

January 20, 2025

Monday, 5:30 p.m.

The Board of Bourbon County Commissioners met in open session with Commissioners David Beerbower, Leroy Kruger, and Brandon Whisenhunt and County Clerk Susan Walker present.

Clint Walker, Rachel Walker, Pete Owenby, Monte Carriker, Kitty Carriker, Jean Tucker, Don Tucker, Jessica Handly, Jerrod Handly, Becky Brandon, Roxy Gregg, Shayla Snyder, Teri Hulsey, Lora Holdridge, Michael Hoyt, Mary Pemberton, Jason Gorman, Katie Casper, Sheena Parks, Kyle Parks, Anne Dare, Ryan, Brian Allen, Sheriff Bill Martin, Kevin Allen, Josh Jones, Elizabeth Bonner, Eric Bailey, Kevin Davidson, Luke Demko, Jason Bielenberg, Matthew Bonner, were present for some or all of the meeting.

Brandon called the meeting to order and led the flag salute. A prayer was led by David Beerbower.

Leroy made a motion to approve the addition of Susan Walker to the agenda before the salary resolution discussion. David seconded the motion and all approved.

David made a motion to approve the agenda. Brandon seconded the motion and all approved.

David made a motion to approve the minutes from January 13<sup>th</sup>, 2025. Leroy seconded the motion and all approved.

David made a motion to approve the consent agenda which includes approval of 2024 accounts payable totaling \$84,912.79. Leroy seconded the motion and all approved.

David made a motion to adopt Resolution 09-25 Commissioner Code of Conduct, Resolution 10-25 Meeting Rules of Order, Resolution 11-25 Rules of Decorum for Public Forums. Leroy seconded the motion and all approved.

County Clerk, Susan Walker, made a statement regarding the history of her position and why she ran for County Clerk. She discussed the various deficiencies she corrected while working in the CFO capacity. She discussed the history of raises during the two years she worked in the CFO capacity and that the elected officials had not been given a raise since 2020. She asked the commission what capacity they wanted her to serve to them.

Leroy apologized to the public for acting hastily during the last meeting regarding the salary schedule. Leroy made a motion to repeal the salary resolution 06-25. David seconded the motion and all approved.

Leroy led discussion stating he had many calls, email and texts regarding the salaries approved at the prior meeting. He stated he wanted to see anyone not at the \$58,600 be brought up to at least that amount so that if the Department of Labor does pass the overtime ruling the commission would be ahead of the game and not have to pay back wages. He recommended holding off on any raises for anyone else on the schedule and revisit it in a year. David stated that he did some research and in 2019 there was an increase in the wages for the County Clerk and County Treasurer up to the \$47,248 amount and the register of deeds was making \$44,821. He further explained that the Register of Deeds was bumped up to the \$47,248 in 2020 for doing road records. The previous commission had the opportunity to increase these wages. He said that the average in corporate offices was about 4% each year. If that had been honored, they would be around the \$60,000 mark but those commissions did not make those raises. He recommended that the commission only give a 4% raise at this time. He wanted more discussion on the extra duties. David said he could only find one statute that required the pay for extra duties and that he did not understand why Leroy was appointed to deal with HR issues. Leroy shared that he was just aware of needing to be involved in the disciplinary process with employees. David asked that the extra duties be tabled for further discussion.

Leroy shared that he had called other places and most of them pay for the extra duties. David discussed the extra duties for the clerk for budget, payroll and benefits and asked who was performing these duties in the past. Susan Walker, County Clerk responded that she was performing those duties as CFO for the past two years as well as the budget. David asked if those duties were part of the previous clerks' duties. Susan responded that as she had explained earlier that there had been a lot of problems in those areas in the past that she had to correct. Brandon expressed they may need to investigate what it would cost if the clerk were not performing these financial duties that was costing the county \$95,000 before on top of her duties as clerk. The only elected official that can do those duties now is the clerk and she is willing to continue those duties for \$10,000. Leroy expressed that he did not think that there would be anyone that would be willing to do those duties that cheap. David further brings up the election officer pay and whether it was included in the election budget. Susan explained it was already included in the 2025 election budget. Lora Holdridge, Register of Deeds asked to speak about the road records extra duties and that she had never received a raise for those duties. Pete Owenby asked what other counties around us were paid and could that be used as a guide on what these positions should be paid. Brandon said he asked other counties what these positions were paid and found that we are thirty to forty thousand dollars behind other counties and some of those counties are half our size. Brandon stated that if they want the best people in the job then we should pay them appropriately.

