

January 6, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Tom Foerschler, Chairman; Delbert Cannon, Vice Chairman; Herb Pemberton, Member; Don Proffitt, County Clerk; and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve 2003 trash hauling permits for Randy Sullivan, Sullivan's Service and for David Ayers. Tom Foerschler seconded the motion. The motion passed 3-0.

At the request of Road Foreman District #2 John Black, Delbert Cannon motioned to purchase two snow blades from Knapheid, Kansas City, Missouri at \$3,613.00 each. Tom Foerschler seconded the motion. The motion passed 3-0. The next low bid was \$4,200.00 each from Myers.

Herb Pemberton motioned to have Road Foreman #3 Harry Wisdom, to purchase rock from Ash Grove, Fulton Rock Quarry at a maximum of \$3.50 per ton. Tom Foerschler seconded the motion. The motion passed 3-0.

Administrative Assistant, Tuesdee Stark announced she is giving her 2-week notice. Tuesdee's last day will be January 17.

After the Clerk notified the Commission that the \$14.30 per hour pay for newly hired registered nurse Margaret Chambers did not hit on a county pay scale, the Commission agreed to move Chambers to \$14.36.

Herb Pemberton motioned to pass Resolution #03-01 to surplus 1997 Ford pickup from the Rural Fire Department. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-01:

Herb Pemberton motioned to approve for Fire Coordinator Bernard Streeter to purchase Fire Fighter I and Fire Fighter II training courses for the Fire Department from IFSTA for \$3,500.00. Delbert Cannon seconded the motion. The motion passed 3-0.

At 9:55 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a legal issue with the County Counselor (possible litigation). Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Steve Thompson attended the executive session.

At 10:10 a.m. the executive session ended. No action taken.

The Commission reviewed a C.U.P. #110286 for Brian Rodrock for a controlled shooting area. This C.U.P. was approved 9-0 by the Planning Commission. Delbert Cannon motioned to accept the recommendation of the Planning Commission and approve C.U.P. 110286 as approved by the Planning Commission and to pass Resolution 03-03. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-03:

The Commission reviewed C.U.P. 110285 for a bed and breakfast requested by Roger and Charlene Sims. The Planning Commission recommended approval 9-0. Herb Pemberton motioned to approve C.U.P. #110285 for the bed and breakfast and to approve Resolution #03-04. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-04:

At 10:27 Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, Zoning Administrator, Economic Development Director and Traffic Control Coordinator attended the executive session.

At 10:37 a.m. the executive session ended.

At 10:37 Tom Foerschler motioned to extend the executive session by ten minutes. Herb Pemberton seconded the motion. The motion passed. The same people attended the executive session.

At 10:47 the executive session ended. No action taken.

At 10:58 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session for a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor attended the executive session.

At 11:00 the executive session ended. No action taken.

The Commission asked the Clerk to post the office administrative position at \$9.98 per hour.

Park Director Bruce Holt updated the Commission on his yearly receipts and expenditures.

Herb Pemberton motioned to pass Resolution 03-02 and to enter into an interlocal agreement with KCAMP, concerning the multi line insurance pool. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-02:

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, January 13. Delbert Cannon seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

January 13, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Tom Foerschler, Chairman; Delbert Cannon, Vice Chairman; Herb Pemberton, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-144 through 2002-154.

Herb Pemberton motioned to approve for District #1 Foreman Danny Morris to purchase a power steering pump for \$612.16 from Merle Kelley Ford. Tom Foerschler seconded the motion. The motion passed 3-0.

Solid Waste Coordinator Ed Fleming and the Commission discussed going out for bids to have someone pickup metal at the compactor and transfer station. The Commission asked Fleming to come back with a proposal.

Traffic Control Coordinator, Larry Robinson reported several signs have been knocked down or vandalized (over 100 stop signs in the last ninety days) Robinson will prepare bids for replacement signs.

The Commission reviewed the Prescott Senior Citizens report through December, 2002.

Delbert Cannon motioned to approve the Cemetery District #4 annual report and the township reports for 2002 from Liberty, Potosi, Stanton and Valley. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed a letter from Miami County stating they have appointed Dr. Trent Knewtson as District Coroner for the 6th Judicial District.

The Commission approved an invoice from Triangle Builders for \$2,946.75 for construction management on the nursing home. This pays Triangle up to date for the work they have done at the nursing home.

Due to the high electric bill, Delbert Cannon motioned to have Conley Service disconnect and drain the water sprinkler system at the nursing home and to shut off the electric heaters. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:39 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and County Appraiser Steve Thompson attended the executive session.

At 9:49 the executive session ended. No action taken.

At 9:54 Herb Pemberton motioned to recess from the Board of Commission meeting for fifteen minutes into an executive session to discuss a personnel issue related to a non elected employee. The Commission, Clerk, County Counselor, Zoning Administrator, Economic Development Director, Solid Waste Coordinator and all 3 Road Foreman attended the executive session.

At 10:09 a.m. the executive session ended.

At 10:09 a.m. Tom Foerschler motioned to extend the above executive session for fifteen minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The same people were attending.

At 10:24 a.m. the executive session ended. No action taken.

Herb Pemberton motioned to approve telephone cable burial requested by Sprint United located along 1095 in 19-21-24E. Tom Foerschler seconded the motion. The motion passed 3-0.

Bids were opened for two new patrol cars. Bids received from Cox Motor Company at \$23,200.00 each outright and Beckman Motors at \$23,303.00 each outright. Herb Pemberton motioned to accept the low bid from Cox Motor Company of \$23,200 each. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to surplus two patrol cars, a 1997 and a 1998 and to put those cars out for bid to the public. Delbert Cannon seconded the motion. The motion passed 3-0.

At 10:45 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Sheriff attended the executive session.

At 10:50 a.m. the executive session ended.

As a result of the executive session Herb Pemberton motioned to hire Stacy Murrow as deputy at \$11.25 per hour. Delbert Cannon seconded the motion. The motion passed 3-0. Murrow must take a preemployment physical and be on normal county probation for six months.

At 10:54 Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Jim Schmitz Surveyor attended the executive session.

At 10:59 a.m. the executive session ended. No action taken.

At 11:05 Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a

personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk County Counselor and Debbie Bruner attended the session.

At 11:20a.m. the executive session ended. Tom Foerschler motioned to extend the executive session for ten minutes. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:30a.m. the executive session ended. Tom Foerschler motioned to extend the executive session by ten minutes. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:40 a.m. the executive session ended with no action taken.

Delbert Cannon motioned to recess for lunch until 1:00 p.m.. Herb Pemberton seconded the motion. The motion passed 3-0.

At 1:00 p.m. the Commission Chairman called the meeting to order.

At 1:00 p.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Debbie Bruner attended the executive session.

At 1:10 p.m. the executive session ended. No action taken.

The Commission Chairman announced that Debbie Bruner has withdrawn her application for the Administrative Assistant position that she had bid on.

The Commission asked the Clerk to advertise for the Administrative Assistant position in the newspaper through the 24th of January.

Herb Pemberton motioned to move the January 20th meeting to Tuesday, January 21st due to the fact that the 20st is a federal holiday and county offices will be closed. Delbert Cannon seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Tuesday, January 21. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

January 21, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$105,281.10; Employee Benefit, \$107,328.67; Appraiser, \$8,178.45; Rural Fire, \$4,218.53; Road & Bridge, \$33,251.98; 911 Telephone Tax, \$2,799.79; School Resource Officer, \$3,049.59; Hospital Board, \$26,568.64; Crime Victim Assistance, \$679.46; and Elderly, \$9,801.74.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-155 and 2002-157.

Tom Foerschler motioned to approve Solid Waste Collection permit for Waste Management, Paola for a 2001 Mack and a 2002 International. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve Solid Waste Collection permit for V & H Enterprises for 4 vehicles: '87 Ford, '80 Ford, '85 Chevrolet, and '72 White. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve a Permit to Bury Water Line requested by Bourbon County Water Dist. #4 located at 6698 Ingrahm Road. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:10 AM, Tom Foerschler motioned to recess from the Board of Commissioners meeting into executive session for 5 minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attend the executive session.

At 9:15 AM the executive session ended. No action taken.

At 9:20 AM, at the request of Zoning Administrator Andy Mayhugh, Delbert Cannon motioned to recess from the Board of Commissioners meeting into executive session for 15 minutes to discuss a personnel issue related to a non-elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and Mayhugh attended the executive session.

At 9:35 AM the executive session ended. No action taken.

The Commission reviewed a letter from Lake Region Solid Waste Authority Management Committee asking for two new appointments to the Board, one each to replace Roger Sims and Ray Miller. The Commission tabled the request.

Tom Foerschler motioned to appoint David Lamb as Secondary Contact for the Consortium, Inc. Drug & Alcohol Testing Notification. Herb Pemberton seconded the motion. The motion passed 3-0. Lamb will replace Tuesdee Stark as Secondary Contact.

Herb Pemberton motioned to approve the Mound City Cemetery report for 2002. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve Mound City, Paris, and Blue Mound township reports for 2002. Delbert Cannon seconded the motion. The motion passed 3-0.

The County Counselor reported on Lease Rates for the Nursing Home Building. The County Counselor recommended the following report and the Commission agreed by consensus to accept these findings.

Rural Fire Coordinator Bernard Streeter proposed Lease Purchasing 2 fire trucks for the La Cygne station. Herb Pemberton motioned to approve for Streeter to Lease Purchase a 1994 Spartan pumper truck at \$115,000.00 and a 2003 Freightliner tanker truck at \$128,000.00 if after inspecting the 1994 Spartan it is found satisfactory. Delbert Cannon seconded the motion. The motion passed 3-0. Streeter will inspect the Spartan and will come back to the Commission with lease agreements. The Commission agreed to a \$40,000.00 down payment.

Charlene Sims, Jerry Kees, and Becky Crowder w/Austin Peters reported on the 21st Century School Program and asked for support from the Commission for the program. Dr. Stanage, USD 362 Superintendent, also read a letter of support from the USD 362 School Board. After lengthy discussion the Commission tabled the issue.

The Commission reviewed the monthly Hospital Board report for December 2002.

At 11:05 AM Delbert Cannon motioned to recess from the Board of Commissioners meeting into executive session for 1 hour to interview applicants for the Administrative Assistant position. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and applicants attended the executive session.

At 12:05 PM the executive session ended.

At 12:05 PM Tom Foerschler motioned to extend the executive session for 1 hour to continue the interviews. Herb Pemberton seconded the motion. The motion passed 3-0.

At 1:05 PM the executive session ended. No action taken.

With nothing further on the agenda Delbert Cannon motioned to adjourn until 9:00 AM Monday January 27th. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

January 27, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-158 through 2002-169.

Tom Foerschler motioned to approve 2002 annual township reports for Lincoln and Scott townships and cemetery reports for Cemetery District #1 and Cemetery District #3. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the sheriff monthly fee report for December 2002.

At 9:22 at the request of Dennis Arnold, Economic Development Director, Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a legal issue (possible litigation) with the County Counselor. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Dennis Arnold attended the executive session.

At 9:32 a.m. the executive session ended. No action taken.

Tom Foerschler motioned to appoint Bruce Smith to the Hospital Board to fill Clint Jaeger's position on the board. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to reappoint Patsy Stogsdill to the Planning Commission. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to hire Matt Byerley and Julie Wollard as firefighters at the Parker station and Jeff Downing as firefighter at the Mound City station. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to sign a formal proposal for a lease purchase agreement with Baystone Financial Group to purchase a 1994 pumper truck and a 2002 tanker truck. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of that lease agreement:

Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue (interview applicants for the administrative assistant position) until 12:00 noon. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk and applicants attended the executive session.

At 12:00 noon the executive session ended and the Commission ate lunch.

At 12:30 p.m. Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session until 3:00 p.m. to discuss a personnel issue (interview applicants for the administrative assistant position). Tom Foerschler seconded the motion. The motion passed 3-0.

At 3:00 p.m. the executive session ended.

Herb Pemberton motioned to adjourn until 9:00 a.m., Tuesday morning to interview the remaining applicants for the administrative assistant position. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

January 28, 2003

At 9:00 a.m. the Linn County Commission met in a special called session to interview applicants for the administrative assistant position. Those present were Delbert Cannon, chairman; Herb Pemberton, vice chairman; Tom Foerschler, member and Don Proffitt, county clerk.

At 9:00 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session until 11:30 a.m. for personal issues (interview applicants for administrative assistant position). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and applicants attended the executive session.

At 11:30 a.m. the executive session ended.

Delbert Cannon motioned to extend the above executive session until 12:15 p.m. Tom Foerschler seconded the motion. The motion passed 3-0.

At 12:15 the executive session ended. As a result of the executive session the Commission gave the clerk six names of applicants to be called for interviews during next Monday's meeting.

Herb Pemberton motioned to adjourn until 9:00 a.m., Monday, February 3. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

February 3, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; and Don Proffitt, County Clerk.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$150,501.04; Employee Benefit, \$53,779.82; Appraiser, \$9,472.89; Rural Fire District, \$21,966.75; Road & Bridge, \$75,605.36; Special Fire Equipment Replacement Fund, \$12,800.00; School Resource Officer, \$3,209.54; Hospital Board, \$39,229.07; Crime Victim Assist, \$679.46; Elderly, \$11,956.83; Economic Development Grant, \$600.00.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-170 through 174

Ellie Davey, Treasurer presented the Commission with the interest report for quarter ending December 31, 2002. Total interest for the year was \$119,446.16.

At the request of Harry Wisdom, District 3 Foreman, Delbert Cannon motioned to purchase a new power steering pump from Merle Kelley Ford for \$679.19. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve for Ed Fleming to attend a recycling workshop March 18 - 20 in Winfield. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to contribute \$300.00 to Experience Work (formerly Green Thumb). Tom Foerschler seconded the motion. The motion passed 3-0.

At the request of Weed Director John Maloney, Tom Foerschler motioned to sign the 2002 Linn County Annual Noxious Weed Eradication Program report. Delbert Cannon seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to appoint Jim Schmitz as County Surveyor. Tom Foerschler seconded the motion. The motion passed 3-0. The County Clerk then swore in Schmitz as the County Surveyor.

Zoning Administrator, Andy Mayhugh, presented the Commission with C.U.P. #1202087 for a dog kennel requested by Mike and Vicky Eastwood. The Planning Commission unanimously approved the C.U.P.. Delbert Cannon motioned to approve Resolution #2003-06 and to approve C.U.P. #120208T. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2003-06:

Bids were opened for road signs. Bids received were J & A Traffic Products at \$10,110.00, Welborn Sales at \$8,361.00, DC Wholesale at \$9,810.00, All Roads Barricades \$10,734.00 and National Signs Co. at \$8,263.50. Herb Pemberton motioned to accept the bid from National Sign Company, Ottawa, Kansas for \$8,263.50. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission reviewed a letter from KCAMP offering terrorism risk insurance. The Commission tabled the issue until next week or until they can get further information.

The Commission reviewed a letter from Prairie View High School asking for donations for their junior/senior after prom party. The Commission took no action.

The Commission reviewed a letter from Bernita Robbins insurance company stating that they do not base the cost of her farm protection policy on the fire rating of the area she lives in. Discussion followed but no action was taken.

Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee (interview for administrative assistant position) until 1:00 p.m.. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, Road Foreman, Zoning Administrator and Solid Waste Coordinator attend the executive session.

At 1:00 p.m. the executive session ended.

As a result of the executive session, Tom Foerschler motioned to hire Lynne Filla as Administrative Assistant at \$9.98 per hour. Filla must take a pre employment physical and will be on the counties normal six month probation. Herb Pemberton seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, February 10. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

February 10, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$142,446.64; Appraiser, \$2,042.66; Rural Fire District, \$11,673.79; Road & Bridge, \$57,040.64; Law Enforcement Trust Fund, \$143.90; 911 Telephone Tax, \$2,775.54; Special Fire Equipment Replacement Fund, \$40,000.00; DARE Fund, \$27.00; Hospital Board, \$28,744.22; Crime Victim Assist, \$164.68; Elderly, \$12,721.79.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-175 through 2002-182.

Delbert Cannon motioned to approve a Permit to Bury Water Line located at 200 Road & White Road requested by R.W.D. #2. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to pass Resolution #03-07 to sign a Lease Purchase agreement for new fire trucks through Kansas State Bank of Manhattan. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-07:

The Commission reviewed the January 2003 park report.

At 9:21 AM Herb Pemberton motioned to take a 10 minute break. Delbert Cannon seconded the motion. The motion passed 3-0.

Charlene Sims and approximately 15 others presented a proposal for Linn County to fund the 21st Century Learning Program. Approximately a dozen people spoke in favor of the project and asked the Commission to fund the program through a sales tax or with a mill levy. Only one person present spoke against the program. After listening to the audience, the Commission asked the County Counselor to study the legalities of dedicating sales tax to fund the program.

At the request of Marilyn Augur, Nutrition Director, Tom Foerschler motioned to approve the Linn County Affirmative Action Program for 2003 with no changes. Herb Pemberton seconded the motion. The motion passed 3-0.

Augur also went over the F.T.A. Drug & Alcohol Policy. The Commission asked the County Counselor for an opinion and will make a decision next week.

Jim Ferrante, Blue Mound spoke to the Commission about possible ways to address the problem of losing road signs in the County. No action was taken by the Commission.

Tom Foerschler motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 11:42 the executive session ended, no action taken.

At 11:45 AM the Commission moved the meeting to Osborn Road to watch a demonstration of a Road Groom.

After viewing the demonstration of the Road Groom, the Commission asked John Black to check with owners of the Road Groom and see how they have worked out in their areas.

At 12:40 PM Tom Foerschler motioned to adjourn until 9:00 AM Tuesday February 18th. Delbert Cannon seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

February 18, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$58,904.41; Employee Benefit, \$45,057.76; Appraiser, \$8,196.79; Rural Fire District, \$2,751.92; Road & Bridge, \$30,402.29; SRO Fund, \$2,227.20; Hospital Board, \$22,314.99; Crime Victim Assist, \$679.46; Elderly, \$7,574.63.

The Commission and Road Foremen discussed the Road Groom that was demonstrated last week. The Commission asked John Black to see if we could get the machine back for a longer demo.

Tom Foerschler motioned to approve for Dist. #1 Foreman, Danny Morris to have 4 motor grader tires recapped for \$1,305.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve Resolution #03-08 to amend Solid Waste fees for tire disposal. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution 03-08:

Bids were opened to sell the scrap at the Transfer Station and all compactors. The only bid received was from Wes Recycling Inc. for \$1,651.00. Delbert Cannon motioned to accept the bid from Wes Recycling Inc. for \$1,651.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to give right of way to PWWD #13 to lay water lines located in the SW 1/4 of Sec. 29, Twp. 20, Range 23 Linn County, KS. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to purchase culvert tubes for Road Dist. #3 from J&J Metal, Paola, KS for approximately \$2,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to sign a petition to designate Linn County as a Sericea Lespedeza Disaster County. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission and Traffic Control Coordinator discussed the County's 5 year Road & Bridge plan for KDOT. The Commission asked Larry Robinson to update the County's 5 year plan.

The Commission opened bids to have cabinets put in the Pleasanton Senior Center. Bids received from Top Line Construction for west side \$3,495.00 and east side \$6,995.00 and B.C. Construction for west side \$2,060.00 and east side \$2,475.00. Delbert Cannon motioned to accept the bid from B.C. Construction for both east and west side cabinets for \$4,535.00. Motion died for lack of a second. The Commission asked Augur to make sure price includes finishing.

At 9:16 AM at the request of Marilyn Augur, Herb Pemberton motioned to recess from the Board of Commissioners meeting into executive session for 5 minutes to discuss a personnel issue related to a non elected employee (review application for meal van driver). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, and Augur attended the executive session.

At 9:21 AM the executive session ended.

As a result of the executive session Delbert Cannon motioned to hire Rosa Sweat as Meal Delivery Driver at \$7.00 per hour. Herb Pemberton seconded the motion. The motion passed 3-0. Sweat will work 5 hours per day 5 days per week.

