

COMMISSIONER PROCEEDINGS

January 28, 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, January 28, 2019. Chairman Alexis Pflugh called the meeting to order at 10:11 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: Sionia Case, Ladonna Reinert, Larry Sharp, Kelly Larson, John Paul Ellis, Michel O'Hare, Robert Howe, Dustin Florence, Brandon Cochran, Jennifer O'Hare, Eric Oetting and Charles Hay.
- Correspondence: Correspondence: Letter on behalf of Block Family Ventures attorney regarding reclamation of the gravel pit; bill for Lincoln Park Manor; and a letter from Judge Cudney notifying the board that a facility assessment of the courthouse by Homeland security is scheduled for March 13.
- Minutes Approved: Randy Lohmann moved to approve the minutes of the January 22, 2019 meeting, seconded by Al Joe Wallace. Motion carried.
- Health Department: Health Nurse/Administrator Ladonna Reinert provided a monthly update on department activities and services provided. Reinert inquired about evaluations and inquired why the department employees were being penalized because other departments had not completed evaluations as requested last year. Reinert related that she would like to have a department head handbook that has copies of all resolutions that relates to employees, instructions about how to handle work comp claims and vehicle accidents. Reinert inquired why her department is told the county does not have comp time, yet other departments are comping out their time. Reinert inquired about who is responsible for tracking the initial 6 month and 12 month raises, suggesting that one person be responsible to ensure that raises do not need to be made retroactive. Reinert related that she believes there should be an equal level of accountability for all supervisors. Reinert inquired about the amount she is authorized to spend without obtaining bids and requesting approval from the board, as sometimes the time and cost to advertise and contact companies, far exceeds the amount being spent. The board will formulate a policy for departments.
- KCAMP: Larry Sharp, KCAMP provided information on risk management services utilized by departments and a listing of claims filed by the county.
- Economic Development: Kelly Larson, Lincoln County Economic Development Foundation inquired about applying for grant funds to complete a courthouse assessment as the deadline is March 29. The board approved moving forward with an application to complete an assessment and asked Larson to contact North Central Regional Planning Commission to determine if they can assist with the application.
- Highway Department: Director of Public Works Michel O'Hare reported on bridge projects OS 87 and OS 105. O'Hare related that he had visited with Bryan Taylor in regards to the Highland Lake Dam. O'Hare asked for guidance from the board regarding replacing the landfill backhoe and his proposal from the previous weeks meeting. The board requested that O'Hare bring two plans back to the board: 1. Details of current status on the motor grader replacement plan; and 2. Plan to complete

bridge work, what equipment is needed and what types of bridges would be able to be replaced. Commissioner Pflugh provided the letter from the attorney representing Block Family Ventures. O'Hare related that there is an agreement from when the pit was first opened that said the pit was to be reclaimed to brome grass, however the agreement has no signatures but was included in the file. The board asked for O'Hare to provide the agreement for them to review. Road Supervisor Robert Howe reported that Greg Ney and Sheldon Frederking have obtained their CDL licenses. Commissioner Wallace provided a letter from Beverlee Kissick, trustee for the Jay Kissick Trust requesting information prior to them making a decision on the road right-of-way closure request from Cody Smith.

Law Enforcement: Undersheriff Dustin Florence reported that Communications Officer Raquel Dean, has completed her first six months of employment however she has given notice that she intends to resign her position. Florence inquired if the six month increase should be granted. After discussion, Al Joe Wallace moved to grant Raquel Dean a salary increase for the completion of the first six months of employment, seconded by Randy Lohmann. Motion carried. (fifty cents per hour merit increase, effective January 26, 2019) Florence related that a new patrol unit will arrive this week and will replace the 2011 Crown Victoria, an additional unit will be replaced in the summer after the second distribution is received. Florence answered questions regarding prisoners providing community service while incarcerated.

Ambulance Service: Interim Ambulance Director Brandon Cochran requested an executive session to provide additional information regarding an ambulance bill. Cochran related that there was an accident with an ambulance which caused minor damage to the front fender. Alexis Pflugh moved to recess into executive session for five minutes for the purpose of discussing an ambulance bill, pursuant 75-4319(2)(b)(10) to discuss matters relating to patients and providers permitted to be discussed in closed or executive meeting pursuant to K.S.A. 39-7,119(g) with acting EMS director and County Clerk present, reconvening location: basement meeting room of the courthouse, seconded by Al Joe Wallace. Motion carried. Time in: 12:05 p.m., Time out: 12:10 p.m. (Brandon Cochran and Dawn Harlow)

Reconvene: The chairman reconvened the meeting to regular session at 12:10 p.m. with no action taken.