Susan Walker shared that comparable counties wages for clerks, treasurers and register of deeds was provided at the last meeting to the commissioners. David asked if we could gradually make these adjustments and work towards getting everyone raises. Nick Graham shared that he felt David had a solid idea but if you gradually bump these positions, you will still be behind other counties four years from now. Lora Holdridge shared that the previous commission had not put a salary solution together for the past four years. Leroy expressed that they inherited a broken system and should be fair to the employees and public. David asked what they were

getting for \$10,000 pertaining to the budget and that he would pay more to get a fresh set of eyes on the budget like the Sheriff did. David felt it needed further discussion and that the auditor would cost \$6,500 but would entertain fresh eyes and they dissolved the CFO position for whatever reason and would like someone else like Baker Tilly do the work. Brandon expressed that he is fine for the base being \$60,000 and paying the \$10,000 for payroll benefits and budget. Brandon said that over the next few weeks they should look into the budget and see where there is wasted spending.

David made the motion to set the salaries for the County Clerk, County Treasurer and Register Deeds at \$58,600 and the County Commission, Sheriff and County Attorney remain the same, accept the motor vehicle duties at \$10,000 for the Treasurer's office, accept \$5,000 for road officer for the register of deeds and \$10,000 for election officer for the County Clerk and an adjustment of \$6,000 for payroll and benefits and table the amount of compensation for budget to be discussed at a later date. David wanted a fresh set of eyes on the budget. Motion dies for lack of second.

Leroy made a motion to set the salaries for the County Clerk, County Treasurer and Register Deeds at \$60,000 and the County Commission, Sheriff and County Attorney remain the same, accept the motor vehicle duties at \$10,000 for the Treasurer's office, accept \$5,000 for road officer for the register of deeds and \$10,000 for election officer for the County Clerk and \$10,000 for budget, payroll, and benefits. Leroy expressed they could discuss later someone separate to look at the budget. Brandon seconded the motion. David voted no and Brandon and Leroy voted yes.

Leroy made a motion to take a five-minute break. David seconded the motion and all approved.

Brandon, Leroy, and David reviewed Resolution 07-25 that was approved on January 13, 2025, with changes and signed the resolution.

Brian Allen, Emergency Manager asked if they commission had any questions regarding Resolution 08-25 for Floodplain Management Revision to Regulations. Brandon made a motion to approve resolution 08-25 and David seconded and all approved.

David made a motion that in lieu of a work session that he meet with Eric and his staff to go over road plans and come up with other ideas and bring back to the board for discussion. Eric stated he was good with whatever they board wants him to do. Eric checked with the Sheriff's department about the accident discussed at the last meeting and found they were not dispatched but fire and EMS were dispatched to the scene. He asked the commission that if they know of things like this to please let him know so he can go address those areas. Brandon seconded the motion and all approved.

JD Handly addressed the commission and said do not ever think the small stuff is not noticed. You take your hats off during the meetings, sit up in your chairs and do not click ink pens and

that brings professionalism back to this table that everyone wants to see. Each elected official has the opportunity to decide if they want to be a politician or a public servant. He encouraged that before making decisions that they ask their self the question is their decision made based on being a politician or a public servant. Ask yourself the question are the decisions you make in the best interests of the citizens of Bourbon County. He believes that the citizens of the county are tired of politicians and the result at the last election confirms that belief. Visions are goals are important, but purpose is more important. As a public servant the primary goal should be to bring unity to back to this county. He expressed that Bourbon County does not need any enemies as we already have enough right here and the way we treat one another reminds him of a chicken house full of roosters constantly fighting and tearing one another apart. Leaders should lead by example, and you should treat each other and others with respect even when you do not agree on subjects. He asked that other elected officials and members of the public treat this commission with respect and work together to for what is best in this county. Facebook is not the place to communicate with our elected officials and has been used to create division and it is embarrassing to our community. Thank you for volunteering for this position and thank you for bringing God back into this meeting.