Mark Schuler, County Extension Agent discussed repair to the 4H building. The Commission reported they would like to develop a 3 to 5 year plan to have the needed repairs done.

Charlene Sims and Jenny Kees discussed with the Commission the 21st Century program. After discussion the Commission reported they would not voluntarily put the issue of a sales tax to support the program on the April 1st Election Ballot.

County Attorney John Sutherland asked to replace his part time employee. Herb Pemberton motioned to hire Monica Mullins as part time employee in the County Attorney's office at \$7.15 per hour. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission called a special meeting on Thursday February 20th at 1:00 PM at the nursing home to decide on repairing roof.

Zoning Administrator Andy Mayhugh, presented Lot Split #138 requested by Nicholas Yosick. Tom Foerschler motioned to approve Lot Split #138 as requested and to accept the accompanying road easement. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to accept the bid from B.C. Construction to replace the cabinets in the Senior Center in Pleasanton for a total of \$4,535.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve the F.T.A. Drug & Alcohol Policy as presented by Nutrition Director Marilyn Augur. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed the January Hospital Board Report & the January 14, 2003 Hospital Board meeting minutes.

The Clerk reported the Courthouse boiler fill tank is leaking and a new one from Fagan will cost \$3,299.00. The Commission asked the Clerk to see what it would cost to repair the tank that is leaking.

The Clerk reported that Register of Deeds, Sharon Barnes will have surgery March 10th and will be out of the office for a few weeks.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until Thursday at 1:00 PM to meet at the nursing home. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

February 20, 2003

The Board of Linn County Commission met in a special called meeting at 1:00 PM at the old Nursing Home building in Mound City. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Jerry Bedgood, Maintenance Department.

The Commission inspected the roof and measured the roof area, counted deck pipes & roof vents, measured eave troughs & down spouts getting the necessary information to advertise for bids to have a new roof put on the building.

The Commission agreed to work up the bids specs. at their next Monday meeting.

At 3:00 PM Tom Foerschler motioned to adjourn. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

February 24, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve telephone cable burial requested by Sprint United located at 2000 Road & Gireau Road and 379' along 1077 (Center Ave) in the City of Parker, but Sprint must get an OK from the City of Parker. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve the 2002 Centerville Township Report. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission decided to canvas the February 25th Primary Election Monday, March 3rd after the regular Commission meeting.

The Commission opened bids for firefighter's turn-out gear. After reviewing all bids and finding they were all over the allotted budget, Tom Foerschler motioned to reject all bids. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission asked Fire Coordinator Bernard Streeter to re-bid out with fewer pairs of gear to keep the total under budget.

Bids were opened to build bridges for the County this year. The only bid received was from Foote Construction for \$225.00 per cubic yard. On recommendation from the Road Foremen, Tom Foerschler motioned to accept the bid of \$225.00 per cubic yard from Foote Construction. Herb Pemberton seconded the motion. The motion passed 3-0. Commission will have the County Counselor prepare a contract.

Tom Foerschler motioned to approve the SEK Regional Planning Commission Dues of \$3,835.50. Delbert Cannon seconded the motion. The motion passed 3-0.

On recommendation of Micro Loan Committee and Economic Development Director Dennis Arnold, Herb Pemberton motioned to approve \$15,000.00 micro loan to Sugar Creek Kettle Corn Co. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission opened bids for signs for Compactor Sites. Bids received from Newman Traffic Signs \$210.00 total, National Sign Co. \$270.00 total. Herb Pemberton motioned to accept the bid from Newman Traffic Sign Co. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:27 AM at the request of Zoning Administrator Andy Mayhugh, Herb Pemberton motioned to recess from the Board of Commissioners meeting into executive session for 15 minutes to discuss the preliminary discussion on the purchase of real property. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Mayhugh attended the executive session.

At 10:42 AM the executive session ended. No action taken.

The Commission asked the County Counselor to advertise that Linn County will be taking bids on re roofing the Nursing Home and their will be a pre bid meeting next Monday at 1:30 at the Nursing Home.

At 10:43 AM Tom Foerschler motioned to recess from the Board of Commissioners meeting into executive session to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and County Treasurer attended the executive session.

At 10:53 AM the executive session ended. No action taken.

The Commission reviewed a letter from Hartford Insurance Co. stating they have included Terrorism Risk Insurance on the boiler policy at no extra cost at present.

With nothing further on the agenda Herb Pemberton motioned to adjourn until 9:00 AM Monday, March 3rd. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

March 3, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the February 20th special meeting and the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$58,980.77; Employee Benefit, \$38,102.60; Appraiser, \$8,196.79; Rural Fire District, \$3,861.91; Road & Bridge, \$29,355.90; SRO Fund, \$8,165.77; Hospital Board, \$34,779.54; Crime Victim Assist, \$679.46; Elderly, \$6,844.67.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-183 through 2002-185.

The Commission reviewed bids for a portable welder for Road Dist. #2 and Road Dist. #3. Tom Foerschler motioned to take the low bid from Kirkland Welding for \$1,805.00 for a Weldan Power 125. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed chemical bids. Bids received from Vandiest Supply for \$6,182.82 and Farm & Field Supply for \$6,112.50. Delbert Cannon motioned to accept the low bid from Farm & Field Supply, Centerville, KS for \$6,112.50. Tom Foerschler seconded the motion. The motion passed 3-0.

Dean Schoenhals, business owner @ north edge of Pleasanton on Highway 69 asked to be allowed to widen his entrance or to add an entrance. The Commission asked Larry Robinson, Traffic Control to work with Schoenhals to see if the State will grant this request.

The Commission Chairman signed notices to advertise for bids to rent 22.9 acres of farm ground in Sec. 33, Twp. 22S, Range 25E.

Bids were opened to sell 1997 & 1998 Ford Crown Victoria patrol cars. Only one bid was received from Hillsdale Storage. Tom Foerschler motioned to accept the bid on the 1997 of \$1,307.00 and \$1,203.00 on the 1998. Delbert Cannon seconded the motion. The motion passed 2-1.

At 9:46 AM Delbert Cannon motioned to recess from the Board of Commissioners meeting into executive session for 15 minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk & County Counselor attended the executive session.

At 10:01 AM the executive session ended. No action taken.

Delbert Cannon motioned to appoint Larry Hall to the at large position on the Linn County Hospital Board. Herb Pemberton seconded the motion. The motion passed 3-0.

Register of Deeds, Sharon Barnes met with the Commission to ask for more pay for her part time employees. After lengthy discussion Delbert Cannon motioned to increase temporary part time employees to \$7.15 per hour effective today. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to rescind the previous motion of increasing temporary part time employees pay. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to accept the recommendation of the Planning Commission to pass Resolution #03-08 and to approve Rezoning Case #Z0103172 to rezone property in Sec. 30, Twp. 21S, Range 25E to HR (Highway Retail) Zoning. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-08:

Zoning Administrator Andy Mayhugh gave the Commission a notice of meeting of the sewer district for Centerville to be held at 7:00 PM on March 20th at Centerville Township Hall.

At 10:27 AM Tom Foerschler motioned to recess from the Board of Commissioners meeting into executive session until 10:45 AM to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Andy Mayhugh attended the executive session.

At 10:45 AM the executive session ended. No action taken.

Tom Foerschler motioned to pay Linda Pinneo \$7.15 per hour while filling in for Sharon Barnes while she is recuperating from surgery. Herb Pemberton seconded the motion. The motion passed 3-0.

The County Clerk reported that the petition to put a 1% sales tax on Linn County retail sales is sufficient. There were 314 good signatures and 309 were needed. Delbert Cannon motioned to put the question on the April 1st Election Ballot. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed the Sheriff's monthly fee report for January 2003.

The Commission reviewed and approved the Sheridan Township Treasurer/Trustee Report for 2002.

Tom Foerschler motioned to recess as the Board of Commissioners & convene as the Board of Canvassers to canvass the February 25th Primary Election results. Delbert Cannon seconded the motion. The motion passed 3-0.

The Board of Canvassers compared the results of the counting machine totals to the abstract book. The Board of Canvassers also reviewed the results of the Pleasanton Mayoral & Council race that was hand counted due to the chip in the counting machine being programmed wrong for counting the council race. All these totals were compared to the abstract.

The Board of Canvassers reviewed 18 provisional ballots. The Board of Canvassers decided that 13 of the 18 provisional ballots should be

counted. The Board then hand counted the 13 provisional ballots and added results to the abstract book.

The Board then reviewed results from Miami County for the 362 at large position and added these to the abstract.

Tom Foerschler motioned to adjourn as the Board of Canvassers and reconvene as the Board of Commissioners. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to recess the Board of Commissioners meeting until 1:30 PM to meet with prospective bidders on the nursing home roof. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to reconvene the Commissioners meeting at the nursing home for a pre bid meeting with those interested in bidding on roofing the nursing home. Herb Pemberton seconded the motion. The motion passed 3-0. All 3 Commissioners were present.

At 2:45 PM after going over plans for roofing the nursing home & listening to suggestions Tom Foerschler motioned to adjourn. Delbert Cannon seconded the motion. The motion passed 3-0. The County Clerk will prepare notice to bid in the Linn County News and also prepare specs. for bidders.

County Clerk

Commission Chair

March 10, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

At 9:00 AM the Commission went to the old courtroom in the courthouse to introduce themselves and to welcome the Government Day Students.

At 9:25 AM the Commission convened their regular Commission meeting.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$285,120.05; Appraiser, \$3,103.15; Rural Fire District, \$9,777.24; Road & Bridge, \$72,598.89; 911 Telephone Tax, \$2,774.89; Hospital Board, \$21,518.37; Elderly, \$7,428.86; Econ Dev Grant, \$19,500.00.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-186 and 2002-187.

District #2 Road Foreman John Black asked the Commission about trading a surplus lowboy tractor for a 1 ton truck. The Commission asked Black to get a trade in price & get back to them.

The Commission reviewed a request to bury gas pipe line in County right of way by Meritage KCM Exploration LLC. The Commission asked that a rep from the company come in and talk to the Commission before approval.

Tom Foerschler motioned to approve permit to bury telephone cable requested by Sprint United located at 1350 Rd. & east of Andrews Rd. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve for Fire Coordinator Bernard Streeter and 5 firefighters to attend fire fighting school in Topeka March 13th through 16th. Herb Pemberton seconded the motion. The motion passed 3-0.

Elizabeth Maxwell, East Central Kansas Area Agency on Aging gave the Commission an update and annual report. Tom Foerschler motioned to accept the annual report as presented. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve permit to bury water line requested by Charles Self located at 1700 Rd. & Hadsell Rd. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission reviewed the February 2003 Park Receipts & Expenditures Report.

Herb Pemberton motioned to issue Cereal Malt Beverage license to LaCygne Power Stop, Inc. formerly Stat Stop. Delbert Cannon seconded the motion. The motion passed 2-1.

With nothing further on the agenda Tom Foerschler motioned to adjourn until 9:00 AM Monday, March 17th. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

March 17, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$118,087.80; Employee Benefit, \$49,675.02; Appraiser, \$8,196.79; Rural Fire District, \$2,606.08; Road & Bridge, \$30,812.46; SRO Fund, \$2,227.20; Hospital Board, \$21,850.34; Crime Victim Assist, \$879.46; Elderly, \$7,233.82.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-188.

The Commission received bids for road oil. Bids received were from Costal Energy, Koch Materials, and Vance Brothers. Tom Foerschler motioned to take the lowest combined bid from Koch Materials. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve permit to bury water line for R.W.D. #3 located at 13824 W. 2000 Rd. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve termite contract by Coryell & Sons for \$624.00 at Dist. #1 Shop. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission & Road Foremen discussed charging residents for culverts & installations. The Commission asked the County Counselor to write up new policy that will recoup the cost of tubes from landowners.

Tom Foerschler motioned to apply for a C.P.I. Grant through the Lake Region to move & add on to a building at the transfer station to store cardboard so that the County can sell the recycled cardboard directly to the mill. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission asked Solid Waste Coordinator Ed Fleming to expand the hours at the transfer station. The Commission would like to keep it open 8:00 AM to 6:00 PM through the week.

At the request of Sheriff Stites, Herb Pemberton motioned to hire Glenn Farrell as a Part Time Deputy at \$8.71 per hour. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission asked Stites to see if the County Treasurer will fill out paperwork for the S.R.O. grant.

Larry Weis with Meritage KCM Exploration LLC discussed putting gas lines in the County's right of way. The County Counselor will prepare an agreement to protect Linn County from future liability.

Bids were opened for farm ground near the transfer station. The only bid received was from Garland Ginther. Delbert Cannon motioned to accept the bid from Ginther of \$600.00 per year. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to sign the paperwork for putting the above farm ground in the government farm program. Herb Pemberton seconded the motion. The motion passed 3-0.

Bids were opened to roof the nursing home. The following bids were received: Equity Builders Inc. - Roof Only \$42,090.80; D.C. Son's Construction - Roof Only \$38,710.00; Woodrum & Associates - Roof Only \$79,110.00; Rainbow Guttering - Guttering Only \$2,150.00; Rutherford Construction - Roof Only \$75,600.00; and B.C. Construction - Roof Only \$49,934.00 and Guttering Only \$2,457.00.

Herb Pemberton motioned to accept the low bid from Rainbow Guttering of \$2,150.00 for gutters on the nursing home. Tom Foerschler seconded the motion. The motion passed 2-0.

Tom Foerschler motioned to accept the low bid from D.C. Son's Construction in the amount of \$38,710.00 for roofing the nursing home. Herb Pemberton seconded the motion. The motion passed 2-0.

Zoning Administrator Andy Mayhugh presented the Commission with request by Sterling Hudson for building permit. Herb Pemberton motioned to approve building permit after the entrance is installed & approved by K.D.O.T. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to post full time position in the County Attorney's office to County employees at a wage of \$8.95 per hour. Tom Foerschler seconded the motion. The motion passed 3-0.

At 11:20 AM Tom Foerschler motioned to recess from the Board of Commissioners meeting into executive session to discuss 3 legal issues with the County Counselor (possible litigation) for 15 minutes. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 11:35 AM the executive session ended. No action taken.

Herb Pemberton motioned to pass Resolution #03-09 to surplus 2 Crown Victoria patrol cars. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-09:

With nothing further on the agenda Tom Foerschler motioned to adjourn until 9:00 AM Monday, March 24th. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

March 24, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-189 through 2002-193.

Herb Pemberton motioned to approve 2 permits to bury water lines requested by Slaughter & Sons Construction. 1 located at 17502 E. 2300 Lane and 1 at 1700 & Young Road. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve permit to bury telephone cable requested by Sprint United located at 13935 Faucett Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to hire John Aleshire as a temporary employee in the Noxious Weed Dept. at \$7.00 per hour. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:22 AM Tom Foerschler motioned to recess from the Board of Commissioners meeting into executive session to discuss a legal issue with the County Counselor (possible litigation) for 5 minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, and Larry Robinson, Traffic Control Coordinator attended the executive session.

At 9:27 AM the executive session ended. No action taken.

At 9:35 AM Delbert Cannon motioned to recess from the Board of Commissioners meeting into executive session to discuss a legal issue (possible litigation) for 15 minutes. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, and Ed Fleming, Solid Waste Coordinator attended the executive session.

At 9:50 AM the executive session ended. No action taken.

Tom Foerschler motioned to increase the cost to apply Calcium Chloride for 2003. The cost will be \$.50 per foot. Herb Pemberton seconded the motion. The motion passed 3-0. This increase is due to an increase in the cost of Calcium Chloride.

Deputy Register of Deeds Edna Troth asked the Commission to increase Julie Gorman's salary to \$7.15 per hour while Sharon Barnes is on sick leave. The Commission reported the reason they increased Pinneo and not Gorman was that Pinneo had agreed to work full time through Barnes' leave and that Gorman's part time employment had not changed.

Tom Foerschler motioned to allow Treasurer Ellie Davey to purchase 2 computers from Dell Computers for \$1,075.00 each to be paid for on P.O. #2002-06. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve for Davey to have up to \$5,000.00 of microfilming done by Mid Continent Micrographics to be paid for on P.O. #2002-05. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission agreed to let the F.C.E. use the Courthouse lawn for an Easter Egg Hunt April 19th.

Davey reported she will not be able to do the S.R.O. grant request. The Commission asked the Clerk to contact Judy Houtman to see if she will be able to do it.

The Commission reviewed a letter from KCAMP stating they will provide terrorism insurance to the County free of charge for 2003. No decision has been made beyond 2003.

Delbert Cannon motioned to hire Patsy Rhyneron and Sherry Thompson as temporary employee's at the Linn County Park at \$6.50 per hour. Rhyneron to work 20 hours per week and Thompson to work 40 hours per week. Tom Foerschler seconded the motion. The motion passed 3-0.

In response to a request, the Commission on legal council decided not to rent the house north of the Courthouse Annex building. The County Counselor gave possible liability issues as a reason not to rent the property.

The Commission reviewed the February 25th, 2003 minutes and the March 25th agenda for the SEK Multi County Health Board.

Herb Pemberton motioned to sign the HIPAA Business Associates Agreement for the County's self funded health care plan. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission agreed to canvass the April 1st City, School Election at the end of their regular meeting on April 7th.

Tom Foerschler motioned to authorize for Vice-Chairman Herb Pemberton to sign contract with D.C. Sons for roofing the nursing home and contract for Rainbow Guttering to replace the gutter on the nursing home. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission discussed a request by a property owner to sell them back ½ of the mineral rights on their property that the County purchased in a tax foreclosure sale in 1972. On advise from the County Counselor, the Commission agreed not to sell these mineral rights at this time.

With nothing further on the agenda Tom Foerschler motioned to adjourn until 9:00 AM Monday, March 31st. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

March 31, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$66,033.43; Employee Benefit, \$55,217.98; Appraiser, \$8,222.89; Rural Fire District, \$4,398.73; Road & Bridge, \$39,627.06; SRO Fund, \$4,427.58; Hospital Board, \$35,294.85; Crime Victim Assist, \$679.46; Elderly, \$8,269.48.

Delbert Cannon motioned to approve for John Black, Road Dist. #2 to trade a 1975 F880 Ford truck VIN 0288 to Donald Payne for a 1982 F350 Ford truck. The County will pay Payne \$1,000.00 difference. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve a burial of water line at 9080 W. 1800 Road requested by R.W.D. #3. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission and Road Crews discussed costs of installing culverts with no decision being made.

Tom Foerschler motioned to accept the recommendation from the Lake Region to build a new building at the Transfer Station to store cardboard instead of moving a building. Herb Pemberton seconded the motion. The motion passed 3-0. The grant through Lake Region will still be applied for to help pay for the building.

Larry Weis and Jason John with Meritage discussed burying gas lines and salt water lines. After lengthy discussion the County Counselor will prepare an agreement for burying lines and cables in the future.

Delbert Cannon motioned to approve permit to bury 2-12" casings for salt water lines requested by Meritage KCM Exploration LLC located 1310' south of 31 Highway on Cassida Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Traffic Control Director Larry Robinson reported the County did get restitution on a bridge near Centerville that had been damaged by a DUI accident.

Herb Pemberton motioned to hire Monica Mullins as full time employee in the County Attorney's office at \$8.95 per hour. Tom Foerschler seconded the motion. The motion passed 3-0. Mullins must take a pre-employment physical and be on County's six month probation.

At 10:18 AM Tom Foerschler motioned to recess from the Board of Commissioners meeting into executive session for a legal issue (contract negotiation) for 12 minutes with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

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

Zoning Administrator Andy Mayhugh presented the Commission with an application for rezoning from Heavy Industrial to Ag. Tom Foerschler motioned to approve Resolution #03-10 and to approve the rezoning. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-10:

Mayhugh presented the Commission with CUP #020388 for a Dog Kennel requested by Bernard & Sue Dumcum. Herb Pemberton motioned to approve CUP #020388 and Resolution #03-11. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-11:

The Commission instructed the Clerk to advertise for bids to have the hay baled in the Pleasanton Industrial Park.

