

June 3, 2019

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 Rick James, Chair; Mike Page, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Sheriff Filla led the Pledge of Allegiance. Jeff Fulk opened the meeting with prayer.

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

The Clerk reminded the Commission of tonight's Mound City City Council meeting when they will hear the recommendation of their Planning Commission on our rezoning of the lots on Spruce Street. The Clerk also reminded the Commission about the Open Enrollment for our benefit plan on Thursday and Friday of this week.

Mike Page moved to approve the following pays/special pays, totaling \$113,047.50: General, \$46,278.29; Employee Benefit, \$61.41; Appraiser, \$1,545.40; Rural Fire, \$9,433.82; Road and Bridge, \$48,705.17; 911 Telephone Tax, \$1,491.39; County Health Dept., \$2,164.02; Elderly, \$1,548.24; and Sewer District #1, \$1,819.76. Danny McCullough seconded the motion. The motion passed 3-0.

Mike Page moved to approve add/abate/refund orders #2018-105 and #2018-106. Rick James seconded the motion. The motion passed 3-0.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week. Anderson also discussed other issues AMR is dealing with.

Doug Barlet asked to extend the disaster proclamation for another week. Mike Page moved extend the Disaster Proclamation for another week due to the potential of more storms. Rick James seconded the motion. The motion passed 3-0. Barlet explained the benefits of a Disaster Proclamation.

The Sheriff reported the current prisoner count. There are currently 18 prisoners in house and 22 farmed out to other Counties. Sheriff Filla then recognized Alex Cochrane for his work that helped save a life of an elderly female that was having medical issues while driving.

At 9:21 AM Rick James moved to recess from the Board of Commission meeting into executive session for 20 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor; 5 minutes to discuss trade secrets, pursuant to the trade secrets exception, K.S.A. 75-4319(b)(4), concerning a potential new business; and 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 9:56 AM. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 9:56 AM the executive session ended. No action was taken as a result of the executive session.

At 9:57 AM Rick James moved to recess from the Board of Commission meeting into executive session for 25 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:22 AM. Danny McCullough seconded the motion. The motion passed 2-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:22 AM the executive session ended. No action was taken as a result of the executive session.

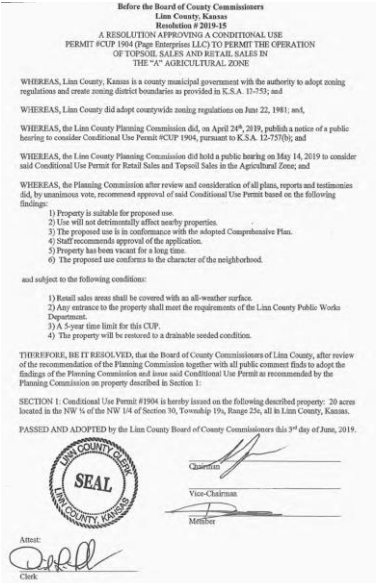
Andy Mayhugh presented CUP #1904 requested by Page Enterprises LLC to permit the operation of topsoil sales and retail sales in the "A" Agricultural Zone. The Planning Commission approved the application by a unanimous vote with the following findings:

- 1) Property is suitable for proposed use.
- 2) Use will not detrimentally affect nearby properties.
- 3) The proposed use is in conformance with the adopted Comprehensive Plan.
- 4) Staff recommends approval of the application.
- 5) Property has been vacant for a long time.
- 6) The proposed use conforms to the character of the neighborhood.

and the following conditions:

- 1) Retail sales areas shall be covered with an all-weather surface.
- 2) Any entrance to the property shall meet the requirements of the Linn County Public Works Department.
- 3) A 5-year time limit for this CUP.
- 4) The property will be restored to a drainable seeded condition.

After reviewing the findings and conditions of the Planning Commission, Rick James moved to approve CUP #1904 as presented, adopt the findings and conditions of the Planning Commission, and adopt Resolution #2019-15. Danny McCullough seconded the motion. The motion passed 2-0. (Mike Page abstained) Following is a copy of Resolution #2019-15:



Jackie Messer discussed storm damage from this weekend. Messer presented a draft of a letter to the Mayors of our Cities concerning our compactor sites. Messer also discussed repairs to our sewer pumps at the Park.

At 10:37 AM the Chair asked for public comment. None was given.

At 10:38 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees’ performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:48 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jackie Messer attended the executive session.

At 10:48 AM the executive session ended. No action was taken as a result of the executive session.

Kristy Schmitz presented the 2020 Register of Deeds Budget Request in the amount of \$120,300.00. Mike Page moved to tentatively approve the 2020 Register of Deeds Budget in the amount of \$120,300.00 (\$1,525.00 increase). Danny McCullough seconded the motion. The motion passed 3-0.

With nothing further on the agenda Mike Page moved to adjourn until 9:00 AM Monday, June 10, 2019. Danny McCullough seconded the motion. The motion passed 3-0.

Attest:

Commission Chair

County Clerk