Zach Ross expressed that he understood that a new position was brought into the Sheriff's office and this position was position for an advisor to the Sheriff's office. This was concerning to him as he felt deputies were underpaid. He filed a KORA request and wanted to pass the information out to commission showing the hourly rates and positions in the Sheriff's office and there was a new position that had been created that was paying \$21 for a Sheriff advisor. He also had concerns with the hiring of a financial advisor. He asked Bill Martin, Sheriff to step in on the conversation and was the position for Brian Murphy and advisory role. Bill entered the meeting and joined the commission at the table and stated he had the authority to give his employees a pay raise as he sees fit. Bill explains that Brian Murphy is the former sheriff of Allen County Sheriff's office and brings more than 30 years of experience to his office. Bill went on to explain Brian knows how to deal with commissioners, the public, budgets, and personnel. Bill expressed that there is nothing wrong with Brian coming into assist and that it says that he is failing as Sheriff. He stated that many elected officials have advisors at the state and federal level and that is his choice. Bill explained he will still take calls and be on the road and would appreciate that he come him the next time to discuss these matters in private and he is very disappointed. Zach expressed he had been Sheriff for a long time and has been in law enforcement for at least 20 years and that we need to look at our spending. With the hiring of Brian at \$21 per hour and a financial advisor we are looking at around \$80,000 and Zach wanted to know why were hiring these positions when deputies are grossly underpaid. Zach shared that when he was employed with the Sheriff's office, they were told there was no money for raises and he wants to know why we would spend the money on the items discussed. Bill stated that if he goes over budget for raises that he is not responsible for it and someone else will have to take responsibility for it. Bill states too bad he got stuck at \$60,000 but he will keep his head up and roll on and told Zach that the next time he needs to come discuss this with him and if he does not like he can come back to the commission. Zach shares that the Sheriff has ten people and four of them are advisors. Bill states what difference does it make if they have the title as advisors that he could call them Micky Mouse if he wanted.

Brandon asked Bill if he had a set salary schedule for his deputies and Bill stated they are in steps.

Nick Graham approached the commission to discuss that the first meeting may not have been the best in Bourbon County history, but he is glad they were finally here and take the last week as a learning experience. He expressed that he felt that for the first time in Bourbon County History that each of the commissioners sitting at the table were there for the right reasons. Nick explained they will take their slings and arrows on social media but most of those people do not ever darken the door of the commission meetings. Nick has faith that they have the fortitude to tackle the hard decisions and thanked them for their service.

Brad Matkin, City Manager invited the commission to attend a joint City County work session on Thursday, February 6, 2025, at 5:30 at Memorial Hall. He explained that they have tried to do this in the past, but it failed due to egos. He invited the County Commission, County Clerk, Appraiser and who ever else they think should attend. Brad handed out an agenda for topics to discuss.

Shalya Snyder approached the commissioners asking where the commissioners stand on the Pike Reservoir project. Brandon expressed that the edge of that lake would be less than a mile from his house and he did not want his taxes going up. He is 150% against the project. Leroy state he does not know enough about it to speak on it. David stated he got a t-shirt and got behind the no-pike lake agenda and he felt it was not handled appropriately. David did not like that there was a cemetery that would be affected. There is a new bill that Mr. Shallenberger has presented that helps their no pike lake agenda. David stated he believes in due process.

Michael Hoyt addressed the commission and asked for the podium to be put back in the room. He wanted to make a full disclosure that he paid his own way to the recent meeting in Topeka that Brandon and David attended. He stated that they had good collaboration with other counties and had asked Pottawatomie County had just gone from three to five commissioners and their consensus was they liked the change. Michael asked Shane Walker, COO if the maps were completed. Shane explained the maps were completed and that the commission would need to vote on legal descriptions when we received them from SAM. He also stated that he would be meeting with the Secretary of State's legal counsel on Wednesday to determine when the elections must be held. Michael suggested to the commission that instead of asking for permission to have a special election that the commission should ask for forgiveness. Michael expressed it was overwhelming approved by the citizens of this county to go from three to five commissioners and it is time to act on their wishes.

Pete Owenby did not have anything further to add except that he was curious as to when the vote would happen.

Under new business the Brandon made a motion for the commission to go into executive session for K.S.A. 75-4319 (b)(3) for county counselor candidate Matthew Bonner for ten minutes. Leroy+ seconded the motion and all approved.

Brandon made a motion to return from executive session with no action. David seconded the motion and all approved. The commission returned to the County Commission room at 7:36 PM.

Brandon made a motion for the commission to go into executive session for K.S.A. 75-4319 (b)(3) for county counselor candidate Jacob Bielenberg for ten minutes. David seconded the motion and all approved.

Brandon made a motion to return from executive session with no action. David seconded the motion and all approved. The commission returned to the County Commission room at 7:49 PM.

A representative of Kingbird Solar, Advanced Power spoke to the commission about terminating the Development Agreement, Decommissioning Agreement and Road Use & Maintenance Agreement signed by the previous administration and start fresh with the new commission. David clarified that these agreements were just with Bourbon County and not landowners. Brandon made a motion to terminate the Development Agreement, Decommissioning Agreement and Road Use & Maintenance Agreement with Kingbird Solar. David seconded the motion and all approved.