Delbert Cannon motioned to pass Resolution #03-12 amending the Employee Personnel Policy by revising the Military Leave Policy. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-12:

With nothing further on the agenda Delbert Cannon motioned to adjourn until 9:00 AM Monday, April 7th. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

April 7, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned for the roof color on the nursing home to be dark green. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned for Road Foreman John Black to purchase material for approximately \$1,700.00 to build a trailer to haul Skid Steers. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to purchase a used air compressor, Ingersoll Rand, from Victor L. Phillips for \$7,950.00 with trade of old compressor. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to have Dist. #3 953 Track Loader repaired by Heavy Equipment Co. for \$1,602.94. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon read a letter from the State saying that Linn County has been declared a Noxious Weed Disaster Area for Sericea Lespedeza.

Tom Foerschler motioned to approve permit to bury telephone cable requested by Sprint United located at 22240 Devlin Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to pass Resolution #03-13 to charge residents for culverts. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-13:

Tom Foerschler motioned to allow Sheriff Stites to purchase a typewriter from Office Max for \$699.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Anita Rowe, a resident on the west side of Mound City Lake complained to the Commission about a fire last week that got out of control and burned onto her property.

Herb Pemberton motioned to approve a new Linn County Road Right of Way & Burial permit agreement. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission Chairman signed special Bioterrorism service agreement for S.E.K. Multi-County Health Department so that they can apply for a regionalization grant.

Tom Foerschler motioned to sign annual operation & maintenance agreement with Wildlife & Parks for the Linn County Park. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:17 AM Tom Foerschler motioned to recess from the Board of Commissioners meeting into executive session for 10 minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 10:27 AM the executive session ended. No action taken.

Tom Foerschler motioned to adjourn the Board of Commissioners meeting and convene the Board of Canvassers meeting to canvass the April 1st City, School Election. Herb Pemberton seconded the motion. The motion passed 3-0.

The Board of Canvassers Delbert Cannon, Herb Pemberton, & Tom Foerschler along with County Counselor, County Clerk & Dee George, Deputy Election Officer were present.

The Board of Canvassers heard from the County Clerk that 73 people in Liberty Township 362-3 did not get the right ballot. They were given a ballot that only had 362-7 & did not include 362-3.

The Board then compared the results from the AIS Ballot Scanner & the Abstract Books, then the Board compared the write in votes on tally sheets to the Certificate of Votes Cast & the Abstract Book.

The Board then reviewed the provisional ballots & decided that 6 provisionals should not be counted due to non registration of voters. The Board decided to count 58 provisional ballots.

The Board walked across the street to the Court House, opened the 58 provisionals & those totals were added to the count in the Abstract Book. These provisionals did change the winner of City Council race in Pleasanton City between John Maloney & Jason Sabine. As a result of the canvass, Maloney beat Sabine by the vote of 173 to 171.

The Board of Canvassers counted write in votes on the provisional ballots. One race, 362 Member Dist. 3 was decided by the write ins. Bonnie Hobson was declared the winner with 2 write in votes. There were 7 candidates with 1 write in vote each.

After certifying and signing the Abstract Book, Herb Pemberton motioned to adjourn. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

April 14, 2003

The Board of Linn County Commission met in a regular session, those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$261,103.51; Employee Benefit \$63,953.04; Appraiser, \$10,464.79; Rural Fire, \$16,245.84; Road & Bridge, \$95,835.69; Law Enforcement Trust, \$50.00; 911 Telephone Tax, \$2,778.57; School Resource, \$2551.39; Hospital Board, \$40,848.11; Special Alcohol, \$849.74; Crime Victim Assist., \$679.46; Elderly, \$24,307.79, Economic Dev. Grant, \$15.00.

The Commission discussed several road, weed and solid waste issues with no action being taken.

Tom Foerschler motioned to approve a permit to bury telephone cable located on 1150 Road from 1095 to Nickle Road requested by Sprint United. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed an aerial on the property north of Centerville that Bob Zimmerman would like to purchase. The property has a road right-of-way through the property and would need surveyed. The Commission decided it would not be in the best interest of the County to sell the property.

The Commission reviewed the year-to-date 2003 Park Report of Receipts and Expenditures.

Bids to bale the hay at the Pleasanton Industrial Park were opened at 10:00 a.m. Bids received from Gary Umphenour for \$6.30 per bale and Kenny Baugh for \$7.15 per bale. Herb Pemberton motioned to accept the bid of \$7.15 per bale from Kenny Baugh. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve approximately \$1,600.00 for transfer case and radiator repairs on fire unit 923 at Cox Motor Company. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:27 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session to discuss a personnel issue related to non elected personnel for 5 minutes. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk and Bernard Streeter Fire Coordinator attended the session.

At 10:32 a.m. the executive session ended. No action taken.

At the request of Streeter Herb Pemberton motioned to let Streeter put a sealed bid on a 1986 F250 truck at Cox Motor Company. Tom Foerschler seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, April 21st. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

April 21, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Delbert Cannon motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to pass Resolution #03-14 to declare a 1985 Chevy Pickup, VIN 1GCFC2H8FJ185009 surplus property. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution 03-14:

The Commission Chairman signed the following add/abate refund order numbers 2003-194 through 2003-206.

Tom Foerschler motioned to chip and seal Nickel Road from 7 Highway East to the Mound City Limits for approximately \$6,000.00. Delbert Cannon seconded the motion. The motion passed 3-0.

Danny Morris, Road Foreman District #3 reported that 2 radios had been stolen from 2 vehicles. The Commission asked Morris to get the police report and turn the theft in to the county insurance. Herb Pemberton motioned to purchase 2 radios and have the damage repaired to the vehicles. Tom Foerschler seconded the motion. The motion passed 3-0.

Ellie Davey, Treasurer reported interest for 1st quarter 2003 total interest earned was \$17,530.50.

At 9:56 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue with the county counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Larry Robinson Traffic Control attended the executive session.

At 10:04 a.m. the executive session ended. No action taken.

The Commission reviewed the Sheriff Monthly Fee report for February and March.

Andy Mayhugh presented 2 lot splits #139 and 140 requested by BJ Degrande and Glen Evans, Herb Pemberton motioned to approve lot split #139 and 140 as applied for and to accept the accompanying road easements. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve Resolution #03-15 to surplus 1972 Ford Truck VIN F61GVN20162. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution 03-15:

Dennis Norton, Executive Director Tri-Ko Inc. presented the Commission with proposed 2003 Budget Request. Tom Foerschler motioned to tentatively approve the request of \$65,720.00. Same as last years request. Herb Pemberton seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 9:00 a.m., Monday, April 28th. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

April 28, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Delbert Cannon motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$64,442.18; Employee Benefit, \$76,707.60; Appraiser, \$8,102.13; Rural Fire, \$9,941.91; Road & Bridge, \$38,789.84; School Resource Officer, \$4,409.35; Hospital Board, \$34,224.50; Crime Victim Assist, \$679.46; Elderly, \$8,275.17.

The Commission approved the following add/abate/refund orders: 2002-207-209.

Herb Pemberton motioned to approve a permit to bury cable requested by Sprint United located at Harkiness Road 12&13-23S-22E. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve a permit to bury cable requested by Sprint United located at 6360 Ingrahm Road. Delbert Cannon seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve a new open top container policy for the Linn County Solid Waste Department. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:33 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Traffic Control Director Larry Robinson attended the executive session.

At 9:38 a.m. the executive session ended. No action taken.

Maintenance Supervisor, Jerry Bedgood reported the air-conditioning unit at the Annex Building needs repairs and gave two options. Delbert Cannon motioned to replace the A-coil from Trane for \$238.00 plus labor up to \$300.00. Tom Foerschler seconded the motion. The motion passed 3-0.

At the request of Park Director Bruce Holt, Tom Foerschler motioned to accept the low price from Deem's Equipment to purchase a new 60" John Deere mower deck for \$2,447.20. Herb Pemberton seconded the motion. The motion passed 3-0.

Fred Kolom, Attorney and Leon Hester discussed the counties solid waste dumping fees at the transfer station. Hester feels he is being discriminated against for having to pay a dumping fee. After lengthy discussion the Commission agreed to take the request under advisement and to make a decision at a later date.

Bill Van Kirk, 6th Judicial Community Corrections presented the Commission with the Adult Correction Comprehensive Program for 2004. Tom Foerschler motioned to approve the plan as submitted. Herb Pemberton seconded the motion. The motion passed 3-0.

Andy Mayhugh, Planning and Zoning presented the Commission with re-zoning case #Z0303174. Tom Foerschler motioned to approve lot re-zoning case #Z0303174. Herb Pemberton seconded the motion. The motion passed 3-0. The re-zoning had been approved by the Planning Commission.

Herb Pemberton motioned to purchase a steering pump for District #3 truck from Merle Kelly Ford for \$679.00. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission reviewed the minutes from the March 25, 2003 meeting of the SEK Multi County Health Board and the agenda for a April 29, 2003 meeting.

After hearing from Harry Wisdom that he found a cheaper steering pump, Herb Pemberton motioned to rescind his previous motion to purchase the pump from Merle Kelley Ford and instead to purchase the power steering pump from K&K for \$526.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to sign the S.R.O. Grant request for USD 346 and 362 for the coming year. Tom Foerschler seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m. Monday, May 5, 2003. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

May 5, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following add/abate/refund order numbers: 2002-210 & 211.

At 9:04 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Solid Waste Coordinator Ed Fleming attended the executive session.

At 9:09 a.m. the executive session ended. No action taken.

Delbert Cannon motioned to hire Keith Smith and Victor Roach as temporary summer employees in Road District #1 at \$8.00 per hour. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to authorize for Road Department to send some trucks to Crawford County if asked to help them clean up tornado damage from this weekend. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to sign bioterrorism agreement for SEK Multi County Health Department. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to pass Resolution #03-17 to meet civil rights obligations on fair housing opportunities in Linn County, Kansas, and to sign a civil rights fair housing policy. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-17:

Tom Foerschler motioned to purchase a set of three fatal vision goggles and training supplies to be used by schools in the county for training to be done by S.R.O. Officers for \$490.00. Herb Pemberton seconded the motion. The motion passed 3-0. The goggles to be paid for from general courthouse funds.

At the request of Treasurer, Ellie Davey, Tom Foerschler motioned to pass Resolution #03-18 to declare a p.c., monitor and keyboard surplus property. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-18:

Bids were opened on a 1985 C-20 Truck in Road District #2 only one bid received from Steve Catron for \$156.00. The Commission rejected the bid.

Bids were opened for a 1972 Ford Fire Truck. Only one bid was received from Sugar Creek Farms for \$1,000.00. The Commission rejected the bid.

At 10:12 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee for fifteen minutes. The Commission, Clerk, County Counselor and Traffic Control Director Larry Robinson attended the executive session.

At 10:27 a.m. the executive session ended. No action taken.

At 10:28 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 10:38 a.m. the executive session ended. No action taken.

Virginia Nichols asked the Commission for their support of the Silver Haired Legislature. Herb Pemberton motioned to give the Silver Haired Legislature \$200.00. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:49 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Ed Fleming attended the executive session.

At 11:04 a.m. the executive session ended. No action taken.

At 11:04 a.m. Herb Pemberton motioned to extend the executive session by fifteen minutes. Tom Foerschler seconded the motion. The motion passed 3-0.

At 11:19 a.m. the executive session ended. No action taken.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 9:00 a.m., Monday, May 12. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

May 12, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$108,889.88; Appraiser, \$3,440.74; Rural Fire, \$12,991.88; Road & Bridge, \$56,269.16; 911 Telephone Tax, \$1,963.13; Spl. Fire Equipment Replacement Fund, \$2,100.00; D.A.R.E. \$1,747.40; School Resource Officer, \$49.93; Hospital Board, \$10,335.00; Crime Victim Assist., \$32.14; Elderly, \$13,989.38.

The Commission approved the following add/abate/refund order numbers: 2002-212 -234.

The Commission reviewed the March 7th minutes and the April 11th minutes for the KCAMP Board Meetings.

The Commission and Road Foreman discussed setting up safety meetings at each county shop. The Clerk will try to get more info from KWORC.

John Byington reported to chip and seal Taylor Road would cost approximately \$15,925.00 per ½ mile. After lengthy discussion the Commission tabled the issue to a later date.

Delbert Cannon motioned to approve a permit for burial of telephone cable reported by Sprint United located at 1100 Road and Payne Road. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to allow Ed Fleming to attend composting training June 25 - 26 in Manhattan. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to donate \$300.00 to experienced works (formerly green thumb). Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:16 a.m. at the request of Fire Coordinator Bernard Streeter, Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee. The Commission, Clerk, County Counselor and Streeter attended the executive session.

At 10:26 a.m. the executive session ended. No action taken.

At the request of Park Director Bruce Holt, Tom Foerschler motioned to hire Megan Chiarelli as temporary life guard at the park swimming pool at \$6.50 per hour. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to hire Calvin Brown as part time employee at the park at \$6.50 per hour. Tom Foerschler seconded the motion. The motion passed 3-0.

Sheriff Marvin Stites presented bids for two roof air conditioners at jail. Bids from Henkle and sons at \$5,785.45 for two new units. Bid from Ratley and Sons for \$10,085.55 for two new units. Delbert Cannon motioned to accept the bid from Henkle and Sons for \$5,785.45. Herb Pemberton seconded the motion. The motion passed 3-0. The funds to be paid for from special building fund.

At 10:51 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, County Clerk and Ed Fleming attended the executive session.

At 10:56 a.m. the executive session ended. Action to be taken later in the meeting.

The Commission reviewed the park report through April, 2003.

Economic Development Director Dennis Arnold presented the applications for the summer youth program. Herb Pemberton motioned to approve the summer youth program as presented. Tom Foerschler seconded the motion. The motion passed 3-0.

As a result of the 10:51 executive session, Tom Foerschler motioned to pass Resolution #03-19 setting dumping fees at the transfer station for commercial haulers. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-19:

At 11:37 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to non elected personnel. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 11:42 a.m. the executive session ended. No action taken.

Joe Baily and Ola Mae Earnest asked the Commission for help to clean up the Oakwood Cemetery that was badly damaged by a tornado. The Commission reported that road crews would start removing damaged trees and will help all that we can.

Herb Pemberton motioned to sign a letter to the hospital board to clarify board member relationship to employees. Delbert Cannon seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m. Monday, May 19th. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

May 19, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$91,512.16; Employee Benefit, \$51,427.77; Appraiser, \$8,196.79; Rural Fire, \$2,355.82; Road and Bridge, \$29,306.95; School Resource Officer, \$2221.08; Hospital Board, \$22,936.53; Crime Victim Assistance, \$679.46; Elderly, \$14,465.34.

The Commission reviewed the Hospital District #1 Receipts and Expenditures through April 2003.

Tom Foerschler motioned to approve a permit to bury sewer pipe requested by the City of Pleasanton, located parallel to their old sewer line. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of John Black, Road Foreman District 2, Delbert Cannon motioned to hire Larry Irwin as District #2 temporary employee to mow, at \$7.50 per hour. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to hire Roger McWilliams as temporary summer employee at \$7.50 per hour to mow. McWilliam will be used by both District 2 and District 3. Tom Foerschler seconded the motion. The motion passed 3-0.

At the request of Solid Waste Coordinator Ed Fleming, Tom Foerschler motioned to purchase new blades for the tire shear machine at \$1,250.00 plus freight. Delbert Cannon seconded the motion. The motion passed 3-0.

At 9:23 a.m. Delbert Cannon motioned to recess from the Board of Commission into executive session for 5 minutes to discuss a legal issue (possible litigation) with the County Counselor. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Solid Waste Coordinator Ed Fleming attended the executive session.

At 9:28 a.m. the executive session ended. No action taken.

John Morris and Tom Robinson, Centerville asked several questions about E-911. After lengthy discussion the Commission asked E-911 Coordinator Larry Robinson to check the problems noted.

At 10:00 a.m., Tom Foerschler motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue (possible litigation) with the County Counselor. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Sheriff Marvin Stites attended the executive session.

At 10:05 a.m. the executive session ended. No action taken.

Tom Foerschler motioned to tentatively approve \$46,000.00 for the 2004 SEK Multi County Health Department Budget. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to tentatively approve \$6,000.00 match dollars to apply for federal and state dollars and \$5,000.00 for the Senior Care Act to be included in the 2004 Budget for East Central Kansas Area Agency on Aging. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to move next weeks meeting to Tuesday morning, May 27th due to Monday being a county holiday. Herb Pemberton seconded the motion. The motion passed 3-0.

Zoning Administrator, Andy Mayhugh presented a sub division platt requested by Rick Courtois (#03-17 named few acres). Tom Foerschler motioned to approve the subdivision platt 03-17 and to accept accompanying road easements.

Mayhugh presented lot split #03-141 requested by Larry Walrod. Tom Foerschler motioned to approve lot split #03-141 as requested. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed the Sheriff Monthly Fee Report for April 2003.

Tom Foerschler motioned to accept the resignation of Karen Peery as Mound City Township Trustee and to appoint Dave Wakefield to replace Peery as Mound City Township Trustee. Delbert Cannon seconded the motion. The motion passed 3-0.

At 10:50 Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a legal issue with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 10:55 a.m. the executive session ended.

Herb Pemberton motioned to authorize Dennis Arnold to sign any necessary documents for the Linn County Home Grant Program including subordination agreements. Tom Foerschler seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until Tuesday May 27th at 9:00 a.m.. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

May 27, 2003

The Board of Linn County Commission met in a regular meeting. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$21,290.50.

The Commission approved the following add/abate/refund order numbers: 2002-235, 2002-237, 2002-242.

Tom Foerschler motioned to purchase a 1992 CR 551 Cedar Rapids Asphalt Paver from G.W. Van Keppel for \$30,000.00. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission asked Asphalt Foreman John Byington to advertise the old paver for sale.

Tom Foerschler motioned to hire Jeremiah Randall for temporary summer mowing at \$8.00 per hour. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve a permit to bury water line requested by Rural Water District #3 located at 17956 Main, Goodrich. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:24 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected personnel. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, John Black and Danny Morris attended the executive session.

At 9:29 a.m. the executive session ended. No action taken.

Sheriff Marvin Stites reported to the Commission that he hired a part time dispatcher, Terri Johnson at \$8.00 per hour.

The Clerk and Sheriff informed the Commission that the Sheriff's Office and Courthouse are changing internet providers and going with Sprint to get D.S.L.

Sheriff Stites also reported that people have reported that 911 calls are not being answered. It is a problem with Sprint United.

Sheriff Stites reported Sunday morning at 6:00 a.m. approximately \$5,000 damage was done by vandals and fire at the Linn County Park. No suspects as of now.

At 9:42 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee for ten minutes. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk and Fire Coordinator Bernard Streeter attended the executive session.

At 9:52 a.m. the executive session ended. No action taken.

Nutrition Director Marilyn Augur reported the new 2003 Ford Van for SEKAP has been received and we will soon need to decide what we want to do with the old 97 Dodge 12 passenger van.

At the request of Register of Deeds Sharon Barnes the Commission agreed to hire Linda Pinneo at \$7.15 per hour as temporary employee to replace Deputy Edna Troth while Troth is recuperating from surgery for approximately six weeks.

Delbert Cannon motioned to hire Jim Schmitz to survey and get legal descriptions for right-of-way in preparation for the new Middle Creek Bridge replacement. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve lot split #03141 as requested and to accept the right-of-way easement. Tom Foerschler seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 9:00 a.m. Monday, June 2nd. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

June 2, 2003

The Board of Linn County Commissioners met in regular session. Those present were: Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$70,637.12; Employee Benefit, \$55,680.65; Appraiser, \$8,196.79; Rural Fire, \$6,423.36; Road & Bridge, \$29,848.46; School Resource Officer, \$4,409.35; Hospital Board, \$33,621.40; Crime Victim Assist, \$699.46; Elderly, \$7,182.05.

