

COMMISSIONER PROCEEDINGS

April 15, 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, April 15, 2019. Chairman Alexis Pflugh called the meeting to order at 10:00 a.m. with Vice-Chairman Al Joe Wallace and Member Randy Lohmann present. County Clerk Dawn Harlow was in attendance.
- Visitors: Others present for portions of the meeting: Cynthia Nelson, Sharon Dohe, Jonathan Schale, Kerry Jackson, Kelly Larson, Jennifer O'Hare, Shirley Small, Brandon Cochran, David Bell and Rhonda Wright.
- Correspondence: Correspondence: the board reviewed letters from residents interested in filling various county appointed boards; and bills for Lincoln Park Manor.
- Minutes Approved: Al Joe Wallace moved to approve the minutes from April 8, 2019 meeting, seconded by Randy Lohmann. Motion carried. Randy Lohmann moved to approve the minutes of the April 11, 2019 special meeting, seconded by Alexis Pflugh. Motion carried.
- Lincoln Park Manor: Jonathan Schale, Lincoln Park Manor presented bids to replace a door to the kitchen. Randy Lohmann moved to approve the purchase of an exterior steel door for the back hall of the kitchen from Topeka Foundry, in the amount of \$405, seconded by Al Joe Wallace. Motion carried.
- Landfill/Transfer Station: Kerry Jackson provided a copy of the current prices being charged by Waste Management to dispose of tires deposited in the landfill and presented an updated resolution for the board's approval. Alexis Pflugh moved to approve Resolution 2019-09, seconded by Randy Lohmann. Motion carried. (Establishing the fees to dispose waste tires at the Lincoln County Landfill/Transfer Station and further rescinding Resolution 2014-08)
- Resolution 2019-09: approval. Alexis Pflugh moved to approve Resolution 2019-09, seconded by Randy Lohmann. Motion carried. (Establishing the fees to dispose waste tires at the Lincoln County Landfill/Transfer Station and further rescinding Resolution 2014-08)
- Economic Development: Kelly Larson, Lincoln County Economic Development Foundation updated the board on the activities of the Strategic Doing Committee that has been working on developing a Healthy Living Master Plan, which included hiring a consultant to develop plans for projects. Larson invited the board to attend the committee's presentation of the plan on April 30, 7:00 p.m. at the Vesper Community Building. Larson also invited the board to participate in a county wide open house on June 8, which will include an employer meet and greet.
- County Attorney: County Attorney Jennifer O'Hare met with the board to discuss the following: employee evaluation and salary increase; nursing home; and the Services for the Aged mill levy. The board requested that O'Hare determine the following: what legal implications there are for not having a resolution that authorizes the first .5 mill levy for the services for the aged; whether the Council on Aging bylaw change on how they appoint board members exempts the organization from KOMA and KORA; and assistance in setting regulations for the distribution of funds. Questions were also raised regarding the hospital and whether or not they must provide a budget in order to receive the 10 mills that was voted on, and if the board can reduce the hospital's annual request as the vote was for a mill levy up to 10 mills. Alexis Pflugh moved to recess into executive session for five minutes for the purpose of discussing Lincoln Park Manor financials, pursuant to K.S.A. 75-4319(2)(b)(2) for the consultation with an attorney for the public body or
- Executive Session:

agency which would be deemed privileged in the attorney-client relationship, to reconvene in the commission meeting room, with the board and County Attorney (O'Hare) present, seconded by Randy Lohmann. Motion carried. Time in 11:27 a.m. Time out 11:32 a.m.

Reconvene: The chairman reconvened the meeting to regular session at 11:32 a.m. with no action taken.

Executive Session: Alexis Pflugh moved to recess into executive session for five minutes for the purpose of discussing Lincoln Park Manor financials, pursuant to K.S.A. 75-4319(2)(b)(2) for the consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship, to reconvene in the commission meeting room, with the board and County Attorney (O'Hare) present, seconded by Randy Lohmann. Motion carried. Time in 11:33 a.m. Time out 11:38 a.m.

Reconvene: The chairman reconvened the meeting to regular session at 11:38 a.m. with no action taken.

Executive Session: Randy Lohmann moved to recess into executive session with Lincoln County Attorney (O'Hare) for ten minutes for the purpose of discussing personnel matter of nonelected personnel pursuant to K.S.A. 75-4319(2)(b)(1), subject: employee evaluation, to reconvene in commission meeting room, seconded by Al Joe Wallace. Motion carried. Time in 11:40 a.m. Time out 11:50 a.m.

Reconvene: The chairman reconvened the meeting to regular session at 11:50 a.m. with no action taken.

Salary Increase: Al Joe Wallace moved to grant Katie Good a fifty cent per hour merit increase for the completion of the first six months of employment, effective April 26, 2019, seconded by Randy Lohmann. Motion carried.

Motion: Alexis Pflugh moved to file a civil complaint against John Grace of Lincoln Park Manor for all rent owed Lincoln County. Motion dies for a lack of a second.

