and then we are charged the same thing by CHC for \$1,450.00 for the same charges. He also questioned a \$5,000.00 charge for the engineers for the north sidewalk project. The engineer stated the charge was for the design, development, bidding and contract preparation and advertisement. Ashley stated she would look into it and get back with them.

Eric Bailey stated they are back working on the north sidewalk. Our plan is to stay with it until we are done. It looks like next week will have frigid temps coming. We are going to try to do all of the sidewalk in one pour, gutter in one pour and the parking in one pour. Schwab-Eaton is doing 19 interim bridge inspections. They will be here today to pick up the files. Just wanted to let you know in case someone calls and says why is someone out looking at our bridges. It's time for our 5-year solid waste plan update. It's due May 15<sup>th</sup>. I've reached out to Ag Engineering and they're going to help us get that finalized and get it turned back into KDHE. We went last week to Nashville for crusher training. Very informative training. We got to do some hands-on and built some relationships with other individuals that own the same crusher. We are making some adjustments on our machine today and we'll be crushing at Beth Quarry the latter part of this week or early next week. Jim asked about the surplus. Eric said it is dwindling, but still have some. Eric asked permission to sell our old crusher and our screen plant and our screen machine producer. I would like to sell that on Purplewave and the funds that we receive out of that I would like to apply that towards a belly dump and a truck for the belly dump. Clifton made a motion to allow Eric to sell the old crusher and screens 4043T Crusher, 2011 Spyder Screen Plant and 2007 Screen Machine Producer and to sell it as his discretion. Nelson seconded. All approved. Nelson asked how much money to expect from the sale. Eric didn't know. Jim said he should get enough for the truck and belly dump but not much surplus. Eric stated there has been some local 40-state area interest that have called and asked about it. Eric stated they are doing some ditching out by the National Cemetery. Going to be working on a project out at the Industrial Park from Liberty Bell and Jayhawk going south all the way down in the Niece area we have some silted-in areas that need to be cleaned out. I have a meeting with the property

owner at the corner of Jayhawk and Liberty Bell right-of-way. The issues are kind of iffy and wanted to meet with them and make sure they are all on the same page and ask for their blessing as part of it is on their property. I want to get the corner cleaned up, get the trees out of the water way and get it opened up so the water can move more freely. Jim asked Eric to provide him an updated grader maps.

Matt Quick - NRP Program: Clifton suggested \$5,000 - \$7,500 for residential at 95% for 10 years or 95% for 5 years and step-down to 10 years. Jim asked what Matt recommended and Matt stated he was ok with it the way it is because it is making people put an investment into their property. Clifton made a motion to change the NRP program, just the residential, to \$5,000 and 95% for 10 years from what it is today and leave the commercial at 10 years for \$15,000. Nelson seconded. All approved. Clifton made a motion to allow Chairman Harris to go with Matt Quick to the other taxing entities to go along with the change. Nelson seconded. All approved.

Lora Holdridge reported on the survey reviews. We received a letter from our reviewer that stated he would be raising rates and I believe Frank had addressed the commissioners about the time that it takes to get a survey from getting it reviewed, by the time they get it done, Jim our reviewer asked us to keep track of them, collect the review fees and that way he only has to get two checks a year. We keep track of them, get them to him and by the time the mail back to him and then back to the survey company and then back to us it's probably 9 mail days sometimes 12. There was several years ago that we could have opted out of having a review. Bourbon County at that time decided to stay in with the review. There are a lot of counties that opted out of the review process, but Bourbon County did not. We are running out of surveyors because they have to have certification. Frank from Ag Engineering would like to receive those fees sooner because they pass those along. Nelson asked what is the survey. Lora stated James out of Mound City or Parker, KS but they have someone review their work. Ninety percent of counties opted out due to time. They are certified we should be able to trust them and not have to have their work reviewed. Frank from Ag Engineering stated they check for errors & closing calculations in work. Frank would like to have other counties reviewed for each other and would cut down on time to allow them to use other reviewers. I'm not trying to get out of the review process. I'm trying to get out of your review process. You have restricted us to a certain guy who isn't around here and the mail is killing us. We've had stuff lost in the mail. We tell clients two to three weeks. We would like it to be our choice where we got with it because there are people closer. Clifton made a motion to opt out of the individual reviewer and allow Ag Engineering to choose their own. Nelson asked how many counties have opted out of the process altogether. Lora stated 15 out of 21 counties are completely opted out. Justin stated Ag Engineering has been an asset in our community for a long time and I would do whatever he suggests. Frank stated the review does catch an error once in a while. Frank recommended to still do the review but at our discretion. Jim seconded. All approved. Lora will send a letter to surveyor letting them know the new process.