The Commission approved the following add/abate/refund order numbers: 2002-243 thru 2003-246.

Solid Waste Coordinator, Ed Fleming reported we should hear before long whether Linn County will get the Household Hazardous Waste Grant we applied for.

At 9:16 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue with the County Counselor (possible litigation) for 10 minutes. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Ed Fleming attended the executive session.

At 9:26 a.m. the executive session ended. No action taken.

Tom Foerschler motioned to sign a contract with Eleanor Watson as dietician for elderly services. Herb Pemberton seconded the motion. The motion passed 3-0.

The Clerk reported that Centerville Township had paid the county \$950.02 for the fencing materials the county purchased for Oakwood Cemetery.

Andy Mayhugh, Zoning Administrator presented lot split #03-443. Tom Foerschler motioned to approve lot split #03-143 and to accept the accompanying road easement as presented. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:45 a.m. the Commission took a 15 minute break, meeting back in session at 10:00 a.m.

At 10:10 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue with the County Counselor (possible litigation). Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 10:20 a.m. the executive session ended. No action taken.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 9:00 a.m., Monday, June 9. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

June 9, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler; Don Proffitt, County Clerk; and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$150,249.24; Appraiser, \$1,840.11; Rural Fire, \$14,023.24; Road & Bridge, \$114,367.43; 911 Telephone Tax, \$3,602.76; Hospital Board, \$13,623.72; Crime Victim Assist., \$130.98; Elderly, \$9,599.54.

Herb Pemberton motioned to approve the purchase of a gear box for a Bush Hog in District #1 from Deams Equipment at \$980.93. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to purchase a new power washer from Hy-flow for \$2500.00 and \$200.00 for extra hose and reel for District #3. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to purchase a clutch for a recycle roll off truck for \$526.44 from Midway Ford. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:20 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Solid Waste Coordinator, Ed Fleming attended the executive session.

At 9:35 a.m. the executive session ended. No action taken.

The Commission discussed the proposed Middle Creek Bridge and also asked County Road Foremen to come up with F.A.S. Routes that we need to add to the counties 5-year plan.

Danny Troth and Scott Stainbrook, LaCygne Rural Fire District asked the Commission to provide extrication tools for the department, after discussion the Commission asked them to take the issue to the fire board and then come back with a proposal.

Larry Wise with Meritage met with the Commission to change location of gas line that had previously been approved. The Commission agreed to approve the amended permit to bury gas pipe 900' south of 31 Highway on Casida Road instead of 1310' south that had been approved.

Sheriff Marvin Stites reported he had received the assault weapons he asked for and also, received a digital camera and breath analyzer free of charge.

At 9:18 a.m. at the request of Sheriff Stites, Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, Sheriff Stites attended the executive session.

At 9:23 a.m. the executive session ended.

Barry Walker and Attorney Fred Kolom met with the Commission to appeal Walker revitalization application that the county turned down because they were not received within sixty days of building permit.

At 11:04 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a legal issue with County Counselor (possible litigation) Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 11:14 a.m. the executive session ended. The Commission reported they will table the Walker's appeal for further study.

At 11:22 a.m., Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and Fire Coordinator Bernard Streeter attended the executive session.

At 11:27 a.m. the executive session ended. No action taken.

At 11:32 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected personnel. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Zoning Administrator Andy Mayhugh attended the session.

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

The Commissioners reviewed the Park year-to-date report through May, 2003.

Tom Foerschler motioned to approve Resolution #03-20 to repeal Resolution #03-15. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution 03-20:

Delbert Cannon motioned to approve Resolution #03-21 to declare a 1978 Barber Greene Paver, s/n SB111X282 as surplus property. Tom Foerschler seconded the motion. The motion passed 3-0. The paver will be traded in on a new paver just purchased for \$2500.00 trade-in allowance. Following is a copy of Resolution 03-21:

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, June 16. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

June 16, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, member; Don Proffitt, County Clerk; Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$72,746.75; Employee Benefit, \$22,604.30; Appraiser, \$8,196.79; Rural Fire, \$2,459.12; Road & Bridge, \$58,956.54; School Resource Officer, \$2,251.70; Hospital Board, \$22,533.17; Crime Victim Assistance, \$679.46; Elderly, \$7,393.86.

Tom Foerschler motioned to approve the purchase of air conditioning parts for a New Holland tractor for District #3 from Martin Tractor Company for \$870.57. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to pay Midway Ford for a clutch for Solid Waste truck for \$533.95. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission signed the Noxious Weed Annual Management Plan for 2004.

Tim Schreckler reported he has purchased the Linn County Speedway and plans to clean the place up and provide a first class speedway. The Commission wished him well.

At the request of Harry Wisdom, Road District #3, Tom Foerschler motioned to purchase four tires 1100 by 22.5 for a dump truck at \$235.00 each from Cross Midwest. Delbert Cannon seconded the motion. The motion passed 3-0.

At 9:25 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session for a legal issue for fifteen minutes with the County Counselor (possible litigation). Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, County Counselor and Clerk attended the executive session.

At 9:32 a.m. the Solid Waste Coordinator was asked into the executive session.

At 9:40 a.m. the executive session ended. No action taken.

Marilyn Augur, Nutrition Director asked the Commission how they would like to dispose of the old SEKAP van. The Commission asked Augur to advertise for bids to sell the van.

At 9:49 a.m. at Augur's request Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:54 a.m. the executive session ended. As a result of the executive session, Herb Pemberton motioned to hire Mandelin Holderman as part time meal van driver at 7:00 per hour. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:55 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0.

At 10:10 a.m. the executive session ended.

Tom Foerschler motioned to tentatively approve the 2004 4-H Building Budget for \$9,000.00 the Fair Board Building Budget for \$3,000.00, Fair Premium \$10,000.00 the County Extension Budget for \$110,177.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Commission Cannon reported he will be out of town the week of July 14th and will not be at that weeks meeting.

Karen Tuggle, Sherry Dunlop and Dave Epps presented the Conservation District Budget. Herb Pemberton motioned to tentatively approve the 2004 Conservation District Budget in the amount of \$50,150.00 with the counties portion to be \$25,000. Tom Foerschler seconded the motion. The motion passed 3-0.

Andy Mayhugh, Zoning Administrator presented three lot splits. Tom Foerschler motioned to approve lot split's #03-144, 03-145 and 03-146 as applied for and to accept the accompanying road easements. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:10 a.m. Delbert Cannon motioned to recess from the Board of Commission Meeting into executive session for ten minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 11:20 a.m. the executive session ended. No action taken.

The Commission named Delbert Cannon as Linn County Voting Delegate for N.A.C.O. Board Election and to vote for Lonnie Addis as Kansas representative to the N.A.C.O. Board.

The Commission signed a 10-year lease agreement with Bob Zimmerman for Zimmerman to lease small piece of property from, the county just north of Centerville.

The Commission reviewed the Sheriff Monthly Fee Report for May 2003.

Commissioner Foerschler and Pemberton reported they plan to attend the July 17th S.E.K. Officials Meeting in Yates Center.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Monday, July 23rd. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

June 23, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb seconded the motion. The motion passed 3-0.

Several road issues were discussed with no action taken.

The Commission read a thank you card from Centerville Township for cleaning up Oakwood Cemetery after the tornado.

Don George, Wildlife and Parks discussed the PWWSD #13 Grant extension. The Commission agreed to a one year extension on the assistant agreement through June 30, 2004.

Delbert Cannon motioned to tentatively approve the 2004 Noxious Weed Budget in the amount of \$85,019.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to tentatively approve the 2004 Solid Waste Authority Budget of \$4,618.50 and the total budget of \$27,711.00. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:09 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 10:19 a.m. Delbert Cannon motioned to extend the executive session for a personnel issue. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:29 a.m. the executive session ended. No action taken.

The Commission reviewed the June 24th agenda and the May 27th minutes of the SEK Multi County Health Board.

The Clerk reported the new county valuation for the July Abstract to be 152,341,245, up approximately 3,000,000 from last year.

On the recommendation from Fire Coordinator, Bernard Streeter, Herb Pemberton motioned to hire the following part time fire fighters: Blue Mound Station, Brenda Beth, LaCygne Station, Danny Curtis and Jeff Day; Prescott Station, Todd Mead and Mike White; Pleasanton Station, Jim Watts and Brad Oliver. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to reimburse Eric Sanders \$90.00 for a First Responder Course. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to tentatively approve the 2004 Park Budget in the amount of \$246,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve the purchase of a new PC for the Clerk's Office from Global Computer for \$775.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Dennis Arnold, Economic Development Director and Linda Weldon SEK Regional Planning Commission discussed the Kan Step Program. The City of Parker and Mound City were represented. The program is to help committees with various programs in the cities, etc. No action taken.

Delbert Cannon motioned to pass Resolution #03-22 adopting the 2002 update of the Economic Development District (SEKRPC). Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-22:

Herb Pemberton motioned to have 3 fence viewing's requested by Harold Pease at 1 p.m. July 14th. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission will meet at 2400 Road and Robinson Road at 1 p.m.

United Wholesale has asked to pickup their option to purchase another 3 acres in the LaCygne Industrial Park. Herb Pemberton motioned to sign a quit claim deed for 3 acres in LaCygne Industrial Park to United Wholesale Inc. Delbert Cannon seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to tentatively approve the 2004 Economic Development Budget in the amount of \$170,825.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to tentatively approve the 2004 C.O.P. Bond payment in the amount of \$182,410.00. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed a C.M.B. License request from Linn County Speedway Inc. requested by Timothy M. Schreckler after review the Commission reported they will need the Articles of Incorporation and list of stockholders' name and address before the application is complete.

The Commission reported that due to new info being received today that they will table the Barry Walker revitalization appeal for another week.

Tom Foerschler motioned to recess until 1:00 p.m.. Delbert Cannon seconded the motion. The motion passed 3-0.

At 1:00 p.m. the Commission went back into session. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for one hour to discuss a personnel issue related to non elected employees. Delbert Cannon seconded the motion. The

motion passed 3-0.

At 2:00 p.m., Tom Foerschler motioned to extend the executive session for 1.5 hours.

At 3:30 p.m. the executive session ended. No action taken.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, June 30th. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

June 30, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$74,422.38; Employee Benefit, \$76,891.53; Appraiser, \$7,630.52; Rural Fire, \$4,702.35; Road & Bridge, \$41,409.05; Spl. Fire Equipment, \$6,035.72; School Resource Officer, \$4,452.08; Hospital Board, \$34,217.73; Crime Victim Assist, \$679.46; Elderly, \$7,362.75.

The Commission approved for Solid Waste Coordinator, Ed Fleming to get prices for a new skid loader for the Transfer Station.

The Commission agreed to add line items to All District Road Fund for calcium chloride of \$25,000.00 with \$25,000.00 being taken from the 3 road districts road oil and to add road construction cost share \$25,000.00.

At 9:35 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 9:45 a.m. the executive session ended. No action taken.

At 9:48 a.m. at the request of Treasurer, Ellie Davey, Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employees. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Ellie Davey attended the executive session.

At 9:58 the executive session ended. As a result of the executive session the Commission asked Davey to try and get by with a part time employee to take the place of Donna Stites who is retiring July 3. The Commission also stated that in the future any opening within the county will be reviewed to see if they have to be filled or if they can be filled with part time employees.

After discussion Tom Foerschler motioned to tentatively approve \$2,066,285.00 for the 2004 Road & Bridge Fund Budget. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to tentatively approve the 2004 Solid Waste Budget for \$317,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to tentatively approve the County Attorney 2004 Budget for \$174,657.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to tentatively approve the Elderly Fund Budget for 2004 in the amount of \$357,957.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to tentatively approve the 2004 Rural Fire Fund for \$301,100.00 and Special Fire Equipment Fund for \$18,215.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to tentatively approve the 2004 Emergency Preparedness Budget for \$17,200.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Gary Goebel with PWWSA #13 discussed putting in an entrance for a power station's and water tower's. The Commission reported if water district will pay for the tube's the county will install them.

Herb Pemberton motioned to tentatively approve the 2004 Sheriff Budget in the amount of \$998,661.00. Tom Foerschler seconded the motion. The motion passed 3-0.

At 11:30 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and Steve Thompson, County Appraiser attended the executive session.

At 11:45 a.m. the executive session ended.

The Commission gave Thompson permission to hire a replacement for Kelly Shroyer who will be leaving county employment August 3, 2003. Thompson will post the job to county employees.

Tom Foerschler motioned to tentatively approve the 2004 Appraisers Budget for \$273,000.00 and Reappraisal Budget for \$22,733.00. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission reviewed the health insurance quote's the county received. Herb Pemberton motioned to change employee health insurance to Mutual of Omaha if they will keep diagnostics and out patient services covered at 100% with no added increase in rates. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to tentatively approve the 2004 Jr College Budget for \$63,950.00. The Clerk's Budget for \$119,540.00, EMS for \$11,200.00 and Election Budget for \$43,000.00. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission agreed to purchase any election programs or machines that are mandated by the government out of the contingency fund.

Delbert Cannon motioned to tentatively approve the Special Building Budget for \$112,000.00, the County Counselor Budget for \$26,040.00, the E911 Telephone Tax Budget for \$75,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to tentatively approve the 2004 Custodian Budget for \$62,569.00 and the Contingency Fund for \$450,000.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to tentatively approve the 2004 Commission Budget for \$58,575.00 and the Special Park and Recreation Budget for \$5,000.00. Delbert Cannon seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to tentatively approve the 2004 Courthouse Budget for \$277,100.00 and the Juvenile Intake for \$41,000.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to tentatively approve the 2004 Special Alcohol Budget for \$3,980.00 and the Windfall Budget for \$517,013.00. Delbert Cannon seconded the motion. The motion passed 3-0.

At 2:33 p.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

At 2:38 p.m. the executive session ended. No action taken.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, July 7. Herb Pemberton seconded the motion.

County Clerk

Commission Chair

July 7, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk; and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

Several road issues were discussed, also monies the state is still withholding due to cost over run on the Boicourt Bridge, also capping a well east of Farlinville.

Sam Barber, LaCygne Mayor asked the Commission to help the city with chipping and sealing streets in the city. After discussion the Commission asked Barber to come back in the fall when we start scheduling our chip and sealing for next year.

L.A. Walley, Homer Township, Missouri and David Cook who leases 2,500 acres from Midland Land & Cattle discussed the need to repair State Line Road north and south of 1700 Road. They say Linn County had an agreement to keep the road repaired. The Commission reported they will review the issue and try to have an answer in two weeks.

Herb Pemberton motioned to tentatively approve the 2004 Planning and Zoning Budget for \$45,500.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to sign a representation letter to the County Auditor and amendment to our engagement letter for a federal audit. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:51 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 10:01 the executive session ended. No action taken.

Tom Foerschler motioned to tentatively approve the 2004 Register of Deeds Budget for \$74,370.00. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:07 Delbert Cannon motioned to take a ten minute break. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:17 the Commission meeting reconvened.

Deb Miller, Secretary of Transportation met with the Commission to discuss the 69 exchange at 2400 Road. Miller reported there will not be an interchange put at 2400 Road for now. Randy Bowden, Ron Wade and Ed Swinger also spoke giving reasons for the need for the interchange to no avail. Miller did promise to correct problems on K152 at the LaCygne hill and to do added blacktop and road work for people trying to get to 69 Highway.

Roger and Linda Holt met with the Commission to discuss the 2004 Ambulance Budget. Tom Foerschler motioned to tentatively approve the 2004 Ambulance Budget for \$324,000.00 and to purchase a new heart monitor for approximately \$15,000.00 from the EMS Budget. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to tentatively approve the 2004 Historical Society Budget for \$24,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to tentatively approve the 2004 Treasurer Budget for \$151,183.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Bob Chase, Director and Alan Hauser presented the 2004 SEK Mental Health Budget. Tom Foerschler motioned to tentatively approve the 2004 SEK Mental Health Budget for \$76,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:25 a.m. the Linn County Hospital Board presented their 2004 Budget request. Delbert Cannon motioned to tentatively approve the 2004 Hospital Board Budget for \$1,217,210.39. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to tentatively approve the 2004 District Court Budget in the amount of \$207,400.00. Delbert Cannon seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to tentatively approve the 2004 Employee Benefit Budget for \$1,539,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission also agreed to officially change the county's employee health insurance to Mutual of Omaha. Mutual will enroll county employees Tuesday and Thursday beginning at 9:00 a.m. in the old courtroom.

The Commission set August 11 at 1:00 p.m. for fence view requested by Charles Self, Between Self and Doug Malone. The Commission will meet at Self residence at 17247 Kansas Highway 7.

After discussion with the Clerk the Commission agreed to take an additional \$15,000.00 total from each of the three road district's, road oil line item and to put it in all district calcium chloride for a total of \$40,000.00 including the \$25,000.00 done last week.

Steve Riley resident west of 7 Highway on 1700 Road complained to the Commission about neighbors mowing thistle while in bloom and windy. Commission asked the Counselor to check with the Noxious Weed Director and see if anything can be done.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, July 14. Herb Pemberton seconded the

motion. The motion passed 3-0.

County Clerk

Commission Chair

July 14, 2003

The Board of Linn County Commission met in a regular session. Those present were Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk; Gary Thompson, County Counselor. Commissioner Delbert Cannon was not present.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 2-0.

The Commission approved the following pays/special pays: General, \$176,414.24; Appraiser, \$2,502.24; Rural Fire, \$10,863.04; Road & Bridge, \$100,698.53; 911 Telephone Tax, \$2,817.59; Hospital Board, \$16,612.89; Special Alcohol, \$525.99; Crime Victim Assist, \$15.00; Elderly, \$11,603.96.

Tom Foerschler motioned to purchase clutch parts for a Ford tractor from Greeley Farm Equipment for approximately \$650.00. Herb Pemberton seconded the motion. The motion passed 2-0.

Tom Foerschler motioned to approve 3rd District Foreman Harry Wisdom to pour a 20' x 20' concrete floor and put an overhead door in the shop for storage due to KCAMP request for items to be properly stored. Herb Pemberton seconded the motion. The motion passed 2-0.

County Treasurer Ellie Davey presented the quarterly interest report through June 30th. Total interest for the year reported is \$50,393.02.

At the request of County Appraiser Steve Thompson. Tom Foerschler motioned to hire Rolland Grigsby as Appraiser I at \$9.00 per hour to replace Kelly Shroyer who is leaving county employment August 1, 2003. Herb Pemberton seconded the motion. The motion passed 2-0. Grigsby will take a preemployment physical and will be on the county six month probation.

At the request of Fire Coordinator Bernard Streeter, Tom Foerschler motioned to purchase up to \$1500.00 for dry hydrant supplies from Locke Supply. Herb Pemberton seconded the motion. The motion passed 2-0.

Streeter also proposed purchasing extrication equipment for LaCygne, Centerville, Mound City and Pleasanton stations. The Commission postponed any decision until next week when the Commissioner Cannon is present.

Tom Foerschler motioned to approve the purchase of two new turn out gears for approximately \$2,000.00 from Morning Pride for Matt Byerley and Tom Kemper. Herb Pemberton seconded the motion. The motion passed 2-0.

Hospital board member Hall presented information on Rural Health Clinic designations for Linn County Hospital District. Tom Foerschler motioned to approve an expenditure of \$3,000.00 to Dennis Owens, Rural Health Association to complete the paper work for the rural health designation. Herb Pemberton seconded the motion. The motion passed 2-0.

At 10:00 a.m. bids were opened for a 1996 van. The only bid received was from Raymond Streeter for \$2,251.00. The Commission decided to reject the bid.

The Commission recessed for ten minute break at 10:08 a.m..

Tom Foerschler motioned to appoint Jim Ferrante to the Economic Development Committee. Herb Pemberton seconded the motion. The motion passed 2-0.

The Commission reviewed the sheriff monthly fee report through June 30.