Susan Walker, County Clerk told the commission that a representative from NextEra would like for one of them to contact them regarding next steps for discussion. David asked Brandon to be the solar contact and they all discussed that they would wait until a later date.

Leroy made a motion to amend the agenda to add an executive session for K.S.A. 75-4319 (b)(3) to discuss the hiring of a county counselor for ten minutes. Brandon seconded the motion all approved. The commission returned to the County Commission room at 8:07 PM.

Brandon made a motion to return from executive session with action. David seconded the motion and all approved.

David made a motion to hire Jacob Bielenberg for county counselor pending financial agreement contract. Brandon seconded the motion. David and Brandon voted yes and Leroy+ voted no.

Susan Walker, County Clerk presented the end of year financial preliminary report and asked that the commission make a motion to approve the transfer expenses from the Sheriff's budget to the general fund to avoid cash violations. Brandon made a motion to approve the transfer of expenses to the general fund from the Sheriff's fund. David seconded the motion and all approved.

Susan stated that the election fund, road and bridge fund, landfill fund and sewer repayment fund did not meet their targeted cash carryover amounts so their budget will need to be reduced accordingly in the 2025 budget year. She explained the cash report to the commission

that they will receive each month and what funds they control. She explained they can transfer any leftover funds in the motor vehicle fund to the general fund at year end.

Brandon made a motion to transfer motor vehicle cash carryover to the general fund. Leroy+ seconded the motion and all approved.

Susan explained that she had to move expenses for appropriations for mental health to the general fund due to delinquent taxes during her end of year review and not having enough revenue to cover the appropriation. She also stated that Tri-Valley appropriation will need to be amended in 2025 to distribute the excess tax dollars received in the fund. A budget amendment will need to be completed in 2025.

Susan explained that the appraiser had exceeded his budget due to excess unexpected payments of NRP refunds. She also reviewed the process for NRP and the 5% administration fee that should be going into the appraiser's fund that should be determined by the Appraiser and County Treasurer and that it had not been allocated since inception. She explained this needed to be done so the appraiser is getting credit for the administration of the program. Something is not set up in the CIC system and should be fixed. She also discussed the emergency services sales tax and how the sales tax funds must be administered. Leroy let the public know that the signed agreement was on its way. Michael Hoyt asked if this was a conflict with the ballot question. Susan explained that the contract states that all sales tax funds will go to Freeman. Michael asked how we would rectify this discrepancy to the commission.

Susan further goes through the budget reports and explains all of the departments that exceeded their budget for 2024.

Susan asked that the commission reallocate expenses for \$5,000 from Appraiser expenses to the General fund. Brandon made a motion to reallocate \$5,000 from the Appraiser fund to the General fund. Leroy+ seconded the motion and all approved.

Susan asked that the commission reallocate expenses for \$20,000 from the Sheriff's budget to the General fund. Brandon made a motion to reallocate expenses for \$20,000 from the Sheriff's budget to the General fund. David seconded the motion and all approved.

David made a motion for the chairman to sign financials once Susan finalizes the end of year for 2024. Leroy+ seconded the motion and all approved.

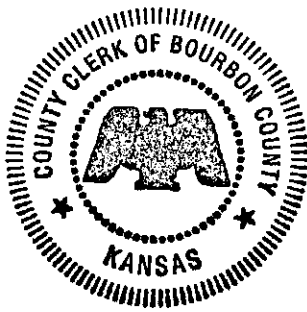
Leroy addressed the commission about meeting with Freeman last Friday at the hospital and all contracts are signed and in the mail for Bourbon County. Freeman is excited to be here, and work is on the way.

David received contact regarding the Southwind Extension Service, and they have some concerns with regards to some of the movement of the offices here in the courthouse. They advised that they have a written agreements and it comes due in July. Shane Walker, COO

explained that we had been in discussions with them that we have two alternate options for them to be housed. David stated they had concerns with being moved as they like it there and prefer not to move. David stated that this board should be kept apprised of any changes or concerns.

Brandon made a statement asking the community to show them some grace as they learn this new roll as county officials. He promised to lead this county into the future and make it better.

Brandon made a motion to adjourn the meeting at 8:41 PM. Leroy seconded the motion and all approved.



THE BOARD OF COMMISSIONERS  
OF BOURBON COUNTY, KANSAS

[Signature], Chairman

[Signature], Commissioner

[Signature], Commissioner

ATTEST:

[Signature]

Susan Walker, Bourbon County Clerk

1/27/25 Approved Date