

March 24, 2008


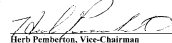
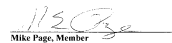


The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jason Sabine, Chairman; Herb Pemberton, Vice Chairman; Mike Page, Member; David Lamb, County Clerk; and Gary Thompson, County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

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

Jason Sabine moved to approve the following add/abate/refund orders: 2007-203. Herb Pemberton seconded the motion. The motion passed 3-0.

Jason Sabine moved to adopt Resolution #08-06, declaring a tire machine surplus property. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #08-06:

RESOLUTION #08-06
DECLARATION OF SURPLUS PROPERTY:
BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LINN COUNTY KANSAS
BE IT RESOLVED: that whereas the following property from the Linn County Road & Bridge Dept. be declared as surplus property:
1 - Coats 30-40A Tire Machine, Serial # 30-40A00975
APPROVED AND ADOPTED THIS 24th DAY OF MARCH, 2008

BOARD OF COUNTY COMMISSIONERS,
LINN COUNTY, KANSAS

Jason Sabine, Chairman

Herb Pemberton, Vice-Chairman

Mike Page, Member

ATTEST:

David L. Lamb, County Clerk

The Clerk read a letter from the Kansas Dept. of Revenue, Cigarette and Tobacco Enforcement, stating that a controlled buy investigation was recently conducted at the Park Marina, and our staff refused to sell to the underage person.

The Clerk presented a Tax Exemption application on Extension Office building that is owned by Linn County. Mike Page moved to file for the exemption for the Extension Building. Herb Pemberton seconded the motion. The motion passed 3-0.

The Clerk informed the Commission that he has received a bid from Bradley Heating & A/C for the La Cygne Fire Station, Office, Bathroom, & Training areas. The Commission asked the Clerk to keep the bid until more bids are received or a decision is made.

Gary Thompson presented a proposed Resolution Establishing Regulations and Required Procedures for Agricultural Open Burning. The Commission reviewed the proposed resolution and made some suggestions. Gary Thompson will make the suggested changes and bring the resolution back next week.

John Maloney informed the Commission that Vegetation Management Supply, Inc. bid for Noxious Weed chemicals is \$87.48 lower than the Van Diest Supply Co. bid. Jason Sabine moved to award the Noxious Weed Chemical bid to Vegetation Management Supply, Inc. in the amount of \$6,551.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Maloney discussed setbacks on a property within a lake development. Mike Page suggested writing a letter to Tanglewood Lakes explaining the County's position on this issue. Maloney also discussed some problems with possible illegal hauling by septic haulers. Maloney will send a certified letter to the alleged parties involved. The Commission will discuss setbacks within lake developments next week.

Mike Page read a letter and petition from residents of Parker asking for paving of streets in Parker. Some of the streets may be partially owned by the County. The letter asks for the County to participate in the paving of the streets. The Clerk will ask Larry Robinson to look into the ownership of the streets.

Tim Prock addressed the Commission concerning painting a mural on a County building in La Cygne. The Commission asked Mr. Prock to give the Commission an estimate on the cost of the project. Mr. Prock is asking the Commission to 1) Allow him to paint the mural on the wall, 2) Pay for the supplies; primer, paint, varnish, etc., 3) Provide a bucket lift or other device to reach high areas, and 4) Pay a stipend for his time.

Dennis Arnold discussed the infrastructure for the IPC site. Arnold recommends having our Road & Bridge Dept. do the work that we can do, and reimburse IPC for other work that needs to be done. The County has agreed to provide the services to the site.

At 10:20 AM Herb Pemberton moved to recess from the Board of Commission into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor and members of the Extension Council. Mike Page seconded the motion. The motion passed 3-0. The Commission, Counselor, Roger Carbon, and John Sawyer attended the executive session.

At 10:30 AM the executive session ended. No action taken.

At 10:31 AM Jason Sabine moved to take a 15 minute break. Mike Page seconded the motion. The motion passed 3-0.

At 10:46 AM the Chairman asked for public comment. Bernita Robbins asked why the proposed open burning resolution doesn't allow burning at night. Robbins stated that they always burn at night, and they get a better burn at night. (State Statute prohibits burning at night.) Charlie Blevins showed the Commission a large rock that he picked up on 200 Road. Blevins stated that the County Road crew blades the road keeps moving the large rocks back and forth across the road but never pick up the rocks. Jason Sabine stated that he will talk to John Black about the problem. Blevins stated that the County hauled the rocks in and dumped them on the road. Herb Pemberton stated that the County does not haul big rocks in on County roads.

At 10:55 AM Jason Sabine 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. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Steve Thompson attended the executive session.

At 11:10 AM the executive session ended.

At 11:13 AM Jason Sabine moved to extend the above executive session for 15 minutes. Mike Page seconded the motion. The motion passed 2-0.

At 11:28 AM the executive session ended. No action taken.

Steve Thompson informed the Commission that valuation notices will be going out on April 1st. Overall

our valuations on homes are up about 5%. Ag. values are down overall. Commercial values are stable.

The Commission talked to Larry Robinson about the street in Parker that was referred to in the petition mentioned earlier in the meeting. Robinson stated that the street appears to be in the City limits. The Commission also asked Robinson about the cost of signs for unincorporated towns. Robinson does not have a new cost estimate yet. The Commission asked Robinson if he had any information on the status of a road that Mr. Kerr asked about. Robinson stated that he found that the road had been vacated to the north of the railroad tracks.

At 11:50 AM Herb Pemberton 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. Mike Page seconded the motion. The motion passed 3-0. The Commission and Counselor attended the executive session.

At Noon the executive session ended. No action taken.

At Noon the Commission met with the Road Foremen to discuss salary schedules. Dan Morris suggested changing the scale for Equipment Operators, adding classifications for Equipment Operator I, II, & III. The Clerk stated that we would need job descriptions that define the requirements for each category. Jason Sabine would like to see raises tied to performance, not years of service. If we are going to tie the increases to performance, we need to rework the whole scale. The Commission agreed that they need to look at the scale for all employees, not just the Road Dept.

At 1:02 PM Jason Sabine moved to take a 10 minute break. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission discussed the infrastructure work for IPC with John Black. Black and the Commission agreed that it would be better to have the same people dig the trenches and lay the pipe for the water and sewer. The Clerk asked about a limit for the project. How much would we be willing to spend? Dennis Arnold stated that the project would be limited by the amount of budget he has available for incentives. Mike Page stated that we would probably want IPC to get at least two bids for the project.

Herb Pemberton moved to increase Tod Moeller, Ricky Stephens, and Larry Erickson to Range 4, Step F, \$11.83 per hour based on prior experience. Mike Page seconded the motion. The motion passed 3-0.

The Commission asked the Road Foremen to come back in two weeks to discuss salary schedules again.

At 1:35 PM the Commission met with KDOT representatives Rusty Drake, David Weirich, Brian Schafer, and Hugh Bogle concerning the frontage roads that will be turned over to the County. Robinson, Byington, and the Road Foremen agreed with the proposals for blacktopping the frontage roads. John Black stated that he thinks Hugh Bogle, Larry Robinson, John Byington, and the County Road Foreman for the district should drive and inspect all the access roads before they are signed over to the County.

With nothing further on the agenda Herb Pemberton moved to adjourn until 9:00 AM Monday, March 31, 2008. Mike Page seconded the motion. The motion passed 3-0.

Attest:

Commission Chair

County Clerk