Jim announced organizational changes. Jim stated this information is being presented as a motion. EMS Director will report directly to the commission. The CIO will have a title change to COO and will be in charge of custodial and building maintenance. We are going to put together a 10-year plan and hopefully save this building. We haven't done a lot since I've been here which is the commission's fault. Transferring to the CFO is Human Resources, benefits, employee onboarding, liability insurance and workman's comp. The CFO will report directly to the commission. Our Emergency Management person retired, and we are splitting those duties between COO and CFO. COO has been deputy for 10 years. The COO will be assisting in grant writing and paperwork. Brian Allen will be the active Emergency Preparedness Director which will be certified through the state and will continue on and he'll do a great job for us. This will be a part-time position and will continue his duties in IT answering to the commission. Nelson Blythe seconded. Justin stepped up and suggested they look at payroll with the changes in the Clerk's office and everything going on with that you might want to think about taking that at this point. Ashley stated she has submitted her letter of resignation as the county clerk. My staff has also taken other jobs. We are currently training someone for accounts payable and payroll so if you are going to change that we would need to redo that as she trained last week. Jim stated he hated that she was resigning but that he understands. Justin stated statutorily Accounts Payable can not be taken from the clerk. Justin stated that the commission could wait for February to discuss payroll. Clifton clarified that Brian Allen will still be doing his other duties as well as part-time Emergency Management. We are saving quite a bit of money by doing it inhouse. All approved. Jim asked if the commission wanted to talk about payroll now or wait. Nelson stated he felt it important if no one was going to be in the Clerk's office to talk about it now. Ashley stated someone had been hired to do Payroll/Accounts Payable. Justin stated he felt there should be an executive session as Ashley would be revealing who the person and if they're qualified to do the job. Clifton made a motion to amend the agenda to add an executive session. Nelson seconded. All approved. Clifton made a motion to go into executive session KSA 75-4319(b)(1) to discuss personnel matters of individual nonelected personnel to protect their privacy for job performance, job abilities including 3 commissioners, Ashley Shelton and Justin Meeks for 10 minutes returning here at 9:49am. Nelson seconded. All approved. Clifton made a motion to return to normal session with action. Nelson seconded. All approved. Clifton made a motion to move payroll along with the other duties mentioned previously to the CFO. Nelson seconded. All approved.

Nelson requested that the commission meeting on February 21<sup>st</sup> be rescheduled to February 24<sup>th</sup>. I will be out of town. Clifton stated that he works on the 24<sup>th</sup>. It was determined that the meeting would remain on February 21<sup>st</sup> at 9:00am.

Susan Bancroft - CFO: We met with the second broker that was local. They basically have the same services. The local broker has committed to not taking any commission for a year. The advantage of the local person is they are right here. The other one is in Pittsburg. Jim made a motion to use the local broker for consultant on analyzing our insurance possibly moving, leaving the state, possibly not but utilizing a

local person with no fees I appreciate that. Nelson asked about the no commission for a year. Susan stated he wouldn't get it anyway because it's a state plan. Your first year will be analyzing all your plans. What you could move immediately is some of our ancillary products that we have just to get us on one group, but the problem is the state provides a lot of that. He has discussed if we have a certain group that we've worked with for a really long time that he would forgo taking the commission. Nelson seconded. Clifton states the commission is around \$60,000 so to say he is not taking a commission the first year is no different than any other broker. It's not a benefit at all. If he wants to do that for the next year and put that in writing and guarantee that; that's the only way I would do it. Nelson asked if the local option is going to be any more expensive than the Pittsburg option. Susan stated it's kind of the same. Some of the things the other people were willing to do is really get involved in the employee benefit navigator which is an online platform that really helps us if we go off the state plan. If we go off the state plan the employee benefit navigator platform is going to be very important for us when we're doing 1094 and 1095 reporting. They were willing to try and help us figure out a feed into our current payroll system. I asked Don if he was willing to do that and they do have people that will also help in that perspective as well. Clifton stated I don't like the idea of someone saying something when I know that that's... I want to see it in writing and I want it for next year, not this year. Jim stated that three years ago this agent worked with us and told us that we should stay with the pool. If we stay with the state pool there is no commission for anybody down the road. Susan affirmed this. My opinion, an out-of-towner it's to their advantage to move us. That's where the money is going to come in later. The local agency already told us once not to move so that agency is not doing it for the money and I'm saying the other one would either but there's no advantage for them for us to stay with the state pool. Susan stated we don't look at it from a cost savings perspective also, we have to look at the entire picture of how this is going to effect our employees; are they going to get a lot less benefit if we move out. We want the least disruption for our current employees. Susan stated she would work towards getting him to do a second year if we were to move from the state plan. Jim and Nelson seconded. Clifton abstained. Susan stated that Nelson had asked her to explain the State of Kansas Food Sales Tax Reduction. When you go to Walmart you will notice to sales taxes on your receipt. Anyone who sells food for human consumption are being taxed differently. A portion of that gets a reduction over the next three years in the State sales tax. Your local sales tax stays the same. I'll try to get this information up on our website so people can refer to it.