The Commission reviewed the park report through June 30.

The Clerk reported 3 Planning Commission appointments are due. Tom Foerschler reported he will talk to Charlene Sims about reappointment. The others (2) Harvey Taylor and Bobby Lowe are in Commissioner Cannon's District.

Bruce Freske, National Refuge manager presented the Commission with a \$25,217.00 in lieu-of-taxes check from the refuge.

Freske also discussed the refuge and possibly closing a road in the refuge. The Commission asked Freske to come back with a final proposal.

Tom Foerschler motioned to recess until 1:00 p.m. to meet at 2400 Road and Robinson Road for fence view requested by Harold Pease. Herb Pemberton seconded the motion. The motion passed 2-0.

At 1:00 p.m. the Commission met at 2400 Road and Robinson Road to view fences requested by Harold Pease. Those present were Commissioner Tom Foerschler and Herb Pemberton, County Clerk Don Proffitt, Gary Thompson County Counselor, Deputy Darick Chapman, Harold Pease and Ken and Nancy Read and Don Long.

After moving to the north end of the fence between Pease and Read, the Commission walked south to the south end of Reads property. The Reads pointed out two steel pins they stated was the property boundary. These pins were about 2 ½ - 3 feet east of the old fence.

After viewing this fence and then finding out that Allen Wilson did not show up for his portion of the fence view and Pease stated Wilson and himself no longer had a dispute over the property line fence.

Also Don Long stated he had no dispute with Pease over their property line fence.

After discussion the Commission stated they would review their findings and send a letter to Pease and Read stating their finding in approximately ten days.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m. Monday, July 21st. Herb Pemberton seconded the motion. The motion passed 2-0.

County Clerk

Commission Chair

July 21, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$63,567.61; Employee Benefit, \$62,459.43; Appraiser, \$8,110.71; Rural Fire, \$1,843.36; Road & Bridge, \$32,111.45; Hospital Board, \$21,893.62; Crime Victim Assist. \$679.46; Elderly, 7,432.63.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-248, 250, 251 and 253.

The Commission reviewed the Lake Region Authority 2002 Audit.

Solid Waste Coordinator Ed Fleming and Commission discussed a household hazardous waste grant the county received. The Commission asked Fleming to bring in all the figures next week.

Traffic Control Director Larry Robinson discussed the proposed Middle Creek Bridge. The Commission gave approval for Robinson to have Ronnie Basore appraise three properties that the county needs for right of way for the bridge.

L. A. Walley and others from Homer Township in Missouri discussed repairs needed on State Line Road. A lengthy discussion followed. A possible trading of the road to be maintained were discussed. No decision was reached. Mr. Walley will contact Bates County Commission before any decision will be reached.

John Skubal with Kaw Valley Engineering presented an over view of his company and asked the Commission for the opportunity to bid on any of the counties engineering needs.

Linn County Treasurer reported she will hire Carmen Self as part time employee in the Motor Vehicle Department at \$8.75 per hour, beginning August 1. Self will replace Donna Stites who retired.

At 10:05 a.m. the Commission took a ten minute break.

Fire Coordinator Bernard Streeter came back in with a request to purchase extrication tools for the Fire Department. Tom Foerschler motioned to approve the purchase of the genesis package, to be lease purchased through Bayston Financial Group for \$85,540.00 with trade-in. Herb Pemberton seconded the motion. The motion passed 3-0. The tools will be for Centerville, LaCygne, Mound City and Pleasanton Stations. The lease purchase agreement will be for 5 years.

Auditor Terry Sercer and the Commission reviewed the proposed 2004 budget for the county, rural fire #1, the hospital board and cemetery district #1-4 and 5. After lengthy discussion the Commission decided to wait until next Monday to make a decision.

At 11:05 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 11:10 a.m. the executive session ended. No action taken.

After reviewing letters prepared by the County Counselor Tom Foerschler motioned to send the letter (results of fence view between Pease and Read) to both Reed and Pease. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of the fence view results:

Herb Pemberton motioned to approve an agreement with Maxim Technology Inc. for \$8,000 to do geology investigations on the Middle Creek Bridge and an agreement with Mid Continent Engineering for \$22,664.00 to update the necessary plans to get ready to let bids for the Middle Creek Bridge. Delbert Cannon seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m. Monday, July 28. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

July 28, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; and Don Proffitt, County Clerk.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: Employee Benefits, \$72,146.48, Hospital Board, \$11,147.64.

Ed Fleming, Solid Waste Coordinator and the Commission discussed the household hazardous waste building. The Commission asked Fleming to research costs further.

Nutrition Director, Marilyn Augur, reported a compressor went out at Bunker Hill, Friday and that she had Dennis Bland install a new one. She will bring an invoice in as soon as she receives it.

Larry Robinson, Traffic Control and the Commission discussed the proposed Middle Creek Bridge. After discussion, Herb Pemberton motioned to rescind his motion to build the bridge and to stop the project for the present time. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:45 a.m., Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue with the County Attorney, John Sutherland (possible litigation) for fifteen minutes. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Attorney and District #2 Foreman, John Black attended the executive session.

At 10:00 a.m. the executive session ended. No action taken.

At 10:00 a.m. the Commission took a ten minute break.

County Appraiser, Steve Thompson, reported he is needing to hire a full time employee in anticipation of losing an employee within a couple of months. The Commission gave approval for Thompson to post the job to county employees and then advertise if necessary.

At 10:22 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, Economic Development Director, Dennis Arnold, and Planning and Zoning Director Andy Mayhugh attended the executive session.

At 10:37 a.m. the executive session ended. No action taken.

At 10:40 a.m. Tom Foerschler motioned to recess from the Board of Commission Meeting into executive session for fifteen minutes to discuss a personnel issue related to a nonelected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

At 10:55 a.m. the executive session ended.

Hub Casper, Coffey County Engineer presented a public entity disclosure statement for Coffey County's C & D landfill. Herb Pemberton motioned for the Commission Chairman to sign the disclosure statement. Tom Foerschler seconded the motion. The motion passed 3-0. This disclosure statement was signed by all the counties in the lake region.

At 11:25 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk and Lynne Filla attended the executive session.

At 11:40 a.m. the executive session ended. No action taken.

Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and Lynne Filla attended the executive session. No action taken.

At 12:05 p.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

At 12:20 p.m. the executive session ended. No action taken.

AT 12:22 p.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, Dennis Arnold and Andy Mayhugh attended the executive session.

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

The Commission reviewed a request from the County Surveyor Jim Schmitz to increase the amounts he is being paid for survey work. The Commission asked the Clerk to contact Springer Surveying and ask for his cost for same work.

The Commission approved for the Methodist Church to use the Courthouse lawn for a croquet tournament in September to raise money for Toys Express Program.

The Commission turned down a request to rent the Cowan property, north of the Annex.

At 1:25 p.m. Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

At 1:50 p.m. the executive session ended.

At the end of the executive session, Tom Foerschler stated that the Commission is planning to give a 3% cost of living raises effective January 1, 2004 and to also implement a new county employee pay plan at that time with the increase to be funded from the present 2004 Budget.

With nothing further on the agenda. Herb Pemberton motioned to adjourn until Monday, August 4 at 9:00 a.m.. Delbert Cannon seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

August 4, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$85,232.20; Employee Benefit, \$14,845.38; Appraiser, \$8,917.19; Rural Fire, \$6,077.48; Road & Bridge, \$36,877.93; 911 Telephone Tax, \$1,129.20; School Resource Officer, \$2,294.10; Hospital Board, \$28,671.28; Crime Victim Assistance, \$679.46; Elderly, \$8,094.30.

Solid Waste Coordinator, Ed Fleming and the Commission discussed the household hazardous waste building. No definite decision was made.

Delbert Cannon motioned to approve a permit to bury cable requested by Craw-Kan Telephone Cooperative located along 1350 Road and Snyder Road and 1400 Road and Roubideau Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to have the County Counselor prepare an agreement with Mastec to park their equipment at the Pleasanton Industrial Park while they are working in the area.

At 9:26 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, John Black, Larry Robinson, Danny Morris, Harry Wisdom, and John Byington attended the executive session.

At 9:31 a.m. the executive session ended. No action taken.

At 9:34 Tom Foerschler recessed from the Board of Commission meeting for ten minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, Black, Robinson, Morris, Wisdom, Byington and Ed Fleming attended the executive session.

At 9:44 a.m. the executive session ended. No action taken.

Tom Foerschler motioned to approve a request by Sprint United to bury cable located at 9080 West 1800 Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Larry Robinson and the Commission discussed 2100 Road south of Prairie View High School. The Commission asked Robinson to have survey done by Schmitz Surveying on the road to see what portion is an open road.

Mary Peters, Terry Tolifson and Wayne Berryman with Sprint United Telephone Company met for an informational meeting on E911 and for Sprint to answer any questions the Commission may have. Les Morse from Centerville wanted to know if we have any problems with 911, he has heard both ways. Sprints representatives stated as far as they know all problems have been fixed. Sprint also verified the county does have the enhanced version of 911 and does have field for emergency information at each address. The Commission agreed that the county needs to better advertise the E911 system to the public.

The Commission took a fifteen minute break.

Zoning Administrator, Andy Mayhugh, presented a zoning change requested by Robert and Jamie Chambers from ag residential to highway retail. The Planning Commission recommended approval for a sporting goods store. Herb Pemberton motioned to pass Resolution #03-24 approving the rezoning. Tom Foerschler seconded the motion. Chambers reported ATF has licensed the business. The vote for approval passed 3-0. Following is a copy of Resolution #03-24:

At 11:15 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a legal issue with the County Counselor (pending litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Andy Mayhugh attended the executive session.

At 11:25 a.m. the executive session ended. No action taken.

At 11:26 a.m., Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a legal issue with the County Counselor (pending litigation) Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Mayhugh attended the executive session.

At 11:36 a.m. the executive session ended. No action taken.

At 11:38 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Mayhugh attended the executive session.

At 11:48 a.m. the executive session ended. No action taken.

Tom Foerschler motioned to approve purchasing a condenser unit for Bunker Hill Community Center from County Home and Heating for \$1,819.50. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to pass Resolution #03-23 to surplus a 1997 Dodge Van. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-23:

The Commission decided not to lease a new postage machine at this time.

The Commission stated that all overtime, comp. time and all leave time must be reported to the clerk's office and that the record in the Clerk's office is the official record for leave time.

The Commission agreed that all purchases must have verification (signatures) on delivery receipt or invoice before they will be paid.

At 12:16 p.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Lynne Filla attended the executive session.

At 12:26 p.m. the executive session ended.

Delbert Cannon motioned to extend Lynn Filla probation period for sixty days. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed minutes of the May 19, 2003 SEK Mental Health Center Board meeting. Also, reviewed the June 24th minutes and the July 29th agenda for the SEK Multi County Health Board meeting.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., August 11. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

August 11, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$145,723.52; Appraiser, \$2,439.02; Rural Fire, \$9,516.31; Road & Bridge, \$110,992.76; 911 Telephone Tax, 832.53; Hospital Board, \$16,732.50; Elderly, \$11,413.23.

Traffic Control Coordinator, Larry Robinson stated he had attended another field check on a portion of the proposed four lane sixty-nine highway from 1350 to 1800 Road. No action taken.

The Commission reviewed the 2003 Park Report year-to-date.

At 9:29 a.m. at the request of Sheriff Stites, Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Sheriff Stites attended the executive session.

At 9:34 a.m. the executive session ended. No action taken.

At 9:38 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 9:58 a.m. the executive session ended. No action taken.

At 10:00 a.m. the Commission held the 2004 Budget Hearing for the Linn County Hospital Board. There were approximately twenty people in attendance. Mary Gilkinson, Richard Wilson, Larry Hall had several questions and suggestions. Darrel Leonard, Bill Allen, and Noel Jurgens feel the hospital clinics are in competition with Dr Justus and the Pleasanton Medical Clinics. Virginia Nichols spoke in favor of the clinics. Hospital Board member Keith Couch also spoke in favor of the clinics and rebutted Larry Halls claim that the hospital board members are not doing their job.

After a lengthy discussion Tom Foerschler motioned to approve the Linn County Hospital Board 2004 Budget with a total expenditure of \$1,117,210.00. Herb Pemberton seconded the motion. The motion passed 3-0.

After very little discussion, Herb Pemberton motioned to approve the 2004 Rural Fire District #1 Budget in the amount of \$301,100.00, Cemetery # 1 expenditures of \$6,656.00, Cemetery #4 expenditures of \$12,270.00 and Cemetery #5 expenditures of \$6,300.00. Tom Foerschler seconded the motion. The motion passed 3-0.

At 11:25 a.m. the Commission took a five minute break.

The Commission held the hearing for the counties 2004 Budget. Les Morse reported he would like to see more ambulance coverage in the west side of the county. Ed Samyn and Cynthia Smith stated they feel the county is wasting money on Economic Development. After a few more comments, Herb Pemberton motioned to approve the 2004 county budget with expenditures of \$9,563,845.00. Delbert Cannon seconded the motion. The motion passed 3-0.

Zoning Administrator, Andy Mayhugh discussed the Centerville sewer district and that the county needs to appoint a contact person. The Commission agreed that the person will be Commission Chairman Cannon. Mayhugh will prepare a resolution for next weeks meeting.

Propane bids were opened, two bids were received, United Coop bid .87 cents per gallon, Ferrellgas bid .94 cents per gallon. Tom Foerschler motioned to accept the bid from United Coop for .87 cents per gallon. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to pass Resolution #03-25 and Resolution #03-26 stating that 2003 tax levies for the county and Rural Fire District #1 will exceed the 2002 levies. Herb Pemberton seconded the motion. The motion passed 3-0. Following are copies of Resolution #03-25 and 03-26:

At 11:15 a.m. Tom Foerschler motioned to recess until 1:00 p.m. to meet at 17247 Kansas Highway 7 for a fence view. Herb Pemberton seconded the motion. The motion passed 3-0.

At 1:00 p.m. the Commission met at the Charles Self residence for a fence view. Those present were Commissioner Delbert Cannon, Herb Pemberton, Tom Foerschler and Gary Thompson, Sheriff Stites, Charles Self, Doug Malone and wife. The group then proceeded to the location of the disputed fence in Section 6, Township 21, Range 23.

After finding that the portion of fence that belongs to Self has been replaced by a new fence, Commission walked the portion of fence belonging to Malone.

The Commission found the Malone portion of fence to be hog wire on the bottom and three strands of barbed wire on top. Several portions of the fence was in disrepair and in need of steel posts, etc.

After viewing the fence the Commission reported that the county counselor will prepare a letter for their approval for next weeks meeting and the results of the findings will be sent to both Self and Malone.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 9:00 a.m., August 18. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

August 18, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk.

Tom Foerschler motioned to approve the minutes of the last regular meeting and the minutes of the Self/Malone fence view. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$70,714.68; Employee Benefit, \$40,148.71; Appraiser, \$8,920.11; Rural Fire, \$1,877.36; Road & Bridge, \$30,149.75; School Resource, \$2,189.26 Hospital Board, \$22,469.24; Crime Victim Assistant, \$679.46; Elderly, \$7,310.05.

Delbert Cannon motioned to approve telephone cable burials requested by People's Mutual Telephone Company located at 1900 Road and Lamb Road, 2000 Road and Long Road and bore 1095 at 2000 Road. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:06 a.m. Delbert Cannon motioned to recess from the Board of Commission Meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and Solid Waste Coordinator Ed Fleming attended the executive session.

At 9:11 a.m. the executive session ended. No action taken.

At 9:11 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

At 9:21 a.m. the executive session ended. No action taken.

Herb Pemberton motioned to have Champlin pick up and remove several large tires at the landfill that the county can't cut up. The cost will be approximately \$1,000.00. Delbert Cannon seconded the motion. The motion passed 3-0.

Fire Coordinator Bernard Streeter reported that the County Rural Fire Department has received a \$196,920.00 grant to purchase new equipment for the Rural Fire Department.

Tom Foerschler motioned to allow Streeter to purchase eight map books from the Appraisers office at \$100.00 each. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of Traffic Control Director, Herb Pemberton motioned to hire Joshua Marshall as Traffic Control Assistant at \$8.75 per hour. Tom Foerschler seconded the motion. The motion passed 3-0. Marshall will take a pre employment physical and drug test and will be on the normal 6-month county probation.

Brenda Ratty complained about speeding traffic at the vicinity of 500 Road and Scott Road. Larry Robinson will do a vehicle count and spot speed checks.

Darrel and Paul Jackson met with the Commission to discuss two gates on 2100 Road. After discussion, Tom Foerschler motioned to have Larry Robinson start the procedure to make the portion of 2100 Road in question a minimum maintenance road. Herb Pemberton seconded the motion. The motion passed 3-0.

Ken Shetler with Shetler, Griffith, and Shetler presented the paper work for the Centerville rural hardship grant for sewer district. Tom Foerschler motioned to sign all necessary paperwork for the sewer district and to pass Resolution #03-27 naming Commission Chairman Delbert Cannon to execute all documents for the Centerville Sewer District. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-27:

At 10:35 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a nonelected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, Steve Thompson - Appraiser, Dennis Arnold - Economic Development Director, Ed Fleming, John Black, John Byington, Harry Wisdom and Danny Morris attended the executive session.

At 10:50 a.m. the executive session ended. No action taken.

At 10:55 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The same people attended the executive session as in the previous executive session except Andy Mayhugh attended the executive session.

At 11:10 a.m. the executive session ended. No action taken.

At 11:18 Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The same people attended the executive session except Melinda Rogers and Larry Robinson attended the executive session.

At 11:28 the executive session ended.

Tom Foerschler motioned to transfer Melinda Rogers to the Administrative Assistant position at the Annex. Herb Pemberton seconded the motion. The motion passed 3-0. Rogers pay will be \$9.98 per hour.

The Commission reviewed Sheriff monthly fee report for July 2003.

Tom Foerschler motioned to approve the letter prepared by County Counselor to determine the results of the Self/Malone fence view and instructed the Clerk to send the letter to both parties. Herb Pemberton seconded the motion. The motion passed 3-0.

On recommendation of the Fire Coordinator Delbert Cannon motioned to pass Resolution 03-28 putting a fire ban into effect in Linn County. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution 03-28:

Tom Foerschler motioned to approve the payment of \$708.57 to Mid Continent Engineering for service they provided on the Middle Creek Bridge project. Herb Pemberton seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m. Monday, August 25. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

August 25, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: Hospital Board, \$181.24.

Tom Foerschler motioned to approve the purchase of a clutch for dump truck #210 from Midway Ford for \$685.00. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission reviewed a quote from Kaw Valley Engineering to prepare plans for a household hazardous waste, noxious weed and recycling buildings. The Commission asked Solid Waste Coordinator Ed Fleming to check with former county engineer Richard Long and see if he would be interested in doing the plans.

Tom Foerschler motioned to pay dues to the U.S. 69 Highway Association of \$5,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed the agenda of the August 26th meeting and the July 29th meeting minutes of the SEK Multi County Health Board.

Delbert Cannon motioned to pay Kenny Baucom \$550.00 for removing 2 trees and 4 stumps from the Courthouse lawn. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:32 a.m. at the request of Treasurer Ellie Davey, Delbert Cannon motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, County Counselor and Davey attended the executive session.

At 9:42 a.m. the executive session ended. No action taken.

Steven Lohr and John Sherman with SECAP discussed what might be done with Food Growers in Pleasanton. Robert Patterson, Manager of Food Growers passed away a couple of weeks ago. After discussion the Commission reported they will study any options the county may have and get back to Mr. Lohr.

At 10:20 a.m. the Commission took a 10 minute break.

Herb Pemberton motioned to move next weeks meeting to Tuesday September 2nd due to the fact that Monday is a holiday and county offices will not be open. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission reviewed the Hospital Board Receipts and Expenditures report through July 2003.

At 10:31 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a personnel issue related to a non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and County Appraiser Steve Thompson attended the executive session.

