

COMMISSIONER PROCEEDINGS

October 7, 2019

- Call to Order: The regular meeting of the Lincoln County Board of Commissioners was held in the commission meeting room of the courthouse Monday, October 7, 2019. Chairman Alexis Pflugh called the meeting to order at 10:00 a.m. with Vice-Chairman Randy Lohmann present and James Gabelmann absent. County Clerk Dawn Harlow was in attendance as the recording secretary.
- Visitors: Others present for portions of the meeting: Cynthia Nelson, Norman Mannel, Sharon Dohe, Howard Wehrman, Brendan Mackay, Gordon Krueger, Sheryl Budke, Larry Enfield and Jason Staab.
- Correspondence: Correspondence: letter from Cummins, who services the nursing home generator, that they have closed their Colby location; letter of support for Transportation Bus grant application and authorized signer for the grant and bills for Lincoln Park Manor.
- Resolution 2019-15: Randy Lohmann moved to approved Resolution 2019-15, authorizing the transfer of funds in the amount of \$46,969.12 from the Road Fund to the Special Highway Improvement Fund, seconded by Alexis Pflugh. Motion carried.
- Voting Delegate: Randy Lohmann moved to nominate Alexis Pflugh as voting delegate for the KCAMP annual meeting, seconded by Alexis Pflugh. Motion carried.
- Minutes Approved: Randy Lohmann moved to approved the minutes for September 30, 2019 as corrected, seconded by Alexis Pflugh. Motion carried.
- Trans Bus Letters Approved: Alexis Pflugh moved to approve the grant allocation letter for the bus board and authorize Jerry Philbrick as the authorized signer, seconded by Randy Lohmann. Motion carried.
- Nursing Home: The board discussed the following nursing home topics: meeting with family; current administrator resigned; status of the motion to instruct the County Attorney to sue John Grace for past due rent; Commissioner Pflugh was told that KDADS had never received correspondence from Lincoln County; and facilities that were in State receivership.
- Nex-Tech: Cheryl Budke, Nex-tech, provided costs to continue managed IT (information technology) services for the county as well as options for the county to lease all computer equipment from Nex-tech.
- Highway Department: Director of Highway Department Brendan Mackay provided pricing for a 3-point mower, estimated costs \$2,300-\$5,000. The board approved allowing the highway department to purchase a mower. Mackay related that APAC quoted a price of \$6.45 per ton to purchase grizzly to mix with clay from the gravel pits; provided letters to landowners regarding property damages to county roads and/or right-of-way; and requested an executive session for personnel matters and a road issue.
- Wilson Lake Estates: Larry Enfield and Jason Staab questioned what the county is going to do regarding the landslide within the Wilson Lake Estates. Enfield inquired about the Homeowners Association repairing the slide, with the County paying the Homeowners Association to make the repair, and then

vacating the roads once the repair is made. Enfield made the following comments as possible scenarios: the County pay 25% of taxes collected to the Homeowners Association; landowners in Wilson Lake Estates will refuse to pay their taxes; abate taxes back to the home owners or they are going to court; and he will fix the landslide himself and sue the county. No decision was made this date regarding the repair of the landslide.

Executive Session: Alexis Pflugh moved to recess into executive session for ten minutes for the purpose of discussing employee performance pursuant to K.S.A. 75-4319(2)(b)(1) to discuss personnel matters of nonelected personnel with the commission, Director of Highway Department (Mackay), Road Supervisor (Krueger) and acting HR (Clerk Harlow), seconded by Randy Lohmann. Motion carried. Time in: 12:53 p.m. Time out: 1:03 p.m.

Reconvene: The chairman reconvened the meeting to regular session at 1:03 p.m. with no action taken. Alexis Pflugh moved to advertise a position for Bridge Crew Foreman, seconded by Randy Lohmann. Motion carried.

Highway Department: Alexis Pflugh moved to recess into executive session for the purpose of discussing actionable issues involving county property, justification pursuant to K.S.A. 75-4319(2)(b)(5) to discuss matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public. Pflugh withdrew her motion. Mackay provided the cost estimate to replace the culvert that was removed from a county road and request reimbursement from the landowner. Clerk Harlow discussed the property owned by the Lincoln County Hospital, and confusion around who will be disposing of the property as it was already previously approved to have the Highway Department demo and dispose the property. The City of Sylvan Grove's rehabilitation grant was unable to fill all vacant spots for the demolition of dilapidated homes, so this property could potentially be included in the grant program. Alexis Pflugh related that she will contact Kenny Branda to meet with the board regarding Wilson Lake Estates roads. Alexis Pflugh moved to have the County Attorney provide documentation for her claim in the letter dated 9/24/2019 "this alleged road was not constructed pursuant to the plat filed in Lincoln County", seconded by Randy Lohmann. Motion carried. Commission Pflugh inquired about a road issue near David Wacker's on E Union Dr.

Zoning Inquiry: Cynthia Nelson inquired about the statement made that the County has zoning. The board clarified that Lincoln County does not have zoning however per the plat agreement the appraiser's office issues building permits for the Wilson Lake Estates subdivision.

Adjourn: The chairman adjourned the meeting at 1:31 p.m. until 10:00 a.m. Monday, October 14, 2019 in the commission meeting room of the courthouse.