Shane Walker - CIO: Shane stated he was bringing Lora Holdridge and Matt Quick in to go over something. Over the weekend it was brought up that mapping is not important for our county. All roads have to be in the 911 system. If they are not accurate and your wife has a heart attack and you call and we have a paramedic who moved here from Georgia. If those maps don't work, you know what happens. Matt uses them for taxes. That's how we decide where property lines are, that's where we decide we have roads. All of that ties together and then goes into Public Works. The maps are an actual live database. Jim stated he hoped the person who made the comments don't understand the importance of maps and will ask questions. What

Lora is doing is very important for you guys to make decisions on what you want to do with the roads to save money.

Justin Meeks - requested an executive session. Clifton made a motion to move Justin to the end of the meeting. Nelson seconded. All approved.

Public Comment: Clint Walker stated that 911 is very important. When deciding on roads and when and what to fix is important. GPS does not always work. Anne Dare asked if the organizational changes are effective immediately. Jim stated yes. Anne asked if there will be something available through KORA. Clifton stated the information would be in the minutes. Jim stated as soon as the other two approve this document under my time you can have a copy of it. Clifton stated there is no formal document. Anne wanted to information to better understand everyone's job duties. Mandy Shoemaker from the Bourbon County Conservation District. I've been with the district for 10 years. We've always sent invitations to you to our annual meeting to help guide you guys on what we do, who we are, where the money is being spent and present our budget. The board wanted me to come today and invite you to our annual meeting which is Saturday, January 21<sup>st</sup> @ 5:30pm. Bill Martin presented a letter to the commission from the attorney representing the sheriff's office regarding the audit that was done or issued to the county attorney last year in July. That is his response. We are requesting to be on the agenda for next week. He was unable to make it today. Bill asked if he could have a copy of the letter returned to him once it is date stamped in her office. Mark McCoy stated that for the last 6 ½ years I have been in and around the facility supporting and working with Will Wallace. I have been privileged to be on multiple exercises with him. I stand ready to help Brian Allen in any way I can. I believe you picked a very solid person who is very committed to Bourbon County and doing the right thing. Anything I can do to support him I'm happy to do. Mark also stated that he received a letter on January 12<sup>th</sup> being notified by the County Clerk that she would be resigning effective February 3<sup>rd</sup>. At that time I notified the executive group in the Bourbon County Republic Party that we would need to be convening a caucus for the purpose of appointing someone to the governor for their approval to replace the County Clerk. That meeting will be conducted on the 26th of January at 6:00pm at the Empress Center. All of the precinct people in Bourbon County, there are 18 precincts with two precinct people per area, there are 36 potential voters that will vote on candidates. I'm saying that we need professional individuals who are interested in this. So, any and all individuals interested in being considered for this position can e-mail me or can call me. My e-mail is [markmonhmany@yahoo.com](mailto:markmonhmany@yahoo.com) or call or text at 620-719-7841. The Bourbon County Republic Party is very familiar with replacing Republican individuals have been in office. We have done that twice for our County Attorney. We have done that for our County Clerk. If any of the 36 voters cannot be there, they must submit a proxy form. We will have a credentialing group at the table so the person must have their proxy. If you are one of the 36 voting people and you cannot be there you can give your proxy to another committeeman or committeewoman; however a committeeman or committeewoman can only bring with them two additional proxy forms. The form cannot be given to me. It must be given to an in-place committeeman or