Executive Session: Alexis Pflugh moved to recess into executive session for five minutes for the purpose of discussing an ambulance bill, pursuant 75-4319(2)(b)(10) to discuss matters relating to patients and providers permitted to be discussed in closed or executive meeting pursuant to K.S.A. 39-7,119(g) with acting EMS director and County Clerk present, reconvening location: basement meeting room of the courthouse, seconded by Randy Lohmann. Motion carried. Time in: 12:10 p.m., Time out: 12:15 p.m. (Brandon Cochran and Dawn Harlow)

Reconvene: The chairman reconvened the meeting to regular session at 12:15 p.m. with no action taken.

Executive Session: Human Resource Officer Sionia Case requested an executive session to discuss personal issues as she does not believe she is getting fair treatment and training as required to be successful. Alexis Pflugh moved to recess into executive session for ten minutes for the purpose of discussing personal training concerns, pursuant to K.S.A. 75-4319(2)(b)(1) to discuss personnel matters of non-elected personnel, to reconvene in the basement commission meeting room with the commission and HR officer, seconded by Randy Lohmann. Motion carried. Time in: 12:23 p.m. Time out: 12:33 p.m. (Sionia Case present). County Clerk Harlow reminded the board

that any discussion regarding the County Clerk must be held in an open meeting and cannot be discussed in executive session.

- Reconvene: The chairman reconvened the meeting to regular session at 12:33 p.m. with no action taken.
- Executive Session: Alexis Pflugh moved to recess into executive session for five minutes for the purpose of discussing personal training concerns, pursuant to K.S.A. 75-4319(2)(b)(1) to discuss personnel matters of non-elected personnel, to reconvene in the basement commission meeting room with the commission and HR officer, seconded by Randy Lohmann. Motion carried. Time in: 12:36 p.m. Time out: 12:41 p.m. (Sionia Case present)
- Reconvene: The chairman reconvened the meeting to regular session at 12:41 p.m. with no action taken. The board asked Case to contact KAC to inquire about HR seminars and to assist her in developing resources.
- Recess: The chairman recessed the meeting for lunch at 12:53 p.m. until 2:00 p.m.
- Reconvene: The chairman reconvened the meeting to regular session at 2:00 p.m.
- Tax Abatement: Randy Lohmann moved to approve tax abatement 2018-12, in the amount of \$622.44, seconded by Alexis Pflugh. Motion carried.
- Resolution 2019-05: Al Joe Wallace moved to adopt Resolution 2019-05, seconded by Randy Lohmann. Motion carried. (pursuant to K.S.A. 65-6116, to establish rates and fees for operation of the Lincoln County Ambulance Service, effective February 1, 2019)
- Executive Session: Randy Lohmann moved to recess into executive session for forty-five minutes to discuss non-disclosure information regarding Lincoln Park Manor, pursuant to K.S.A. 75-4319(2)(b)(4) to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships with the board, Eric Oetting and County Attorney Jennifer O'Hare present, reconvening location: courthouse commission meeting room, seconded by Alexis Pflugh. Motion carried. Time in: 2:18 p.m., Time out: 3:03 p.m.
- Reconvene: The chairman reconvened the meeting at 3:03 p.m. with no action taken.
- Motion Withdrawn: Randy Lohman moved to recess into executive session for forty-five minutes to meet with Oetting, Hay, County attorney, to discuss non-disclosure information with Lincoln Park Manor. Lohmann withdrew the motion.
- Recess: The chairman recessed the meeting at 3:08 p.m. for ten minutes, Vice-Chairman Al Joe Wallace departed the meeting at 3:08 p.m.
- Reconvene: The chairman reconvened the meeting to regular session at 3:27 p.m.
- Executive Session: Randy Lohmann moved to recess into executive session for thirty minutes to discuss non-disclosure information regarding Lincoln Park Manor, pursuant to K.S.A. 75-4319(2)(b)(4) to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships with County Attorney O'Hare, Attorney Charles Hay, Eric Oetting

and County Clerk Harlow present, reconvening location: courthouse commission meeting room, seconded by Alexis Pflugh. Motion carried. Time in: 3:33 p.m., Time out: 4:03 p.m. Vice-Chairman Wallace entered the executive session at 3:42 p.m.

Reconvene: The chairman reconvened the meeting to regular session at 4:03 p.m. with no action taken.

County Clerk: County Clerk Harlow addressed the board regarding the Human Resource position and requested that if payroll was added back to the County Clerk's office responsibilities that Harlow be compensated for the additional time it takes as she will be completing the work of two people which will cause her to work evenings and weekends to get all tasks completed. Alexis Pflugh moved to reimburse the County Clerk at the current hourly rate from the Human Resource office budget for hours worked in the current pay period on Human Resource materials, seconded by Randy Lohmann. Motion carried.

Agenda Items: Commissioner Pflugh requested that the following be added to the February 4 agenda: Policy and procedures for spending limit for departments and interim ambulance director Brandon Cochran to discuss volunteer pay resolution.

Adjourn: The chairman adjourned the meeting at 4:39 p.m. until 10:00 a.m. Thursday, January 31, 2019 in the commission meeting room of the courthouse.