At 10:36 a.m. the executive session ended. No action taken.

Tom Foerschler motioned to extend the above executive session for 10 minutes. The same people attended the executive session. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:46 a.m. the executive session ended.

As a result of the executive session Tom Foerschler motion to hire Becky Brake and Jennifer Johnson as residential/ag data collectors in the Appraises office at \$9.00 per hour. Herb Pemberton seconded the motion. The motion passed 3-0. Both must take a pre employment physical and will be on the county 6-month probation.

Delbert Cannon motioned to extend the county burn ban for 1 week. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved Resolution #03-29 naming the 1st National Bank of Omaha as depository for health insurance claims. Following is a copy of Resolution #03-29:

Zoning Administrator Andy Mayhugh presented lot split #03-147 requested by Charles and Diane Self. Delbert Cannon motioned to approve lot split 03-147 and to accept the accompanying road easement. Tom Foerschler seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Tuesday, September 2nd. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

September 2, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Clerk, Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$59,997.41; Employee Benefit, \$96,754.50; Appraiser, \$7,276.90; Rural Fire, \$7,259.39; Road & Bridge, \$30,549.31; School Resource Officer, \$2,192.13; Hospital Board, \$22,193.19; Crime Victim Assist., \$679.46; Elderly, \$7,159.15.

The Commission approved the following add/abate/refund order numbers 2002-254 through 2002-259.

The Commission and Road Foreman talked about the excessive rain over the weekend and issues related to the water. One problem is a pond that was recently built that is keeping water on a county road at 1400 and Snyder Roads. The Commission reported they will go by and look at the pond after the meeting.

The Commission also discussed 1350 Road east of Centerville that a resident with a track hoe has damaged. The Commission will have the County Counselor write David Demayo a letter concerning the problem.

Delbert Cannon motioned to have Ag Engineer Association, Uniontown draw up a set of plans for household hazardous waste building and noxious weed building for \$3,000.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Solid Waste Coordinator reported that the state will now require the county to keep a daily record of the estimated amount of trash that is collected in the county each day.

Harvey Taylor met with the Commission to request funds to help with the counties night out on crime. Tom Foerschler motioned to approve \$1,500.00 for Night Out on Crime, September 27th. Herb Pemberton seconded the motion. The motion passed 3-0.

Tim Schreckler, applicant for a C.M.B. license at the Linn County Race Track met with the Commission to find out the status on his C.M.B. request.

At 9:48 a.m., Delbert Cannon motioned to recess from the Board of Commission Meeting into executive session to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 9:53 a.m. the executive session ended.

At 9:53 a.m. Delbert Cannon motioned to extend the executive session for five minutes. Tom Foerschler seconded the motion. The motion passed 3-0. The same people attended the executive session.

At 9:58 a.m. the executive session ended.

As a result of the executive session, County Counselor reported that Mr. Schreckler meets the requirements for a C.M.B. license. Also County Counselor reported that Commissioner Cannon wants to disclose that he is doing construction work for Mr. Schreckler that is not related to the C.M.B. After discussion, Herb Pemberton motioned to approve C.M.B. License for Linn County Speedway Inc.. Delbert Cannon seconded the motion. The motion passed 2-1.

Ron Wood and Hattie Siron met with the Commission to discuss the possibility of renting the Food Growers building. The Commission reported that they are not sure of what they will do with the building and will let them know at a later date.

Bids were opened for thirty signs for the Fire Department. National Sign Company bid \$12.28 each; JA Traffic Bid \$9.65. Tom Foerschler motioned to accept the bid of \$9.65 from J.A. Traffic. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve \$680.00 for FCC License to Business Radio Licensing. Herb Pemberton seconded the motion. The motion passed 3-0.

Due to receiving 8" of rain over the weekend, Delbert Cannon motioned to remove the county burn ban. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:15 a.m. the Commission took a fifteen minute break.

At 10:30 a.m. Andy Mayhugh presented a request for rezoning requested by Kent Wade for construction of a new home. Herb Pemberton motioned to pass Resolution #03-30 to change zoning from ag to ag residential. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-30:

Next heard was rezoning case Z0303175 requested by Paul and June Meyer from I-2 to Ag. Planning Commission approved the change unanimously. Tom Foerschler motioned to pass Resolution #03-31 to rezone this property. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-31:

Next case CUP 0803289 to operate a landscaping and masonry rock quarry. Tom Foerschler motioned to accept the recommendation of the Planning Commission and to pass Resolution #03-32 to approve this CUP with conditions attached. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-32:

Next case CUP #0303290 to operate a day care center requested by Marilyn Wells. Tom Foerschler motioned to accept the recommendation of the Planning Commission and to pass Resolution #03-33 to approve this C.U.P. with conditions attached. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-33:

Next the Commission heard proposed amendments to the Linn County Zoning regulations 13.04(6). After discussion, Herb Pemberton motioned to pass Resolution #03-34 to amend zoning regulation 13.04(6). Tom Foerschler seconded the motion. The motion passed 3-0. The Planning Commission Approved these amendments unanimously. Following is a copy of Resolution #03:34:

Tom Foerschler motioned to approve to pay \$220.00 per month for West Law Services for one year for the County Counselor. Delbert Cannon seconded the motion. The motion passed 3-0.

County Counselor announced that tax sales are set for September 15, 2003, October 20, 2002 and December 17, 2003.

Luanda Reed, Community Services Director met with the Commission for annual approvals for FY2004 SB123 treatment funds. Tom Foerschler motioned to sign SB123 approvals. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission Chairman signed a semiannual micro loan income report.

Herb Pemberton motioned to take a second mortgage to Sunflower Mortgage on Walt Grigsby property (subordination agreement). Tom Foerschler seconded the motion. The motion passed 3-0.

At 11:21 a.m. at the request of Fire Coordinator, Bernard Streeter, Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected personnel. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Streeter attended the executive session.

At 11:36 a.m. the executive session ended. No action taken.

At 11:41 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, Nutrition Director Marilyn Augur, attended the executive session.

At 11:51 a.m. the executive session ended. As a result of the executive session, Herb Pemberton motioned to pay Marilyn Weickert \$7.00 per hour and to hire Neal Mathews at \$7.00 per hour as substitute drivers. The motion died for lack of a 2nd.

Herb Pemberton motioned to hire Neal Mathews at \$6.41 per hour as substitute driver. Delbert Cannon seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 9:00 a.m. Monday, September 8. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

September 8, 2003

The Board of Linn County Commissioners met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$164,398.82; Employee Benefit, \$84.30; Appraiser, \$3,843.99; Rural Fire, \$7,458.51; Road & Bridge, \$86,883.79; Law Enforcement, \$150.00; 911 Telephone Tax, \$2,781.49; Hospital, \$14,573.48; Crime Victim, \$61.51; Elderly, \$10,724.72.

The Commission reviewed a year-to-date park report through August.

The Commission reviewed a Lake Region Solid Waste Authority audit.

District #1 Foreman Danny Morris reported that employee Fred Morris plans to retire in October and he would like to start looking for a replacement. Morris reported he has one less employee than District #2 and two less employees than District #3. The Commission approved posting the opening to county employees and to advertise if needed.

The cost for survey work for the county was reviewed. The Commission studied proposals from Jim Schmitz and Steve Springer. After discussion the Commission tabled the issue to a later date.

At 9:33 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session for 5 minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 9:38 a.m. the executive session ended. No action taken.

Zoning Administrator Andy Mayhugh presented lot split #03-148. On Mayhugh's recommendation, Tom Foerschler motioned to approve lot split #03-148 and to accept the accompanying road easement. Delbert Cannon seconded the motion. The motion passed 3-0.

At 9:46 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session for ten minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Rural Fire Coordinator Bernard Streeter attended the executive session.

At 9:56 a.m. the executive session ended. No action taken.

At 9:58 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee for five minutes. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 10:03 a.m. the executive session ended. No action taken.

The Commission Chairman signed a lease purchase agreement for extrication equipment for Rural Fire District #1 with Baystone Financial Group in the amount of \$85,540.00. This agreement had been approved previously.

At the request of Nutrition Director Marilyn Augur, Tom Foerschler motioned to hire Evan Bechtel as part time food van driver at \$7.00 per hour. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:12 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session for 5 minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 10:17 a.m. the executive session ended. As a result of the executive session, Tom Foerschler motioned to accept the recommendation of the County Counselor on Barry Walker's revitalization appeals: Item #1 the house - to deny this appeal, Item #2 the storage building to approve this request for revitalization. Delbert Cannon seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Monday, September 15th. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

September 15, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$63,080.80; Employee Benefit, \$45,140.93; Appraiser, \$8,330.41; Rural Fire, \$2,605.55; Road & Bridge, \$29,279.13; School Resource Officer, \$4,118.34; Hospital Board, \$33,981.43; Crime Victim, \$679.46; Elderly, \$7,737.58.

Tom Foerschler motioned to approve two permits to bury water line requested by RWD #1, one located at 2000 Road and Yancy Road and one located at 2050 Road and Wakefield Road. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:17 a.m. at the request of Solid Waste Coordinator Ed Fleming, Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:22 a.m. the executive session ended. No action taken.

Delbert Cannon motioned to approve lot split #03-149 as requested and to accept the accompanying road easement. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed and approved the Sheriff Monthly Fee report through August 2003.

At 9:38 the Commission took a five minute break.

Road Foreman John Black reported KCP&L has installed approximately 15 electric poles in bottom of a ditch at 1000 Road and Webb Road. The Commission will check into it.

The Commission agreed for the Medical Clinic to give flu shots and cholesterol tests to county employees this fall.

At 9:52 a.m. Delbert Cannon motioned to recess from the Board of Commission Meeting into executive session until 10:00 a.m. to discuss a legal issue with the County Counselor (sale of real property). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor attended the executive session.

At 10:00 a.m. the executive session ended. As a result of the executive session, Delbert Cannon motioned to instruct the County Counselor to prepare a resolution declaring the Counties portion of the food growers building as surplus property and to advertise for sealed bids. Herb Pemberton seconded the motion. The motion passed 3-0.

Bids were opened for the counties skid loader at the transfer station. Curtis Fleming bid \$5,055.00 for the county loader outright. K.C. Bobcat bid \$6,500.00 and Martin Tractor bid \$6,500.00 for trade-in price. KC Bob Cat bid \$14,237.00 and Martin Tractor bid \$15,405.00 for new loaders with trade (after finding out that the Bobcat bid included electric instead of hydraulic controls). Herb Pemberton motioned to purchase a cat loader from Martin tractor and trade in old loader with a difference of \$15,405.00. Delbert Cannon seconded the motion. The motion passed 3-0.

After discussion with Traffic Control Coordinator, Larry Robinson the Commission stated that the County will not allow personal street signs on county right of way.

Mark Schuller, Extension Agent met with the Commission to discuss putting new heaters in the 4-H Building. The Commission directed Schuller to get with a couple of contractors and get ideas to be bid out at a later date.

The Commission gave Fire Coordinator Bernard Streeter permission to get bids on a new 350 engine for 941 fire truck.

Tom Foerschler motioned to reimburse Eric Sanders for emergency training course in the amount of \$469.02. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:57 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Streeter attended the executive session.

At 11:07 a.m. the executive session ended. As a result of the executive session Tom Foerschler motioned that the county will release any fire fighter that does not pass the SCBA fit test. Delbert Cannon seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to pass Resolution #03-35 declaring surplus property. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-35:

Tom Foerschler motioned to pass Resolution 03-36 agreement for funding for Centerville sewer district. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-36:

Bill Braden, county resident and Woody Woodman, with KCP&L met with the Commission discussing proposed coal mine and road repairs. No action taken.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m. September 22. Herb Pemberton second the motion. The motion passed 3-0.

County Clerk

Commission Chair

September 22, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson; County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission reviewed the September 3rd minutes and the September 17th agenda for the SEK Multi County Health Board.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-263 and 2002-264.

Tom Foerschler motioned to approve permit to bury water line located at 2780 Kelly Road, requested by Dean West. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve a permit to bury telephone cable requested by Sprint United Telephone Company located along the east side of McGrew Road in 22E-21S-13. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to appoint Jerry Bishop as voting delegate to the Lake Region Solid Waste Authority. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to allow Solid Waste Coordinator Ed Fleming to purchase 6-11R-22-5 Goodyear tires from Stainbrook Wholesale at \$250.80 each. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to allow Asphalt Foreman John Byington to go out for bids to purchase a snow plow for his pickup. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:17 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee for fifteen minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and John Black attended the executive session.

At 9:32 a.m. the session ended. No action taken.

At 9:32 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor attended the executive session.

At 9:47 a.m. the executive session ended. No action taken.

At 9:47 Herb Pemberton motioned to recess from the Board of Commission Meeting until 10:00 to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor attended the executive session. At 9:55 a.m. Bernard Streeter attended the executive session.

At 10:00 a.m. the executive session ended.

At 10:00 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Streeter attended the executive session.

At 10:10 a.m. the executive session ended. No action taken.

Bids were opened for SCBA Equipment for fire fighters bids received from Drager, thirty-five units for \$148,295.00; Weis bid \$97,954.50; Jerry Ingrahm Bid \$96,425.00 an Fisher Scientific bid \$115,778.98. Delbert Cannon motioned to accept the low bid of \$96,425.00 from Jerry Ingrahm Fire and Rescue. Herb Pemberton seconded the motion. The motion passed 3-0.

Bids were opened for large diameter fire hose. Bids received were Jerry Ingrahm \$21,300.00. Weis Fire and Safety bid \$20,460.00. Herb Pemberton motioned to accept the low bid from Weiss Fire and Safety for \$20,460.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Bids were opened for seventy units of bunker gear. Jerry Ingram bid \$99,155.00 and total fire bid \$106,610.00. Delbert Cannon motioned to accept the low bid of \$99,155.00 from Jerry Ingrahm Fire and Rescue. Tom Foerschler seconded the motion. The motion passed 3-0.

Roger and Linda Holt met with the Commission to discuss the future of the emergency ambulance service in Linn County. Calls are down this year and patient transfers are down. This could cause a \$60,000.00 cut in revenue. Holt read a letter to the Commission stating that according to the agreement. He is giving the county notice that Linn County Ambulance services will end December 31, 2003. The Commission expressed regrets but took no immediate action.

Steve Thompson, County Appraiser reported that the county is in compliance with property value statues.

Zoning Administrator Andy Mayhugh presented lot split #03-150. Tom Foerschler motioned to approve lot split #03-150 and to accept the accompanying road easement. Delbert Cannon seconded the motion. The motion passed 3-0.

At 11:25 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0.

At 11:30 a.m. the executive session ended. No action taken.

As a result of the executive session. Herb Pemberton motioned to pass Resolution #03-39 to declare the food growers building in

Pleasanton surplus property and to advertise to take sealed bids for the building. Tom Foerschler seconded the motion. The motion passed 3-0. Bids will be opened October 6th at 10:00 a.m. Following is a copy of Resolution #03-39:

Tom Foerschler motioned to approve an easement with Charles Stringer to allow water from his pond back water onto county right-of-way, at time of very high water. But that water will not go over the county road. Herb Pemberton seconded the motion. The motion passed 3-0.

County Counselor presented the Commission with a check for road damage that he received from David M. DeMayo in the amount of \$280.98.

Tom Foerschler motioned to pass Resolution #03-37 to amend resolution 2002-33 reflecting the change of name from Gold Bank to Labette Bank. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-37:

At 11:52 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue related to non elected employees. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and John Black attended the executive session.

At 12:07 p.m. the executive session ended. No action taken.

At 12:10 p.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Black attended the session.

At 12:15 p.m. The executive session ended.

As a result of the executive session, Tom Foerschler stated that John Black has asked for a 60-day leave of absence from the Rural Fire Department. Tom Foerschler motioned to accept the request. Herb Pemberton seconded the motion. The motion passed 3-0. Assistant Fire Chief Doug Barlet will assume the duties of fire chief during Black's absence.

At 12:18 p.m. at the request of Bernard Streeter, Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Streeter attended the executive session.

At 12:28 p.m. the executive session ended. No action taken.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until Monday, September 29th at 9:00 a.m.. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

September 29, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$67,703.25; Employee Benefit, \$15,167.56; Appraiser, \$8,970.60; Rural Fire District, \$6,763.36; Road & Bridge, \$29,501.01; School Resource Officer, \$2,306.35; Hospital Board, \$24,009.81; Crime Victim Assist., \$1,283.68; Elderly, \$7,381.40.

The Commission Chairman signed the following add/abate/refund order numbers: 2002-265.

At 9:05 a.m., Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, John Black, Danny Morris and Larry Robinson attended the executive session.

At 9:10 a.m. the executive session ended. No action taken.

At 9:10 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Black, Morris and Robinson attended the executive session.

At 9:15 a.m. the executive session ended. No action taken.

Herb Pemberton motioned to approve a bid from Stuart Owsley Association to draw plans for a recycling storage building. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to appoint Delbert Cannon as voting delegate, Herb Pemberton as 1st alternate and Tom Foerschler as 2nd alternate for the K.A.C. 28th Annual Conference. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission reviewed the September 17, 2003 minutes and the September 30, 2003 agenda for the SEK Multi County Health Board and the July 21, 2003 minutes of the SEK Mental Health Board.

Delbert Cannon motioned to approve an agreement with Fern Bolen for transportation for elderly in Pleasanton for \$175.00 per month plus \$36.70 every six months for a portion of insurance. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:40 a.m. the Commission took a ten minute break.

At 10:00 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue for thirty minutes with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended.

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

At 10:36 a.m. Herb Pemberton motioned to recess from the Board of Commission into executive session (to discuss confidential data relating to financial affairs or trade secrets of a corporation) for fifteen minutes. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, Roger and Linda Holt attended the executive session. At 10:46 the Holts left the executive session.

At 10:51 a.m. the executive session ended.

Commissioner Foerschler stated that the Commission understands the importance of an ambulance service in Linn County. The first thing the Commission will do is to develop a criteria and will go out for bids to see if there is someone interested in providing service to Linn County. Several people in the audience spoke their feelings about the ambulance service. The Commission will set a date and time for meetings to develop criteria for ambulance service in Linn County.

At 11:34 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and County Appraiser, Steve Thompson attended the executive session.

At 11:39 a.m. the executive session ended.

Tom Foerschler motioned to refuse revitalization rebates for two properties due to late applications. Delbert Cannon motioned to refuse the application of James Isenhower and Julie Boone due to late filing of the application for rebate. Tom Foerschler seconded the motion. The motion passed 2-0. With Herb Pemberton abstaining.

Delbert Cannon motioned to refuse the revitalization application of Melinda and Lee Waite due to late filing of the revitalization application. Tom Foerschler seconded the motion. The motion passed 2-0 with Herb Pemberton abstaining.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, October 6th, Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

October 6, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to move the October 13th Commission Meeting to Tuesday, October 14th due to the county holiday. Delbert Cannon seconded the motion. The motion passed 3-0.

Bids were opened to sell 1979 Fiat Allis dozer. Bids received were William Chambers \$3,500.00; Al Winters \$1,500.00, Ed Streeter, \$8,501.00; McElreath Construction \$8,100.00. After discussion the Commission decided to review the bids and make a decision next week.

Herb Pemberton motioned to approve a permit to bury a waterline at 1800 Road, West of Yancy Road requested by RWD #1. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission instructed the County Counselor to set a sale date for salvage cars at the transfer station on November 14th at 1:00 p.m.

At 9:33 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue with the County Counselor (possible litigation) for ten minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and John Black attended the executive session.

At 9:43 a.m. the executive session ended. No action taken.

At 9:45 a.m. Herb Pemberton motioned to extend the above executive session for fifteen minutes. Tom Foerschler seconded the motion. The motion passed 3-0. The same people attended the executive session.

At 10:00 a.m. the executive session ended. No action taken. The Commission agreed to accept SECAP's ½ ownership in the Food Growers Building for \$10.00.