committeewoman. Marked continued by explaining the process for appointment. At the 13th Congressional District that we are part of there are 11 precincts in Bourbon County that make up the 13th Congressional District. Our Senator Richard Hildebrand resigned and his position must be replaced by the 25th of this month. This Sunday the 22nd Crawford County, Cherokee County and 11 of the precincts within Bourbon County are called to a convention in Cherokee County at the Columbus High School at 3:00pm. We will be nominating an individual to go to the governor who will be appointed as the new State Senator of District 13. Michael Hoyt stated that on December 27th during our winter event I was driving out on what I call Condensery Rd, I think it's 235th and between Osage and Poplar I ended up in the ditch on the west side tail in. I want to compliment every single, with the exception of two, vehicle that passed me by in the 3 1/2 hours I sat there in the ditch that stopped and asked if they could help. Here are the two exceptions. The two County vehicles that went by. They weren't doing anything. Triple A was not able to locate me. I gave them my exact location. I finally told them who to send out and he was there in 5 minutes. A young gentleman came by, don't know his name, but I thank him for pulling me out of the ditch with a chain that he had. Come to find out it had pulled one of my tires off and so I had to be towed. I want to share with you a picture of the location. I slid off just forward of this culvert. If I had ended up on the culvert it would have been a roll-over. I think there should probably be a guard placed there. I don't know what that standards are, what's the drop-off for a guard but there should be a guard there. The big concern is do we have adequate Wi-Fi or adequate coverage, I was in the ditch, I could talk to them but they couldn't find me. We're talking about GPS upgrades and mapping and all of that; didn't do me any good. I wasn't bleeding or anything so I didn't feel it relevant to call 911. I called Triple A first. I was my problem. So, I fixed it. Michael stated we've had two sections of an employee handbook that had been made public and I'm curious as to why you would start from scratch. The Kansas Association of Counties, the League of Municipalities all have a word document that we could take as a framework and doctor up, change up to meet the county's needs. Why are we starting from scratch. Justin stated the Kansas Association of Counties handbook was integrated into ours, best practices, we took a look at that, if you look at it, it mirrors it on some levels. I think the reason we are going through each section is to give the elected officials and department heads the ability to have input and see if we have any changes that would effect Bourbon County employees specifically. The Clerk is a big part of it so we'll have to start with the new Clerk and get everybody up to speed. Jim stated he appreciated the department heads looking at it. Michael stated in the restructuring that you are doing we need to make sure we understand where our checks and balances are. If you're moving the payroll position over here where is the check and balance. Who will reconcile the payroll account. Just like Ashley does with the Accounts Payable account she may write the checks but someone else reconciles the account. Is that correct? Ashley affirmed. We need to make sure those things are defined so that we as the public know where our checks and balances are. Jim stated he agreed. Patty Ropp stated regarding the Wi-Fi that the location Michael Hoyt was referring to was right in front of their house. The Wi-Fi is spotty in that area. We have trouble in our house more than we do outside. Clifton stated he thinks we are using incorrect

terms. Cellular is not Wi-Fi and we have nothing to do with that. Michael stated he didn't agree with the statement because we just spent a bunch of money to upgrade Wi-Fi with ARPA funds. Shane stated that when you call dispatch on a cellphone; on a landline it can trace it, on cellphone it triangulates it with three different towers. If you are in an area where there are not three towers that can hit it; it tries with two. It can get you into a relative area but it can't pinpoint. The stuff we are talking about with ARPA funds is for radio repeaters for the sheriff and EMS. We haven't even begun to put those repeaters in yet. If you call 911 and there are only two towers it can't triangulate your exact position and in our county where we don't have that many cellphone towers it will be spotty. Michael stated it was Triple A's fault not the county.

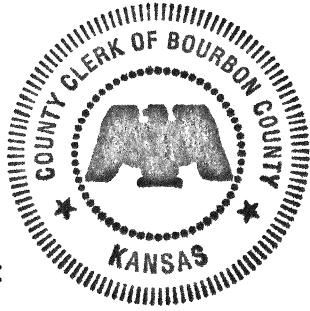
Commission Comment: Jim reminded everyone of the townhall meeting at the Empress at 6:00pm on January 25<sup>th</sup>. All three commissioners will be there. We have invited REDI to be there and inviting one of the realtors to be there. We are going to spend a little time talking about the housing assessment. Mark McCoy will moderate it for us to make sure we stay on track on time. We will open it up to question and answer. I invite any other governing entities to be there. We want the public to be there. Jim also stated that Bourbon County Commissioners got a letter from Karen Endicott-Coyan resigning from the Pawnee Trustee position for personal reasons. Jim asked the other two commissioners to review and approve a letter that would be sent to all department heads regarding reorganization. Nelson and Clifton agreed to the document. Jim stated that document is being given to the County Clerk and will be available to the public. Jim stated that he is excited about Shane, Lora and Matt working on the maps. I don't know who put that on Facebook but they need to come forward and have a learning session on what those maps are used for and how important they are. I would also like to say publicly that I've enjoyed working with Ashley and I hate to see her go. I understand some of her points. God bless her.

Jim requested a 5-minute break.

Clifton made a motion to allow us to attend the Republican Party meeting on the 26<sup>th</sup> at 6:00pm together. No county business will be conducted. Jim seconded. All approved.

Justin Meeks requested an executive session for 7 minutes for attorney-client privilege for possible litigation. 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 litigation for 7 minutes returning here at 10:44am including 3 commissioners and Justin Meeks. Nelson seconded. All approved. Clifton made a motion to return to normal session with no action. Nelson seconded. All approved.

At 10:45am Nelson made a motion to adjourn. Clifton seconded. All approved.



ATTEST:

THE BOARD OF COMMISSIONERS  
OF BOURBON COUNTY, KANSAS

[Signature], Chairman  
[Signature], Commissioner  
[Signature], Commissioner

Ashley Shelton, Bourbon County Clerk  
1-24-23, Approved Date