

COMMISSIONER PROCEEDINGS

April 30, 2018

- Call to Order: The regular meeting of the Lincoln County Board of Commissioners was held in the basement meeting room of the courthouse Monday, April 30, 2018. Chairman Terry Finch called the meeting to order at 10:03 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: Cynthia Nelson, Art Dohl, Joe Coover, Lorelie Dohl, Glenn Stegman, Nancy Nitsch, Roger Nitsch, Sharon Dohe, Mike Tyson, Howard Wehrman, Justine Dohl, Valerie Rozenboom, Katy Black, John Grace, John Gabelmann, Eric Johnson, Sue Brown, Christen Robinson, Betty Crawford, Steve Granzow, Delbert Wacker, Jim Gabelmann, Tim Meyer, Carl Nielsen, John Baetz, Doug Wilson, Greg Babcock, Jonathan Schale, Kelly Larson, Rhonda Rivers, Jennifer Kresin, Beth Chard, Mona Gerstmann, David Gerstmann, Dan Cheney, Robert Crangle, Michel O'Hare, Bob Howe, Jeff Bender and Doug McKinney.
- Recess: The chairman recessed the meeting to the courtroom at 10:04 a.m.
- Reconvene: The chairman reconvened the meeting in the courtroom at 10:08 a.m.
- Minutes Approved: Alexis Pflugh moved to approve the minutes from the April 23, 2018 regular meeting as presented, seconded by Al Joe Wallace. Motion carried.
- Nursing Home Renovation Project: Eric Johnson, Campbell & Johnson PA, presented a change order request adding \$4,076.15, which would replace a single phase panel in the laundry room with one 100 amp three phase panel, and install a stainless steel panel behind existing laundry sink. Al Joe Wallace moved to approve Change Order No. 6 in the amount of \$4,076.15, seconded by Terry Finch. Motion carried. Voting as follows: Finch – Aye; Wallace – Aye, Pflugh – Nay.
- Nursing Home Proposal: Jim Gabelmann requested a decision on the request presented at the April 23, 2018 regular meeting. ~~The board~~ Commissioner Finch and Wallace provided their opinion with the consensus being that the board would not consider at this time the two million dollars for the Green Houses, but would consider the \$450,000. Commissioner Pflugh gave a suggestion of an audit and questioned the sale of the home health portion of the meeting. Gabelmann will meet with the board of the newly formed non-profit organization, as the proposal was presented as the non-profit must receive the entire proposal, and will return at a later date.
- Minutes Corrected: Alexis Pflugh moved to correct the minutes striking the word “and” and add the word “to” to the nursing home section of the April 23, 2018 meeting, seconded by Al Joe Wallace. Motion carried. The board later approved striking additional language from the nursing home section of the April 23, 2018 minutes.
- Concerns: David Gerstmann presented information in regards to K.S.A. 19-211, sale or disposition of county property, K.S.A. 19-101a, home rule powers, and presented a motion that he would like the board to approve regarding his concern over K.S.A. 75-4304 and whether a conflict of interest exists involving County Attorney Jennifer O'Hare and O'Hare Law LLC.

Highway Department: Director of Public Works Michel O'Hare with Road and Bridge Supervisor Robert Howe discussed the following topics: high risk rural road signage project update; answered questions regarding personnel **disciplinary action**; and inquired about a decision on the bids received for two motor graders and a backhoe. Al Joe Wallace moved to purchase two caterpillars from Foley Equipment in the amount of \$507,600, and the John Deere backhoe from Murphy Tractor & Equipment in the amount of \$109,500, seconded by Terry Finch. Motion carried. Voting as follows: Finch – Aye; Wallace – Aye; Pflugh – Nay.

Recess: The chairman recessed the meeting to the basement meeting room at 11:59 a.m.

Reconvene: The chairman reconvened the meeting in the basement meeting room at 12:04 p.m.

Nursing Home Feasibility Study: Commissioner Pflugh related her concerns regarding the nursing home presentation. Alexis Pflugh moved to solicit a ~~facility~~ feasibility assessment case study through a professional firm to analyze Lincoln Park Manor, seconded by Terry Finch. Motion carried. The board authorized Commissioner Pflugh to contact John Grace to participate in the assessment.

Motions: Alexis Pflugh moved to have the first Monday of the month meetings to be held in evening time to allow for public participation. Motion died for a lack of a second. Alexis Pflugh moved to refer Mr. Gerstmann's synopsis, background, recitations and included evidence to the State Attorney General regarding the alleged conflicted no bid orally made contract of County Attorney Jennifer O'Hare under K.S.A. 75-4304. Motion died for a lack of second.

North Central Regional Planning Commission: Doug McKinney, North Central Regional Planning Commission presented the 2019 budget request in the amount of \$3,500, which is the same as the amount requested in 2018. McKinney provided a list of projects that the NCRPC have assisted and/or facilitated with throughout the organizations existence.

Motions: Alexis Pflugh moved to separate the payment for the contract for O'Hare Law LLC from the accounts payable invoice. Motion died for a lack of second. Alexis Pflugh moved to change the word from facility to feasibility, seconded by Terry Finch. Motion carried. (Changed in the motion listed above.)

Payroll Approved: Al Joe Wallace moved to approve April gross payroll in the amount of \$197,387.04, seconded by Terry Finch. Motion carried. Voting as follows: Finch – Aye; Wallace – Aye; Pflugh – Nay.

Accounts Payable Approved: Terry Finch moved to approve April accounts payable warrants in the amount of \$399,019.16, seconded by Al Joe Wallace. Motion carried. Voting as follows: Finch – Aye; Wallace – Aye; Pflugh – Nay.

Ambulance Billing Provider Approved: Al Joe Wallace moved to contract the ambulance billing with DeLisa's Medical Billing Service, Inc. from Delphos and request a monthly report be provided, seconded by Terry Finch. Motion carried. The board approved the ad presented for the Live Lincoln County publication at the April 23 meeting.

Adjourn: The chairman adjourned the meeting at 1:12 p.m. until 8:00 a.m. Monday, May 7, 2018 in the basement meeting room of the courthouse.