

January 14, 2008

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Ferrante, Chairman; Herb Pemberton, Vice Chairman; Jason Sabine, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Ferrante led the Pledge of Allegiance.

Jim Ferrante moved to appoint Jason Sabine as the 2008 Commission Chairman. Herb Pemberton seconded the motion. The motion passed 3-0.

Jim Ferrante moved to appoint Herb Pemberton as the 2008 Commission Vice Chairman. Jason Sabine seconded the motion. The motion passed 3-0.

Jim Ferrante moved to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton moved to approve the following add/abate/refund orders: 2007-172 and 187. Jim Ferrante seconded the motion. The motion passed 3-0.

Jim Ferrante moved to approve the Sheriff's Monthly Fee Report for December 2007. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for December 2008.

The Clerk informed the Commission that they will need to meet on Friday as the Board of Canvassers because of next Monday being a holiday. Herb Pemberton moved to schedule a special meeting in the Clerk's office on Friday, January 18th at 9:00 AM to canvass the election. Jason Sabine seconded the motion. The motion passed 3-0.

Herb Pemberton moved to reschedule the January 21st regular meeting to Tuesday, January 22nd at 9:00 AM due to the Martin Luther King, Jr. Holiday. Jim Ferrante seconded the motion. The motion passed 3-0.

The Clerk presented the annual KAC 2008 Dues invoice in the amount of \$2,807.13. This is a decrease from last year's dues of \$2,868.74. Herb Pemberton moved to pay the annual KAC Dues for 2008 in the amount of \$2,807.13. Jim Ferrante seconded the motion. The motion passed 3-0.

Sheriff Stites discussed extended service policies on patrol cars. There are 4 levels of protection that are offered. The extra coverage would cost \$2,675.00. Sheriff Stites does not recommend purchasing the coverage for that price. The Commission and the Sheriff also discussed the need for mold remediation on a small area of insulation in the Sheriff's office. The Sheriff stated that the insulation may need to be replaced in the entire jail area. The Commission stated that we need to take a look at the problem.

Doug Barlet informed the Commission that he needs to attend an Emergency Management meeting in Overland Park tomorrow, NIMS 300 training in Iola on January 23rd & 24th, and Security Readiness meeting in Wyandotte County on January 25th. Donna Thomas will also attend the meeting on the 25th. Barlet also informed the Commission that he can rent the oxygen bottles that we need for the Fire Dept. for \$4.25 per month per bottle plus \$2.25 per refill. These oxygen bottles would be the same type that AMR uses. Herb Pemberton moved to approve and enter into the rental agreement for the oxygen bottles. Jim Ferrante seconded the motion. The motion passed 3-0.

Barlet then informed the Commission that there are some water problems in the insulation under the roof in the Pleasanton fire station. Barlet will check on what is needed to fix the problem.

Barlet presented a proposal from BKD, LLC for forensic accounting of the Fire Dept. for the years of 2002 thru 2006 for an amount not to exceed \$10,000.00. BKD also requires a retainer fee of \$4,000.00. Jim Ferrante moved to approve and enter into the agreement with BKD for forensic accounting of the Fire Dept. for an amount not to exceed \$10,000.00 including a retainer fee of \$4,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

John Maloney discussed nuisance and abatement on the Week's property. Maloney stated that one of the neighbors started working on cleaning up their own property but have stopped because nothing has been done on the Week's property. The Counselor will check into what needs to be done next.

Maloney then presented the annual Noxious Weed Eradication Report. Herb Pemberton moved to sign and submit the Annual Noxious Weed Eradication Progress Report for 2007. Jim Ferrante seconded the motion. The motion passed 3-0.

Maloney also presented the annual Noxious Weed Management Plan for 2009. Jim Ferrante moved to sign and submit the Noxious Weed Management Plan for 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

John Byington discussed the expenditures for Road & Bridge All District. Byington stated that we could use a County Engineer on staff. Byington also stated that the Road Dept. is working on their annual inventory. Byington discussed various projects that are scheduled for this year. Byington also asked the Commission to evaluate his job description. Currently Byington is listed as an Assistant Road Foreman but he believes he should be listed as a Road Foreman.

Dan Morris reported on the Road Dist. #1 expenditures. Herb Pemberton discussed the rotation system of working on roads in the district. Herb Pemberton suggested that the other districts should set up a rotation schedule for their roads.