Recess: The chairman recessed the meeting for five minutes from 11:56 – 12:01 p.m.

Reconvene: The chairman reconvened the meeting to regular session at 12:01 p.m.

Ambulance Service: Interim Ambulance Director Brandon Cochran requested an executive session to speak about the turmoil in EMS and would like to identify individuals by names and does not believe it would be appropriate in an open session. The board denied Cochran's request if the subject matter did not address individual employee's personnel matters. Cochran addressed the board concerning recent Facebook posts and his concerns that Chairman Pflugh violated the employee handbook's social media policy. Cochran related that due to the posts that employees are actively looking for employment elsewhere. Cochran addressed comments made on Facebook regarding applicants for EMT positions not being hired. Cochran remarked on individuals that may have applied and/or were granted interviews for the Director position. Cochran formally withdrew his application for the Director position and related that he will not conduct any more continuing education, CPR certifications and will not train a new director.

Meeting Room: The board inquired about the status of moving to the new meeting room. Commissioner Pflugh suggested that the County purchase recording equipment to tape the meetings and will obtain quotes.

Bridge Inquiry: David Bell inquired if there were any plans to replace the bridge on E Jaguar Dr that was closed. The board related that the bridge will probably never be replaced due to the cost. Bell inquired if the board would consider alternative structures or a low water crossing so that farm equipment could still utilize the road and volunteered his time and equipment to remove the current structure and grade.

Motion Withdrawn: Alexis Pflugh moved to recess into executive session for ten minutes for the purpose of discussing Medical Director contracts pursuant to K.S.A. 75-4319(2)(b). Motion was withdrawn.

Executive Session: Alexis Pflugh moved to recess into executive session for ten minutes for the purpose of discussing contracts with county departments and the medical director 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 institution, except that any such person shall have the right to a public hearing if requested by the person, reconvene in the basement meeting room, with county commission, County Attorney (O'Hare), County Health Department Director (Ladonna Reinert) and County Clerk (Harlow), seconded by Randy Lohmann. Motion carried. Time in: 12:55 p.m. Time out 1:05 pm.

Reconvene: The chairman reconvened the meeting to regular session at 1:05 p.m. with no action taken.

County Clerk: County Clerk Dawn Harlow requested an executive session to present an employee evaluation. Clerk Harlow related that Hanna Townley will be appointed to Deputy County Clerk and requested a fifty cent per hour raise for the appointment and a twenty-five cent per hour merit increase for taking on additional duties within the office. Randy Lohman moved to recess into executive session for ten minutes for the purpose of discussing evaluations for the Clerk's office pursuant to K.S.A. 75-4319(2)(b)(1) to discuss personnel matters of nonelected personnel, with commission and County Clerk (Harlow), reconvene in the commission meeting room, seconded by Al Joe Wallace. Motion carried. Time in: 1:20 p.m. Time out: 1:30 p.m.

Executive Session:

Reconvene: The chairman reconvened the meeting to regular session at 1:30 p.m. with no action taken.

Salary Increase: Al Joe Wallace moved to grant Hanna Townley a seventy-five cent per hour merit increase due to the fact that there is one less employee in the Clerk's Office and added responsibility to the position, and for the appointment as Deputy County Clerk, seconded by Alexis Pflugh. Motion carried. (Effective April 26, 2019)

Tax Abatements: County Appraiser Rhonda Wright answered questions regarding the tax abatements presented. Alexis Pflugh moved to approve tax abatements 2018-16 through 2018-18, in the amount of \$1,792.60, seconded by Randy Lohmann. Motion carried.

Highway Department: Commissioner Pflugh discussed the following highway department issues: Great Bend COOP was contacted and they have been waiting on estimated quantities from highway department personnel; dozer was rolled off the gravel pile; and the current contract with the engineer (Kirkham Michael).

Evening Meeting Established: Alexis Pflugh moved to establish an evening meeting for the commission, seconded by Randy Lohmann. Motion carried. Voting as follows: Pflugh – Aya; Lohmann – Aye; Wallace - Nay. During discussion the board approved to move the Tuesday May 28 meeting from 10:00 a.m. to 7:00 p.m. Department Heads will not be required to attend the May 28 meeting.

Road Concern: Sharon Dohe related that the road work ahead sign on 120<sup>th</sup> is hidden by trees.

Executive Session: Alexis Pflugh moved to recess into executive session for five minutes for the purpose of discussing job offer details pursuant to K.S.A. 75-4319(2)(b)(3) to discuss employer-employee negotiations whether or not in consultation with the representative or representatives of the public body or agency, reconvene in basement, with the board and county clerk (Harlow), seconded by Randy Lohmann. Motion carried. Time in 2:32 p.m. Time out: 2:37 p.m.

Reconvene: The chairman reconvened the meeting to regular session at 2:37 p.m. The board authorized Clerk Harlow to extend a job offer for the Human Resource Officer position.

Adjourn: The chairman adjourned the meeting at 2:39 p.m. until 10:00 a.m. Monday, April 22, 2019 in the commission meeting room of the courthouse.