

COMMISSIONER PROCEEDINGS

May 24, 2010

Call to Order:

The regular meeting of the Lincoln County Board of Commissioners was held in the commission meeting room of the courthouse Monday, May 24, 2010. Chairman Al Joe Wallace called the meeting to order at 8:00 a.m. with Vice-Chairman Terry Finch and Member Steve Errebo present. County Clerk Dawn Harlow was in attendance.

Visitors:

Others present for portions of the meeting: Michel O'Hare, Larry Meitler, Norman Mannel, Art Wagoner, Carolee Miner, Sheila Nelson-Stout, Patrick Wallerius, Jennifer O'Hare, Ladonna Reinert, Larry Dohe, Richard Plinsky, Gordon Homeier, Gary Bruning, Delbert Duryee, Richard White, Bob White, Wayne Dohe, Jeff White and Kathy Lupfer-Nielsen.

Highway Department:

Road Supervisor Larry Meitler with Assistant Road Supervisor Michel O'Hare reported on highway department projects. O'Hare related that he has spoke with Truette McQueen in regards to changes in regulations for land purchases by counties; that McQueen is willing to complete property appraisals contingent upon the County signing an agreement that would hold him harmless to any errors, fines, etc.; and that McQueen wouldn't charge a fee to complete a regular appraisal, but if a full appraisal was required then there would be a fee. The board was agreeable to McQueen's requirements and requested that O'Hare contact McQueen to have an agreement prepared. O'Hare provided cost estimates to repair a 1986 Mack truck. The board approved to repair the truck. O'Hare presented permit applications for Bridge Project's 53C-4531-01 and 53C-4532-01 for the board's approval. Terry Finch moved to allow the chairman to sign the following permit applications: Kansas Department of Agriculture Division of Water Resources Permit Application for Bridge Project 53C-4531-01 (OS168) and Bridge Project 53C-4532-01(OS167), seconded by Terry Finch. Motion carried.

WEB Fund:

Norman Mannel inquired about different aspects of the Windpower Economic Benefit (WEB) fund bylaws that have been approved.

Musk Thistle:

Art Wagoner issued a complaint concerning musk thistle in Elkhorn Township.

OCCK Budget Request:

OCCK Inc. representatives Carolee Miner, Sheila Nelson-Stout, Patrick Wallerius presented the 2011 budget request, noting that the request is for the same amount that was received for the 2010 budget year.

Executive Session:

County Attorney Jennifer O'Hare requested an executive session. Steve Errebo moved to recess into executive session for fifteen minutes from 11:06 a.m. – 11:21 a.m. for the purpose deemed privileged in the attorney-client relationship with County Attorney O'Hare and County Clerk Harlow present, seconded by Terry Finch. Motion carried.

Reconvene:

The chairman reconvened the meeting to regular session at 11:21 a.m.

Health Department: Health Nurse/Administrator Ladonna Reinert related that the Health Department had been approved for additional funds to purchase a respirator fit tester and presented a contract amendment for the board's approval. Terry Finch moved to allow the chairman to sign an Amendment Contract with the Kansas Department of Health and Environment for additional Public Health Emergency Response, Phase 3 Focus Area 3 grant funds, seconded by Steve Errebo. Motion carried.

Recess: The chairman recessed the meeting to the basement meeting room at 11:35 a.m.

Reconvene: The chairman reconvened the meeting to regular session at 11:37 a.m. with the following land owners, who have wind towers on their property, present: Larry Dohe, Richard Plinsky, Gordon Homeier, Gary Bruning, Delbert Duryee, Richard White, Bob White, Wayne Dohe and Jeff White.

Property Appraisal Complaint: Landowners, whose portions of the land was reclassified due to the construction of the wind farm, issued their dissatisfaction with the board for allowing their properties to be reclassified from agriculture land to commercial property, which will increase their property taxes. The group related that Ellsworth County was not reclassifying properties and demanded to know why Lincoln County was. The board related that State law mandates how the properties will be assessed, and what they were told by the appraiser's office and wind farm developers concerning the changes in the assessment of the land which the wind tower sits on and the service roads to the wind towers prior to construction of the wind farm.

Recess: Steve Errebo moved to recess the meeting for five minutes at 12:01 p.m., seconded by Al Joe Wallace. Motion carried.

Reconvene: The chairman reconvened the meeting to regular session at 12:06 p.m.

Property Appraisal Complaint: Discussion continued as to whether Lincoln County is properly appraising the service roads to the wind tower properties. The board agreed to discuss the grievance with the appraiser's office to determine that Lincoln County is correct in its determination of land reclassification.

Recess: The chairman recessed the meeting to the commission meeting room at 12:29 p.m.

Reconvene: The chairman reconvened the meeting to regular session at 12:31 p.m. in the commission meeting room of the courthouse.

Minutes Approved: Terry Finch moved to approve and adopt the minutes of the May 17, 2010 regular meeting as presented, seconded by Steve Errebo. Motion carried.

Adjourn: With no further business to come before the board the chairman adjourned the meeting at 12:42 p.m. until 8:00 a.m. Friday, May 28, 2010 in the commission meeting room of the courthouse.