Larry Robinson gave an update on FEMA funds. So far we have received a check for \$49,449.38 of which \$2,049.11 went to Fire & Emergency Preparedness and \$47,400.27 went to Road & Bridge. We have also received a check for \$23,932.12 which all went to Road & Bridge. There is an additional \$114,763.62 that has been turned in, but some of that money is for two bridges that we have not repaired yet. Jim Ferrante asked about the 2 bridges on County Road 1077. Robinson stated that those bridges are on the top of the list in the five year plan.

Gary Thompson presented a letter from County Surveyor Jim Schmitz concerning his fees for 2008. Jim Ferrante moved to accept the fee schedule from the County Surveyor. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:02 AM the Chairman asked for public comments. Chuck Simpson asked a question concerning help from the State for bridges. Larry Robinson stated that we accumulate approximately \$140,000.00 per year in the 5 year plan that can be used for projects like the bridges on 1077. The County has to provide 20% of the funds for projects in the 5 year plan.

At 10:07 AM Jim Ferrante moved to take a 15 minute break. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission discussed the grant proposal for a new Transportation Van. We can apply for the grant now for 2009. Jim Ferrante asked if we need a vehicle that large. Herb Pemberton stated that the vehicle has a wheelchair lift, so it has to be a large vehicle.

At 10:29 AM Jim Ferrante moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:39 AM the executive session ended. No action taken.

At 10:40 AM Jason Sabine moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Jim Ferrante seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Andy Mayhugh attended the executive session.

At 10:50 AM the executive session ended.

At 10:51 AM Jason Sabine moved to extend the above executive session for 10 minutes. Jim Ferrante seconded the motion. The motion passed 3-0. The same people attended this portion of the executive session.

At 11:01 AM the executive session ended. No action taken.

Terry Sercher, CPA asked the Commission for a 15 minute executive session for personnel. At 11:01 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss personnel issues related to non-elected personnel. Jim Ferrante seconded the motion. The motion passed 3-0. The Commission, Counselor, and Terry Sercher attended the executive session.

At 11:16 AM the executive session ended. No action taken.

Jason Sabine stated that he would like to use some of the FEMA reimbursement to purchase road rock. Currently funds are available for rock, but we could amend the budget later in the year if we need to spend more than budgeted.

Herb Pemberton moved to approve the following pays/special pays: General, \$153,528.15; Employee Benefit, \$140,880.46; Appraiser, \$9,977.83; Rural Fire, \$3,966.42; Road and Bridge, \$61,134.63; 911 Telephone Tax, \$3,356.09; County Health Dept., \$5,109.41; Crime Victim Assistance, \$904.71; Elderly, \$16,839.75; and Zoning LEPP, \$216.67. Jim Ferrante seconded the motion. The motion passed 3-0.

The Commission asked Marilyn Augur about the usage of the transportation vehicle. Augur stated that the wheelchair lift is probably used about 3 times a month. The only smaller vehicle available that is wheelchair accessible is a mini-van that has a very low ground clearance. The Commission suggested getting a mini-van, but keeping the current vehicle to use when needed. A ramp accessible mini-van would cost \$42,488.00. The County's cost would be approximately \$8,944.00. No action was taken at this time.

At 11:32 AM Jim Ferrante moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss personnel issues related to non-elected personnel. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission and Counselor attended the executive session.

At 11:47 AM the executive session ended. No action taken.

Jason Sabine asked the Clerk about getting a phone line and answering machine for the Maintenance Dept. The Clerk stated that he will need to contact Embarq about an additional phone line.

Herb Pemberton asked Gary Thompson about the recordings of the meetings. Pemberton would like to destroy the recordings after the minutes are approved. Gary Thompson stated that the Commission is not required to keep recordings. The minutes are the official record of the meeting. Herb Pemberton moved to not keep archive copies of the Commission meeting recordings. The motion died for lack of a second.

Mary Gilkison asked about recordings that are made by the audience, could they be used for legal reasons? Gary Thompson stated that we would not have to provide recordings if they are not our records.

With nothing further on the agenda Jim Ferrante moved to adjourn until 9:00 AM Friday, January 18, 2008. Herb Pemberton seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk