

January 22, 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 Jason Sabine, Chairman; Herb Pemberton, Vice Chairman; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Sabine led the Pledge of Allegiance.

Herb Pemberton moved to approve the minutes of the last regular meeting and the January 18th Election Canvass as printed. Jason Sabine seconded the motion. The motion passed 2-0.

Herb Pemberton left the meeting for a few minutes to take a phone call. Jason Sabine announced that the new Commissioner for Dist. #3 will be Mike Page. The Commission asked Page to join them at the Commission table. Page will not be able to vote on anything this week because the Governor has not had time to make the appointment yet.

The Clerk presented a proposal from Midwest Diversified, Inc. for cleaning and inspections on the District Court roof. Midwest will clean and inspect the roof annually for \$300.00 and will repair the roof for materials plus \$65.00 per man hour. Herb Pemberton moved to approve the proposal from Midwest Diversified, Inc. as presented. Jason Sabine seconded the motion. The motion passed 2-0.

The Clerk presented the audit contract from Diehl, Banwart, and Bolton for the 2007 Audit. The total price for the audit is \$13,330.00 (4% increase). Herb Pemberton moved to approve the audit contract with Diehl, Banwart, and Bolton in the amount of \$13,330.00. Jason Sabine seconded the motion. The motion passed 2-0.

Marilyn Augur addressed the Commission concerning the Transportation Grant application. Augur stated that the transportation van is being used more than it used to be. Augur does not think the mini-van would work very well for our transportation needs. We could wait another year to apply for a grant for a new van. Herb Pemberton recommends waiting another year before applying for a grant for a new van. The Commission agreed to submit the transportation plan without applying for a new vehicle this year. Herb Pemberton moved to allow Augur to sign the transportation grant application for operating expenses. Jason Sabine seconded the motion. The motion passed 2-0. Herb Pemberton moved to sign the letter of support for the Linn County Transportation Program. Jason Sabine seconded the motion. The motion passed 2-0.

Herb Pemberton asked the Chairman to allow the front row of seats in the Commission room to be saved for the Road Foremen.

Joe Maloney informed the Commission that one of the Solid Waste containers is broken, the side of the container ripped out. Maloney asked for permission to go out for bids for 2 new containers. Herb Pemberton moved to allow Maloney to go out for bids for 2 new containers. Jason Sabine seconded the motion. The motion passed 2-0. Mike Page stated that we also need to look at the electrical service on the compactor sites. The site at Parker has a 240 volt panel with 480 volts running into it.

Harry Wisdom informed the Commission that he needs 10 new truck tires. He can purchase the tires from Cross Midwest for \$301.88 each. Herb Pemberton moved to approve the purchase of 10 tires from Cross Midwest for a total of \$3,018.80. Jason Sabine seconded the motion. The motion passed 2-0.

Jason Sabine stated that he talked to Nation Rock about purchasing rock from him. Sabine would like to work something out with Nation so we can purchase rock for the south part of the County. Herb Pemberton stated that we have had contracts with Nation for the last four or five years, but Nation has not been able to fulfill his contract.

At 9:43 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Jason Sabine seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, John Black, and Mike Page attended the executive session.

At 9:53 AM the executive session ended.

At 9:54 AM Jason Sabine moved to extend the above executive session for 15 minutes. Herb Pemberton seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 9:57 AM John Black left the executive session and John Byington entered.

At 10:09 AM the executive session ended.

At 10:12 AM Jason Sabine 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 2-0. The Commission, Clerk, Counselor, Mike Page, and Jim Schmitz attended the executive session.

At 10:22 AM the executive session ended.

At 10:22 AM Jason Sabine moved to extend the above executive session for 10 minutes. Herb Pemberton seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 10:32 AM the executive session ended.

As a result of the executive sessions, Herb Pemberton moved to increase Mike Vrbanc from Range 4, Step A to Range 4, Step F (\$11.83 per hour), effective Feb. 1, 2008, due to his prior experience. Jason Sabine seconded the motion. The motion passed 2-0.