Bids were opened to sell the Food Growers Building in Pleasanton. Al Winters bid \$3,560.00, Gary and Cynthia Smith bid \$6,866.66. Tom Foerschler motioned to reject both bids. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to sell the food growers building at auction November 14th. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:26 a.m. the Commission took a fifteen minute break.

L. A. Walley and David Cook, Homer Township met with the Commission to discuss trading responsibility for State Line Road. The plan is for Homer Township to take over State Line north of 52 Highway and Linn County will take responsibility for State Line Road south of 52 Highway to Marais Des Cygne River. The Commission will wait to hear back from Homer Township.

Tom Foerschler motioned to approve lot split #03-151 and to accept the accompanying road easement. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to accept a grant of road easement #B/A-0301 from Clarence Adams. Herb Pemberton seconded the motion. The motion passed 3-0.

Daryl Jackson met with the Commission to discuss a gate across 2200 Road. The Commission asked Jackson to leave the gate unlocked until something can be worked out.

The Commission discussed setting a meeting date to set criteria to put ambulance services out for bids. After lengthy discussion, Delbert Cannon motioned to call a special meeting October 15th at 7:00 p.m. at annex building to discuss bid criteria for the ambulance service. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to appoint County Clerk Don Proffitt as voting delegate for KWORK and KCAMP Annual Board Meeting at 12:00 noon, November 25th and to appoint Herb Pemberton as alternate voting delegate to both boards. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission reviewed the Prescott Senior Citizen report. The Commission also agreed to start paying all of the utilities for the Prescott Senior Center.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Tuesday, October 14th, 2004. Tom Foerschler seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

October 14, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$258,840.92; Employee Benefit, \$58,585.52; Appraiser, \$11,476.41; Rural Fire, \$16,144.93; Road & Bridge, \$103,948.37; Law Enforcement, \$90.00; 911 Telephone Tax, \$2,779.98; Sheriff Resource Officer, \$3,906.33; Hospital Board, \$45,357.68; Special Alcohol, \$1,214.62; Crime Victim, \$1,359.92; Elderly, \$20,043.90.

The Commission reviewed the 2003 year-to-date park report.

The Commission reviewed the Sheriff monthly fee report through October 2003.

Harvey Taylor thanked the Commission for the donation for Night Out on Crime. Taylor reported a very good response.

Tom Foerschler motioned to approve for Road Foreman Harry Wisdom to purchase 18 tubes (culverts) of various lengths from J & J, Paola for a total of \$2,887.56. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to purchase a 1997 Cat D6R from Machinery Maintenance, Parsons, Kansas for \$99,000.00. Delbert Cannon seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to pass Resolution #03-38 to surplus 1979 Fiat Allis S/N 7016129 dozer and to accept the bid from Ed Streeter for \$8,501.00 to purchase the dozer. Delbert Cannon seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-38:

Delbert Cannon motioned to approve a permit to bury a telephone cable requested by Sprint United, located at 1400 Road and 1077 Highway. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:39 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue with the County Counselor (possible litigation) for 10 minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Ed Fleming attended the executive session.

At 9:49 a.m. the executive session ended. No action taken.

At 9:50 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue with the County Counselor (possible litigation) for 10 minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and John Black attended the executive session.

At 10:00 a.m. the executive session ended. No action taken.

Phil Tearney, Continental Coal Company met to discuss reimbursement for road repair to Tiger Road if Continental is allowed to mine coal east of Holiday Lakes. The Commission will study the info that Tearney provided.

Herb Pemberton motioned to have Larry Robinson hire Shaffer, Kline & Warren Engineers to determine weight limits on 2 bridges on Tiger Road. Tom Foerschler seconded the motion. The motion passed 3-0.

County Appraiser Stephen Thompson reported his plotter is in need of considerable repair. After discussion Tom Foerschler motioned to purchase a HP Jet 5500 plotter from Mid Kansas Blue Line Inc. for \$5,899.00. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:47 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into 15 minute executive session to discuss 3 legal issues with the County Counselor (possible litigation on all the issues). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Treasurer Ellie Davey attended the executive session until 9:52 when Davey left. Steve Thompson was asked to the executive session at 9:57 a.m.

At 10:02 a.m. the executive session ended.

As a result of the executive session, Tom Foerschler motioned to deny application for revitalization rebate for James R. Dunn, Pleasanton on parcel 119-31-0-20-54-001.01-0 due to the fact the mobile home involved is not new. Herb Pemberton seconded the motion. The motion passed 3-0.

Ellie Davey, presented year-to-date interest. Total interest year-to-date is \$71,030.36. Davey also presented the Commission with reconciliation of 2002 tax abstract to collection and delinquency. Also uncollected personal property tax.

Davey also discussed needing additional help this tax billing time and would like to move Carmen Self from part time to full time. The Commission tabled the issue for 1 week.

At the request of Traffic Control Coordinator, Larry Robinson, Tom Foerschler motioned to purchase a Trax Mite Plus, traffic data collector from Jamar Technology for \$2,500.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve renewing the lease on the airport runway with J. Melissa Gilmore if she agrees to the lease. Delbert Cannon seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to allow Road Foreman, John Black to purchase 15 tubes of different lengths from J&J for a total of \$2,221.20. Herb Pemberton seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 7:00 p.m. October 16th for a special called meeting to develop criteria for bidding out the ambulance service. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

October 15, 2003

The Board of Linn County Commission met in a special called meeting to develop criteria for putting out bids for operating an ambulance service in Linn County. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

At 7:00 p.m. the chairman called the meeting to order with approximately 55 citizens in attendance.

County Counselor Gary Thompson opened the meeting with explanation of the special meeting and that the only subject to be discussed in criteria for bidding ambulance services.

Commissioner Foerschler read a list of criteria presented by concerned citizens. County Clerk Proffitt read a list of criteria presented by Roger and Linda Holt.

Commissioner Cannon stated that the Commission was only interested in hearing additions to these lists and not to rehash these items.

Dave Hall read and presented a list of criteria put together by ambulance employees.

John Morse, Centerville added that he would like to see better coverage on the west side of the county.

The Commission responded to some questions by the audience, some that did not pertain to criteria. After questions the Commission stated they will start the process of developing criteria at the next regular meeting.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, October 20. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

October 20, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member, Don Proffitt, County Clerk, and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission approved the following special pays: Employee Benefit, \$55,000.00; Road & Bridge, \$69,571.50; Special Machinery, \$29,428.50.

At the request of Treasurer, Ellie Davey, Herb Pemberton motioned to make Carmen Self full time employee effective November 1 at \$8.75 per hour. Delbert Cannon seconded the motion. The motion passed 3-0. Self will take a pre employment physical and be on the normal 6 month probation.

Tom Foerschler motioned to agree to let Oliver Hawk work at the Transfer Station through the SERCOR Program (formerly Green Thumb). Delbert Cannon seconded the motion. The motion passed 3-0.

Road Foreman John Black reported that grader operator Jacob Summers resigned effective October 20, 2003. The Commission instructed Black to post the position to county employees and to advertise if necessary.

The Commission instructed Solid Waste Coordinator Ed Fleming to put renting and servicing of the Solid Waste porta potties out for bid.

The Commission decided to hold the November 14th Surplus Auction at the Transfer Station and asked the County Counselor to see if Marty Read will do the auction.

At 9:30 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting for 10 minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, and John Black attended the executive session.

At 9:40 a.m. the executive session ended. No action taken.

Skip Childress, Mound City Historical Society asked the Commission for assistance to put additional rock and gravel at the Mound City Historical Park. Tom Foerschler motioned to give the Mound City Historical Society \$275.00 for work at the Mound City Historical Park. Herb Pemberton seconded the motion. The motion passed 3-0.

The Clerk reported a refrigerator quit at Bunker Hill and that Marilyn Augur purchased a new one from Randall Hardware for \$639.00.

Mel Bolling, Administrative Assistant reported that they are having problems with the copier at the annex. After reviewing the cost of repairs at \$1,650.00 and cost of a new replacement with trade \$5,885.00 the Commission asked for another proposal if possible.

At 10:15 a.m. the Commission took a 15 minute break.

At 10:30 a.m. Dan Harden, P.E., B. G. Consultants, Manhattan introduced himself and presented an overview of the company and offered their services to the county. The Commission thanked Harden for his time.

Sheriff Stites asked to fill the jailer position he has had open. Delbert Cannon motioned to hire Kevin Danciak at \$9.38 per hour as jailer due to previous experience with the Sheriff Department. Herb Pemberton seconded the motion. The motion passed 3-0. Danciak will take a pre employment physical and be on the normal 6 month probation. The Sheriff stated that since Danciak is a certified officer and he could be used on the road if needed.

Herb Pemberton motioned to approve a maintenance agreement with ESS on the election ballot scanner for 2004 at a cost of \$1,838.00. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission discussed the ambulance criteria needed to put the ambulance out for bids. The Commission gave the County Counselor the criteria information and asked him to put in the necessary form for bidding and have it ready for the next meeting.

Tom Foerschler motioned to pass Resolution #03-40 to declare a minimum maintenance road and to hold a public hearing November 17th at 10:15 a.m.. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-40:

With nothing further on the agenda, Tom Foerschler motioned to adjourn until next Monday, October 27, 2003 at 9:00 a.m.. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

October 27, 2003

The Board of Linn County Commission met in the regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting and the minutes of the October 15th special called meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission reviewed the October 14th minutes and the October 28th agenda for the SEK Multi County Health Board.

The Commission reviewed the September year-to-date hospital board report.

The Commission reviewed a thank you for their donation to the Mound City Historical Society.

Tom Foerschler motioned to approve a permit to bury telephone cable requested by Sprint United Telephone located at 13880 1095 Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve two permits to bury water line requested by Rural Water District #1, one located at 2050 Road and Valley Road, one located on Umphrey Road 500' south of 152 Highway. Delbert Cannon seconded the motion. The motion passed 3-0.

At the request of Danny Morris, Herb Pemberton motioned to hire Charles Bright as equipment operator, District #1 at \$9.00 per hour. Tom Foerschler seconded the motion. The motion passed 3-0. Bright will take a pre employment physical and be on the normal 6-month probation.

Herb Pemberton motioned to sign certification that the household hazardous waste processing facility is in compliance with solid waste management plan. Delbert Cannon seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to give Marilyn Augur permission to sign preliminary papers to order a new medical van. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to allow SRS to use the Blue Mound and Centerville Senior Centers for access sites. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to sign an agreement with the East Central Kansas Area on Aging for C1 and C2, 43,802 meals combined. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to sign a contract with the East Central Kansas Area on Aging to access homebound residents at \$10.75 per hour. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:40 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue with the County Counselor (possible litigation) for fifteen minutes. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, Ed Fleming and Andy Mayhugh attended the executive session.

At 9:55 a.m. the executive session ended. No action taken.

At 9:55 a.m. Delbert Cannon motioned to extend the above executive session for ten minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The same people attended the executive session except that Andy Mayhugh left the executive session.

At 10:05 a.m. the executive session ended. No action taken.

At 10:17 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue with the County Counselor (possible litigation) for ten minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Ed Fleming attended the executive session.

At 10:27 a.m. the executive session ended. No action taken.

At 10:31 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for ten minute to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Ed Fleming attended the executive session.

At 10:41 a.m. the executive session ended. No action taken.

Delbert Cannon motioned to approve Resolution #03-41 Rezoning Case #Z0903177 that the Planning Commission recommended for approval. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-41:

Tom Foerschler motioned to approve lot split #03-152 and to accept the accompanying road easement. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to accept grants for road easements 03-02 from Randy and Patricia Page and Ronald and Julie Weber.

The Commission reviewed quotes for a new copier for the annex. Tom Foerschler motioned to purchase a Konica 7130 copier from Copy products for \$5,885.00. Delbert Cannon seconded the motion. The motion passed 3-0. The cost will be split between road, economic development, planning and zoning and the nutrition department.

Tom Foerschler motioned to pass Resolution #03-42 amending Resolution 03-19 stating the cost for commercial trucks to dump at the transfer station, due to the fact that the county does not have a scale any longer to weigh their trucks. Following is a copy of Resolution 03-42:

Ambulance criteria was discussed, after reviewing the proposed criteria and before finalizing all issues the Commission tabled the issue until next weeks so they can discuss further with the county counselor.

At 12:09 p.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss

a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and Andy Mayhugh attended the executive session.

At 12:19 p.m. the executive session ended. No action taken.

Herb Pemberton motioned to go out for bids for Thanksgiving Dinner to be held at noon, November 26th. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve the purchase of a Systemax Ascent Pro SA24 for the clerks office from Global in the amount of \$892.00. Herb Pemberton seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, November 3rd. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

November 3, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$56,228.42; Employee Benefit, \$73,948.81; Appraiser, \$8,578.64; Rural Fire, \$5,068.70; Road & Bridge, \$28,980.45; 911 Telephone Tax, \$1,947.17; School Resource Officer, \$4,156.89; Hospital Board, \$35,336.10; Crime Victim Assist, \$679.46; Elderly, \$7,622.70.

Herb Pemberton motioned to approve the following add/abate refund order numbers: 2003-1, 2003-2, 2003-4 thru 2003-10, 2003-12 thru 2003-27, 2003-29 thru 2003-38, 2003-40,41,42 and 2003-46. Tom Foerschler seconded the motion. The motion passed 3-0.

John Black reported he has two county employees that have applied for the opening in District 2. (Joe Maloney and Dale Deer) Commissioner Cannon left the meeting due to the fact that he is a related to Deer. After lengthy discussion at 9:26 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue related to a non elected employee for five minutes. Tom Foerschler seconded the motion. The motion passed 2-0. Herb Pemberton, Tom Foerschler, Don Proffitt and Gary Thompson attended the executive session.

At 9:31 a.m. the executive session ended. As a result of the executive session the Commission asked John Black to get a list of experience for Dale Deer and Joe Maloney and bring it to the next weeks meeting.

Tom Foerschler motioned to sign the employee drug assistance program for transportation employees. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:40 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and County Appraiser, Steve Thompson attended the executive session.

At 9:50 a.m. the executive session ended. No action taken.

Doug Malone met with the Commission to discuss results of a fence view between himself and Charles Self. Malone has decided to throw his land open and asked the Commission to revise their decision giving enough time for him to publish the fact that he is throwing his land open.

The Commission asked the County Counselor to prepare a letter changing the date on their order to repair the fence to the end of March 2004.

Mark Schuller, Extension Agent presented a proposal to install heat and air in the 4-H Building. The Commission took the information under advisement.

Sheriff Marvin Stites reported he has received a \$5,000 Community Oriented Policing Grant and that he would like to purchase a lap top computer for patrol cars he had originally applied for a \$10,000 grant. He would like to take some funds from Community Policing Fund to cover the shortage from the grant.

Stites also reported he is going to look for a drug dog to replace Tess.

At 10:15 a.m. the Commission took a fifteen minute break.

At 10:30 a.m. Phil Tearney met to discuss the use of Tiger Road if Continental Coal gets the C.U.P. to mine coal. Since the bridge has been found to be insufficient for hauling coal, their loaded trucks will not use Tiger road but would like to use the road empty. The Commission tabled any decision.

After reviewing and discussing the ambulance criteria, Tom Foerschler motioned to put the ambulance service criteria out for bids to be opened December 8 at 10:00 a.m. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve C.M.B. for Michelle Goucher d.b.a. Papa Johns BBQ, 21923 Valley Road, LaCygne, Kansas. Delbert Cannon seconded the motion. The motion passed 2-1.

At 11:24 a.m., Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the County Counselor (possible litigation). Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 11:29 a.m. the executive session ended. No action taken.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, November 10. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

November 10, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$121,530.47; Appraiser, \$2,412.42; Reappraisal, \$5,899.00; Rural Fire, \$21,253.25; Road & Bridge, \$43,435.52; 911 Telephone Tax, \$832.53; School Resource Officer, \$15.00; Hospital Board, \$15,095.27; Crime Victim Assit, \$20.00; Elderly, \$9,194.94.

The Commission approved the following add/abate/refund order numbers: 2003-23-25, 2003-47, 51 – 54, 2003-58-59-60 and 2003-69.

At 9:13 a.m. at the request of Road Foreman John Black, Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Black attended the executive session.

At 10:23 a.m. the executive session ended. The Commission extended the above executive session for 5 minutes. The Commission, Clerk, and County Counselor attended the session.

At 10:28 a.m. the executive session ended. As a result of the executive session, Black will advertise the opening in his district in the newspaper.

Herb Pemberton motioned to approve a permit to bury cable requested by People's Telephone Company located at 2000 Road and 7 Highway. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve the purchase of brakes for a LTA 9000 truck for Solid Waste Department for \$687.84. Tom Foerschler seconded the motion. The motion passed 3-0.

At the request of Ed Fleming the Commission agreed to change landfill hours for the winter to 7:30 – 4:00 Monday – Friday and 9:00 – 12:00 on Saturdays, effective November 24.

Tom Foerschler motioned to approve lot splits 03-153 and 03-154 and to accept the accompanying road easements. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve a change to determination on the fence fiew between Charles Self and Doug Malone. The change will be the deadline for having fence fixed moving the deadline to April 2004. Herb Pemberton seconded the motion. The motion passed 3-0.

Bill Bigelow, Modern Copy Systems discussed the copies that he had bid on and had the low bid but was not accepted after discussion the Commission agreed to stay with their decision to purchase the copier from Copy Products.

At 10:15 a.m. the Commission took a 15 minute break.

At 10:34 a.m. Herb Pemberton motioned to recess from the Board of Commission meeting into execute session to discuss confidential data relating to financial affairs or trade secrets of a corporation for 15 minutes. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Economic Development Director Dennis Arnold attended the executive session.

At 10:49 a.m. the executive session ended. No action taken.

Ron Briggs, Natural Resource Conservation Services, discussed a stream stabilization project on Big Sugar Creek in Southeast ¼ of 3-20-24. Tom Foerschler motioned to apply for a 50-50 grant in the amount of \$6,720.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to pass Resolution #03-43 to declare surplus property. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-43:

Tom Foerschler motioned not to have a Commission meeting the week of November 24th due to K.A.C.. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:00 a.m. the Commission heard CUP #0903291 for Continental Coal Company, Lee Tetwiler attorney for Matt and Laura Cunningham stated that he feels notice was not given for this meeting according to the counties policy on issuing a C.U.P.

At 11:06 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue with the County Counselor (possible litigation) for 5 minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Andy Mayhugh attended the executive session.

At 11:11 a.m. the executive session ended.

As a result of the executive session, the County Counselor stated that his recommendation in that the requirement of the zoning regulations have been met and that this meeting does not require statutory notice.

The Commission heard additional discussion from Tetwiler asking the Commission that if they grant the C.U.P. to put additional conditions on the C.U.P.

The Clerk stated that a timely filed, sufficient petition has been filed that will require a unanimous vote to pass the C.U.P..

Tom Foerschler motioned to pass Resolution #03-44 to accept the recommendation of the Planning Commission to approve C.U.P.

#0903291 for Continental Coal to engage in mining coal. Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution 03-44:

The Commission reviewed the Sheriff's fee report and the Park report through October.

The Commission opened the following bids for Thanksgiving dinner. Jayhawk Inn, \$6.75; Family & Friends \$5.50; Shayna Lamb, \$7.25; Everybody's , \$5.75. Herb Pemberton motioned to accept the low bid from Family & Friends at \$5.50 per meal. Delbert Cannon seconded the motion. The motion passed 2-0, with Tom Foerschler abstaining.

At 12:14 p.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a personnel issue related to a non elected employee. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 12:19 p.m. the executive session ended. No action taken.

The Commission reviewed an invitation to a November 17 open house for District Judge Stephen D. Hill, Paola, Kansas.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, November 17. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

November 17, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$75,212.37; Employee Benefit, \$74,192.58; Appraiser, \$8,379.99; Rural Fire, \$2,326.79; Road & Bridge, \$27,863.02; 911 Telephone Tax, \$819.24; School Resource Officer, \$2,733.04; Hospital Board, \$21,160.63; Crime Victim Assist, \$679.46; Elderly, \$7,504.94.

