

COMMISSIONER PROCEEDINGS

December 31, 2018

Call to Order:

The regular meeting of the Lincoln County Board of Commissioners was held in the commission meeting room of the courthouse Monday, December 31, 2018. Chairman Terry Finch called the meeting to order at 10:00 a.m. with Vice-Chairman Alexis Pflugh and Member Al Joe Wallace present. County Clerk Dawn Harlow was in attendance.

Visitors:

Others present for portions of the meeting: Mona Gerstmann, David Gerstmann, Sharon Dohe, Lottie Pflugh, Brandon Cochran, Shiloh Florence, Randy Lohmann, Sionia Case, Michel O'Hare and Jennifer O'Hare.

Minutes approved:

Terry Finch moved to approve the minutes of the December 24, 2018 regular meeting as corrected, seconded by Al Joe Wallace. Motion carried.

Budget Hearing:

Chairman Finch convened the scheduled budget hearing at 10:17 a.m., for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of budgeted funds. The chairman adjourned the budget hearing at 10:30 a.m. and convened the meeting to regular session. Alexis Pflugh moved to approve the amended budget for 2018, seconded by Terry Finch. Motion carried. (amend the County General Fund in the amount of \$145,000; the Road and Bridge Fund in the amount of \$120,000; the Beverly Rural Fire District Operating Fund in the amount of \$2,150; the First Rural Fire District Operating Fund in the amount of \$5,500; and the Sylvan Grove Rural Fire District Operating Fund in the amount of \$19,215)

Amended Budgets Approved:

Human Resources:

Human Resource Officer Sionia Case provided quotes to advertise for the ambulance service director and presented job descriptions previously requested by the board. The board reviewed the job descriptions and discussed changes made between previous job descriptions and the 2018 approved job description. Case related that the highway department would like to consider the internship program with the high school for secretarial services. Case will contact the school to get additional details. Case related that she has received a departments employee evaluations and inquired if the board would like to review. The board will review at a later date.

Requests:

David Gerstmann requested that the board consider the following resolutions for 2019: request formal training from the Kansas Attorney General regarding the Kansas Open Meetings Act, and related that the board was in violation of the open meetings act during the December 24 regular meeting when the board did not state a subject when entering into executive session; that the commissioners would prohibit the highway department from entering private property, or utilizing county vehicles or labor without obtaining prior written consent from the landowner; and that the board would stop mileage reimbursements to commissioners to attend weekly commission meetings.

Ambulance Service:

Ambulance Service employee Brandon Cochran inquired about plans for leadership at the department since the resignation of Bret Kingan as Interim Ambulance Director. Cochran and ambulance service Shiloh Florence answered questions regarding what the director was responsible for and what aspects are being completed by employees currently. Cochran related that he would be willing to act as the interim director until the position is filled. The board requested Human Resource Officer Case to contact ambulance service staff to determine if any

employee is interested in serving as the interim director and to contact former interim director Bret Kingan to ascertain which tasks have been completed to ready for the annual inspection, and whether he would be willing to facilitate the annual inspection.

**Highway Department:** Director of Public Works Michel O'Hare reported on the status of bridge projects OS 87 and OS 105. O'Hare related that a block fell off of the highway department building and provided pictures of the area. The Board approved O'Hare contacting Schwerdtfager Masonry or Dennis Cross to determine repairs.

**Executive Session:** Alexis Pflugh moved to enter into executive session in order to be informed of the content of the prior week's executive session which I did not attend, subject matter unknown, for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(2)(b)(2). Alexis Pflugh moved to amend the subject matter to include: lawsuit Meyer vs Lincoln County, seconded by Terry Finch. Motion carried. (with County Attorney O'Hare present, reconvening location: commission meeting room, five minutes from 11:24 a.m. – 11:29 a.m.)

**Reconvene:** The chairman reconvened the meeting to regular session at 11:29 a.m. with no action taken.

**County Lawsuit:** David Gerstmann inquired about the lawsuit and whether changes to county policy will occur due to this lawsuit.

**Ambulance Service:** Ambulance service employee Brandon Cochran inquired about the plans for appointing an interim ambulance director.

**Executive Session:** Alexis Pflugh moved to enter into executive session for the purpose of discussing Lincoln Park Manor, for thirty minutes, for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship, seconded by Al Joe Wallace. Motion carried. (pursuant to K.S.A. 75-4319(2)(b)(2), with County Attorney O'Hare present, reconvening location: commission meeting room, from 11:42 a.m. – 12: 12 p.m.)

**Reconvene:** The chairman reconvened the meeting to regular session at 12:12 p.m. with no action taken.

**Resolution 2018-23:** Al Joe Wallace moved to approve and adopt the following resolutions: Resolution 2018-23, pursuant to provisions of K.S.A. 19-120, authorizing the transfer of \$210,000 from the Lincoln

**Resolution 2018-24:** County General Fund to the Lincoln County Capital Improvement Fund; Resolution 2018-24, pursuant to provisions of K.S.A. 68-141(g) authorizing the transfer of \$90,000 from the Lincoln

**Resolution 2018-25:** County Road & Bridge Fund into the Road & Bridge Special Machinery Fund; Resolution 2018-25, pursuant to provisions of K.S.A. 65-204, authorizing the transfer of \$10,000 from the Lincoln

**Resolution 2018-26:** County Health Fund to the Lincoln County Health Capital Outlay Fund; Resolution 2018-26, pursuant to the provisions of K.S.A. 12-110(d), authorizing the transfer of \$20,000 from the Lincoln

**Resolution 2018-27:** County Ambulance Service Fund to the Lincoln County Ambulance Service Capital Outlay Fund; Resolution 2018-27, pursuant to provisions of K.S.A. 19-3612(c), transferring funds from

**Resolution 2018-27:** the 2018 budgeted General Operating Fund of each Rural Fire District into the Special Equipment Fund of that district in the following amounts: Barnard Rural Fire District - \$1,500, Beverly Rural

**Resolution 2018-28:** Fire District - \$11,500, First Rural Fire District - \$45,000, Hunter Rural Fire District - \$17,500, and

**Resolution 2018-28:** Sylvan Grove Rural Fire District - \$27,500; and Resolution 2018-28, pursuant to provisions of

K.S.A. 68-141(g) authorizing the transfer of \$90,000 from the Lincoln County Road & Bridge Fund into the Road & Bridge Special County Road Fund, seconded by Alexis Pflugh. Motion carried.

Tax Abatement: Al Joe Wallace moved to approve tax abatement 2018-07 in the amount of \$321.56, seconded by Alexis Pflugh. Motion carried.

Payroll Approved: Alexis Pflugh moved to approve December gross payroll in \$208,602.99, seconded by Al Joe Wallace. Motion carried.

Accounts Payable Approved: Terry Finch moved to approve December accounts payable warrants in the amount \$410,717.81, seconded by Al Joe Wallace. Motion carried.

Extension District: Clerk Harlow related that the extension district has notified her that they have signed a lease agreement and will be moving from the courthouse.

Adjourn: The chairman adjourned the meeting at 12:48 p.m. until 10:00 a.m. Monday, January 7, 2019 in the commission meeting room of the courthouse.