Also as a result of the executive sessions, Herb Pemberton moved to reclassify Asphalt Foreman John Byington from Range 6 to Range 8 (\$15.85 per hour) effective Feb. 1, 2008. Jason Sabine seconded the motion. The motion passed 2-0.

At 10:34 the Chairman asked for public comment. None was given.

At 10:35 Herb Pemberton moved to take a 15 minute break. Jason Sabine seconded the motion. The motion passed 2-0.

Chris Paus presented the Lake Region Solid Waste Authority Annual Regional Solid Waste Plan. Paus informed the Commission that Linn County has an open position on the Solid Waste Management Committee. Paus also presented a Draft Resolution to adopt the Lake Region Solid Waste Management Plan. The Clerk will prepare the Resolution for next week's meeting.

Rick Daulton asked the Commission for permission to use the Courthouse parking lot for a car show on April 26, 2008. Daulton would also like to park some cars on the grass if weather permits. Herb Pemberton moved to allow Daulton to have the car show at the Courthouse and to use the lawn if it is not too wet. Jason Sabine seconded the motion. The motion passed 2-0.

Charlie Blevins asked the Commission about a fence view that occurred several years ago. Blevins has not been able to collect from the other land owner. Blevins already has a lien on the property. Gary Thompson explained the role of the Commissioners in a fence view. The Commissioners can determine the sufficiency of an existing partition fence, decide which landowner is responsible for which part of the partition fence, and can determine how long the landowner has to build his portion of the fence. The Commission does not have any role in collecting the money from a landowner for building his portion of the fence. Mr. Blevins would have to go back to court to collect the money.

Doug Barlet informed the Commission that Matt Byerly has resigned from Station 950 and has accepted employment with the Garden City Fire Dept. Barlet also informed the Commission that they need to appoint a designee to the Northeast Regional Homeland Security Council. Jason Sabine moved to appoint Doug Barlet as our representative to the Northeast Regional Homeland Security Council. Herb Pemberton seconded the motion. The motion passed 2-0.

Herb Pemberton moved to allow the Chairman to sign the contract with BKD, LLC for forensic accounting. Jason Sabine seconded the motion. The motion passed 2-0.

The Commission discussed Fire Ban Resolution, False Alarm Fees, and the water problem at Station 920 with Barlet.

At 11:29 AM at the request of Doug Barlet, Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Jason Sabine seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, Doug Barlet, and Mike Page attended the executive session.

At 11:44 AM the executive session ended.

At 11:45 AM Jason Sabine moved to extend the above executive session for 5 minutes. Herb Pemberton seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 11:50 AM the executive session ended.

At 11:50 AM Jason Sabine moved to extend the above executive session for 5 minutes. Herb Pemberton seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 11:55 AM the executive session ended. No action taken.

At 11:56 AM Jason Sabine moved to recess from the Board of Commission meeting into executive session for 15 minutes for the preliminary discussion on the acquisition of real estate. Herb Pemberton seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, Dennis Arnold, Andy Mayhugh, and Mike Page attended the executive session.

At 12:11 PM the executive session ended.

At 12:12 PM Jason Sabine moved to extend the above executive session for 10 minutes. Herb Pemberton seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 12:22 PM the executive session ended. No action taken.

At 12:22 PM Jason Sabine moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Herb Pemberton seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Mike Page attended the executive session.

At 12:27 PM the executive session ended. No action taken.

The Commission agreed to have a workshop on Friday, February 1 at 9:00 AM to discuss policies, procedures, etc. with the County Counselor and Clerk.

With nothing further on the agenda Jason Sabine moved to adjourn until 9:00 AM Monday, January 28, 2008. Herb Pemberton seconded the motion. The motion passed 2-0.

Commission Chair

Attest:

County Clerk