The Commission approved the following add/abate/refund order numbers: 2003-70 -79, 2003-81 – 92.

The Commission reviewed the Linn County Hospital Board receipts and expenditures and the nutrition fund receipt report.

Road Foreman John Black reported that there was an accident at Mine Creek Bridge on 69 Highway, that traffic was detoured through Prescott up old 69 Highway, and that there is a 10-ton bridge on old 69 Highway that should not have been used.

Herb Pemberton motioned to approve a permit to bury water line requested by R.W.D. #3 located on 1700 Road approximately ½ mile east of 1077 Highway. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve the purchase of sixteen 1100 X 22.5 tires for District #1 from Stainbrook Wholesale for a total of \$4,012.64. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to sign an agreement to have KDOT purchase a medical van for Linn County with Linn Counties 20% share being \$7,609.00. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:00 a.m., the Commission took a 15-minute break.

After reviewing an affidavit from LaCygne City Hall and Melinda Waite stating that Waite had properly and timely filled out her application for revitalization. Tom Foerschler motioned to approve revitalization rebate for Melinda Waite. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of Appraiser Steve Thompson, Tom Foerschler motioned to purchase oil and gas software from Infinitec for \$7,995.00 plus \$1,599.00 for 1-year maintenance. Delbert Cannon seconded the motion. The motion passed 3-0.

At 10:15 a.m. the Commission held a hearing according to Resolution #03-40 to declare the following road minimum maintenance. The road described as follows: Beginning at a point on the South line of the Southeast ¼ of Section 3, Township 20, Range 23, said point being 792.0 feet East of the Southwest corner or said Southeast ¼, Thence continuing East on the section line to a point being 153.8 feet West of the Southeast corner of the Southwest ¼ of Section 2, Township 20, Range 23 from which point said road is vacated to the East through prior action, there was no one present to oppose the proposal and the planning commission voted 8-0 in favor. Tom Foerschler motioned to declare the above road minimum maintenance. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve for the Commission Chairman Delbert Cannon to sign a deed for the Food Growers Building, which was sold Friday at Surplus Auction as soon as the county counselor prepares it. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:21 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a legal issue with the County Counselor (possible litigation). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 10:26 a.m. the executive session ended. No action taken.

At 10:27 a.m. Delbert Cannon motioned to recess from the Board of Commission meeting into executive session to discuss a personnel issue related to non elected personnel for 15 minutes. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 10:42 a.m. the executive session ended. No action taken.

Herb Pemberton motioned to elect Tom Foerschler as Commission Chairman for 2004. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to elect Herb Pemberton as Commission Vice Chairman for 2004. Delbert Cannon seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve lot split #03-155 and to accept the accompanying road easement. Herb Pemberton seconded the motion. The motion passed 3-0.

Economic Development Director reported on a business going into the Conley Building property in Pleasanton East Industrial Park. The Company is R & R Printing and Custom Manufacturing LLC from Olathe. Arnold reports they should be up and running very soon.

At the request of Arnold the Commission gave approval to go out for bids to have some concrete poured to help drainage at the Tech Parts Building in LaCygne Industrial Park.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, December 1. Herb Pemberton seconded the motion. The motion passed 3-0.

County Clerk

Commission Chair

December 1, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$62,027.85; Employee Benefit, \$144,741.61; Appraiser, \$8,552.15; Rural Fire, \$4,872.93; Road & Bridge, \$29,689.67; School Resource Officer, \$3,881.80; Hospital Board, \$29,923.29; Crime Victim Assist, \$679.46; Elderly, \$7,950.31.

The Commission approved the following add/abate/refund order numbers: 2003-94-104, 2003-107, 2003-114.

Tom Foerschler motioned to accept the retirement of John Black from the Linn County Rural Fire Department effective January 10, 2004. Delbert Cannon seconded the motion. The motion passed 3-0.

The Commission gave approval for Black to get prices on a tree clipper for a skid loader.

The Commission approved an amended permit for commercial trash hauler's in Linn County, the new permit includes the oath that all trash hauled to transfer station is from Linn County.

Tom Foerschler motioned to approve a permit to bury water line requested by Bourbon County Rural Water District #4 located at 300 Road and Cassida Road. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission gave approval for Harry Wisdom to put together specs for a new pickup.

Tom Foerschler motioned to purchase a walk behind snow blower for the courthouse from Randall Hardware for \$581.42. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to donate \$50.00 to Jayhawk-Linn S.T.A.R. Program. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to reappoint Virginia McGee to a 3-year term on the Tri-Ko Inc. Board. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission reviewed the October 28, 2003 minutes and the November 25, 2003 agenda for the SEK Multi County Health Board.

The Commission reviewed the quarterly claim report from KCAMP Insurance.

At 9:29 a.m. at the request of Dennis Arnold, Economic Development, Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss the financial affairs or trade secrets of a corporation. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, and Arnold attended the executive session.

At 9:39 a.m. the executive session ended. No action taken.

Herb Pemberton motioned to hire Brian Shroyer as firefighter at Prescott Station and Kathy Maloney as firefighter at the Mound City Station. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to accept the election results of the Linn County Rural Fire Department and to approve the fire chief and assistant chiefs that were elected. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:49 a.m. at the request of Fire Coordinator Bernard Streeter, Herb Pemberton motioned to recess from the Board of Commission meeting into executive session to discuss a personnel issue related a non elected personnel for 10 minutes. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, Streeter, Dan Morris, John Morse, Dave Lamb, Russell Beth and Mike Gillespie attended the executive session.

At 9:59 a.m. the executive session ended. No action taken.

At 9:59 a.m. Tom Foerschler motioned to extend the above executive session for 5 minutes with the same people attending. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:04 a.m. the executive session ended. No action taken.

At 10:08 a.m. the Commission took a 15-minute break.

At 10:23 a.m. the meeting reconvened. Nutrition Director Marilyn Augur, presented bids for snow removal for Bunker Hill Community Center. Bids received from Jeff Schneider \$25.00 per snow removal and \$25.00 per each mowing and weed eating, Mark and Matt Schuller bid \$28.00 each snow removal and \$65.00 for each mowing and weed eating. Herb Pemberton

motioned to accept the bid from Jeff Schneider. Tom Foerschler seconded the motion. The motion passed 3-0.

At the request of County Attorney John Sutherland, Tom Foerschler motioned to move Monica Mullins to the Administrative Assistant position to replace retiring Jo Clark. Mullins will be \$9.98 per hour, effective December 1, 2003. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve for Register of Deeds Sharon Barnes to have \$3,723.75 worth of microfilming done by Mid Continent Micrographics. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:30 a.m. at the request of Sharon Barnes, Herb Pemberton motioned to recess from the Board of Commission meeting into executive session to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and Barnes attended the executive session.

At 10:35 a.m. the executive session ended. No action taken.

At the recommendation of Andy Mayhugh, Zoning Administrator, Herb Pemberton motioned to approve lot split 03-156 as presented. Tom Foerschler seconded the motion. The motion passed 3-0.

Mayhugh and the Commission discussed updating the Linn County Comprehensive Plan. The Commission asked Mayhugh to check on the cost for a consultant to do the plan.

Charlie Blevins reported someone has cut his fence again. Also, put cement and sand in the hydraulic system of his combine, his wife has been shot at, someone tried to run her off the road. He doesn't think the County Attorney or Sheriff department has done anything. The County Counselor suggested he contact the Attorney General and possibly post a reward.

At 11:30 a.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 30 minutes to discuss a legal issue with the county counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 12:00 noon the executive session ended. No action taken.

At 12:04 p.m. Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk and County Counselor attended the executive session.

At 12:14 p.m. the executive session ended.

As a result of the executive session, Tom Foerschler motioned to pass resolution #03-45 authorizing the acquisition of certain land and easements by eminent domain for the Centerville sewer project, Herb Pemberton seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-45:

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Monday, December 8. Tom Foerschler seconded the motion. The motion passed 3-0.

Deputy County Clerk

Commission Chair

December 8, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; Don Proffitt, County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$165,594.61; Employee Benefit, \$123,803.89; Appraiser, \$2,281.80; Rural Fire, \$88,917.94; Road & Bridge, \$48,011.78; 911 Telephone Tax, \$1,962.01; School Resource Officer, \$275.15; Hospital Board, \$15,660.22; Elderly, \$7,808.52.

The Commission approved the following add/abate/refund order numbers: 2003-123-134.

County Clerk Don Proffitt informed the Commission that according to K.S.A. 19-302, he has appointed David Lamb as Deputy County Clerk effective 12-9-03 during his absence for surgery and recuperation.

At the request of John Black, Tom Foerschler motioned to purchase 8 road grader tires at \$550.00 each from Cross Midwest. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to approve a permit to bury water line requested by Bourbon County Rural Water Dist. #4 located ½ mile north of 31 Highway on Ingrahm Road. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of Ed Fleming, Delbert Cannon motioned to purchase a catalytic converter for the skid loader at the Transfer Station from Caterpillar for \$965.00 plus freight unless Fleming can find a cheaper one. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve a permit to bury telephone cable requested by Sprint United located south of 407th & Spoon Creek Road. Tom Foerschler seconded the motion. The motion passed 3-0.

At the request of County Appraiser Steve Thompson, Tom Foerschler motioned to purchase a 2002 Ford Ranger XLT from Cox Motor Company for \$15,000.00 plus trade in of a 1992 Ford Explorer. Delbert Cannon seconded the motion. The motion passed 3-0.

At 9:27 AM, Tom Foerschler motioned to recess from the Board of Commission meeting into executive session to discuss a legal issue with the County Counselor for 5 minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, and Deputy Clerk David Lamb attended the executive session.

At 9:33 AM the executive session ended. As a result of the executive session the Commission instructed Ed Fleming to run any changes to solid waste collection at the compactor by the City Council instead of through the Compactor employee.

Herb Pemberton motioned to approve Resolution #03-46 to cancel 7 warrants that have not been cashed within the last year. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #03-46:

Tom Foerschler motioned to sign a HIPAA Business Agreement with KCAMP Insurance & Shook, Hardy, & Bacon, LLP. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve a permit to bury oil line requested by Leroy O'Connell located at 1350 Road & Botkin Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve Purchase Order #2003-01 to Lockwood Company in the amount of \$2,245.00 and Purchase Order #2003-02 to United States Post Office in the amount of \$2,500.00. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve Cereal Malt Beverage license renewal for Michelle Goucher, Papa John's BBQ. Delbert Cannon seconded the motion. The motion passed 2-1.

Herb Pemberton motioned to cancel the \$350.00 remaining on Purchase Order #2002-06. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission reviewed the November YTD Park Report.

At 10:00 AM bids were opened for providing Ambulance service to Linn County. Bids were received from AMR, \$491,790.00 per year; Emergystat, \$380,000.00 per year; and Linn County Ambulance Service, \$650,000.00 per year.

At 10:20 AM the Commission took a 10 minute break.

At 10:30 AM the Commission meeting reconvened.

At 10:31 AM Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a legal issue with the County Counselor. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission, Clerk, County Counselor, and David Lamb attended the executive session.

At 10:46 AM the executive session ended. No action taken.

At 10:47 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss trade secrets of a corporation. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, David Lamb, and Clanton DuBose, Emergystat Inc. attended the executive session.

At 11:02 AM the executive session ended. No action taken.

At 10:47 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss trade secrets of a corporation. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, David Lamb, and John Hayworth, AMR Inc. attended the executive session. At 11:11 AM John Hayworth left the executive session and the Commission asked Roger & Linda Holt to enter the executive session. At 11:15 AM the Holts left the executive session. At 11:16 AM Dan Hall, Linn County Ambulance Service was brought into the executive session.

At 11:19 AM the executive session ended. No action taken.

At the request of Park Director Bruce Holt, Tom Foerschler motioned to purchase 200 tons of chips from Wade Quarries at \$5.50 per ton for the park. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of Park Director Bruce Holt, Tom Foerschler motioned to approve Purchase Order #2003-03 for road oil from Koch Industries in the amount of \$4,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:30 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a legal issue with the County Counselor. Delbert Cannon seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor, and David Lamb attended the executive session.

At 11:45 AM the executive session ended. As a result of the executive session the County Counselor stated that the Commission has additional reviewing they want to do on the ambulance bids and with this kind of expenditure they will table the issue until next week.

Herb Pemberton motioned to table the ambulance issue of accepting bids until next weeks meeting. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to close all County offices except emergency services on December 26th. Delbert Cannon seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Tom Foerschler motioned to adjourn until 9:00 a.m., Monday, December 15. Herb Pemberton seconded the motion. The motion passed 3-0.

Deputy County Clerk

Commission Chair

December 15, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; David Lamb, Deputy County Clerk and Gary Thompson, County Counselor.

Herb Pemberton motioned to approve the minutes of the last regular meeting as printed. Tom Foerschler seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$61,898.72; Employee Benefit, \$15,042.62; Appraiser, \$23,509.11; Rural Fire, \$2,799.94; Road & Bridge, \$28,304.24; 911 Telephone Tax, \$819.24; School Resource Officer, \$2,395.12; Hospital Board, \$24,213.13; Crime Victim Assistance, \$679.46; Elderly, \$8,712.80.

The Commission approved the following add/abate/refund order numbers: 2003-135-140.

Herb Pemberton motioned to approve a permit to bury water line requested by R.W.D. #1 located at 21149 Wakefield Road. Tom Foerschler seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve 3 permits to bury water lines requested by R.W.D. #2 located at 14898 Snider Road, Osborn Road, and Paine & 1000 Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve a permit to bury water line requested by R.W.D. #2 located at 6490 Vernon Road. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of Dist. #2 Road Foreman John Black, Tom Foerschler motioned to approve the purchase of 25 tons of road salt from Bob Kunshek @ \$41.50 per ton, total \$1,037.50. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of Solid Waste Coordinator Ed Fleming, Delbert Cannon motioned to approve the purchase of 2 forks for the pallet loader from K.C. Bobcat for \$580.00. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve Resolution #03-47, 2004 Holidays; Resolution #03-48, 2004 Pay Dates; Resolution #03-49, 2004 Budgetary Waiver; Resolution #03-50, 2004 Official Depositories; and Resolution #03-51, 2004 Official County Newspaper. Delbert Cannon seconded the motion. The motion passed 3-0. Following are copies of Resolutions #03-47, 03-48, 03-49, 03-50 and 03-51:

At 9:25 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a legal issue with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, and David Lamb attended the executive session.

At 9:30 AM the executive session ended. No action taken.

At 9:31 AM Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for 30 minutes to discuss a legal issue with the County Counselor. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, County Counselor, and David Lamb attended the executive session.

At 10:01 AM the executive session ended. No action taken.

Clinic Manager Diane Van Kirk informed the Commission that the roof on the La Cygne Clinic is in bad need of repair. Delbert Cannon and Herb Pemberton stated they would inspect the roof after Christmas to determine what needs to be done.

Van Kirk also informed the Commission that Hospital Board members John Teagarden, Bruce Smith, and Janet Kleweno's terms expire on 12-31-03.

Herb Pemberton motioned to approve Cereal Malt Beverage license renewal for Jamie Chambers, Longhorn Restaurant. Delbert Cannon seconded the motion. The motion passed 2-1.

At 10:17 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 20 minutes to discuss trade secrets of a corporation. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, David Lamb, and Clanton DuBose & Gary Bradford, Emergystat Inc. attended the executive session.

At 10:37 AM the executive session ended. No action taken.

At 10:38 AM Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for 20 minutes to discuss trade secrets of a corporation. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, County Counselor, David Lamb, and John Hayworth, AMR Inc. attended the executive session. At 10:55 AM John Hayworth left the executive session and Don White & David Cromwell, Kansas Board of Emergency Medical Services entered the executive session.

At 10:58 AM the executive session ended. No action taken.

At 10:59 AM Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for 15 minutes

to discuss trade secrets of a corporation. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, County Counselor, David Lamb, and Don White & David Cromwell, Kansas Board of EMS attended the executive session.

At 11:14 AM the executive session ended.

As a result of the executive sessions, Tom Foerschler motioned to accept the low bid for ambulance services from Emergystat, Inc. in the amount of \$380,000.00 per year for 3 years, contingent on all licensing for Emergystat, Inc. being completed by December 24, 2003. Delbert Cannon seconded the motion. The motion passed 2-0 with Herb Pemberton abstaining.

Bernard Streeter, Fire/Emergency Preparedness Coordinator informed the Commission that he is working on updating the County Emergency Preparedness Plan and needs one of the Commissioners to attend the meetings. Delbert Cannon motioned to appoint Herb Pemberton as the Commission representative on the Emergency Preparedness Planning Commission. Tom Foerschler seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Monday, December 22. Tom Foerschler seconded the motion. The motion passed 3-0.

Deputy County Clerk

Commission Chair

December 22, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; David Lamb, Deputy County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: Hospital Board, \$24,213.13.

The Commission approved the following add/abate/refund order numbers: 2003-141-147, 149, 150, 152-167.

Tom Foerschler motioned to approve a permit to bury telephone cable requested by Sprint United located on 1525 Road between K-7 Highway & 9260 W 1525 Road. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to approve an extension until Jan. 1, 2004 on a permit to bury to bury oil line requested by Leroy O'Connell located $\frac{3}{4}$ miles N of 1350 Road on Botkin Road. Herb Pemberton seconded the motion. The motion passed 3-0.

At the request of Nutrition Director Marilyn Augur, Herb Pemberton motioned to approve Purchase Order #2003-04 in the amount of \$3,195.00 for a commercial dishwasher to Joe Harding, Inc. and Purchase Order #2003-05 in the amount of \$7,600.00 for food supplies to Marrones, Inc. Tom Foerschler seconded the motion. The motion passed 3-0.

At 9:23 AM at the request of Dist. #2 Foreman John Black, Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, County Counselor and John Black attended the executive session.

At 9:33 AM the executive session ended. No action taken.

Tom Foerschler motioned to approve Purchase Order #2003-06 in the amount of \$16,800.00 for Contract Attorney Fees to Richard Fischer, Purchase Order #2003-07 in the amount of \$16,800.00 for Contract Attorney Fees to Gilbert Gregory, Purchase Order #2003-08 in the amount of \$16,800.00 for Contract Attorney Fees to Jesse Randall, Purchase Order #2003-09 in the amount of \$16,800.00 for Contract Attorney Fees to Glen Sharp II, and Purchase Order #2003-10 in the amount of \$12,000.00 for Judge Pro Tem to Harry Warren. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:42 AM Herb Pemberton motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, County Counselor and Deputy Clerk attended the executive session.

At 9:52 AM the executive session ended. No action taken.

At the request of Economic Development Director Dennis Arnold, Herb Pemberton motioned to approve and authorize Chairman Cannon to sign Resolution # 03-52, County Conformation of Economic Development Organization; and Resolution #30-53, County Support of Regional Strategic Plan and Regional Incentives. Tom Foerschler seconded the motion. The motion passed 3-0. Following are copies of Resolutions #03-52 and #03-53:

At 10:00 AM bids were opened for a new pickup for Dist. #3 Foreman Harry Wisdom. Bids received were: Beckman Motors, Garnett – 2004 Chevrolet Silverado 2500, \$17,496.00; and Cox Motor Co., Pleasanton – 2004 Ford F250XL, \$18,509.00. The Commission instructed Wisdom to look at the trucks and make a recommendation next Monday at 9:45 AM.

At 10:15 AM Delbert Cannon motioned to take a 15 minute break. Tom Foerschler seconded the motion. The motion passed 3-0.

At 10:30 AM the Board of Commissioners meeting reconvened.

At 10:31 AM at the request of Fire Coordinator Bernard Streeter, Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, Deputy Clerk and Fire Coordinator attended the executive session.

At 10:36 AM Delbert Cannon motioned to extend the executive session for 5 minutes. The Deputy Clerk and Fire Coordinator left the executive session at this time.

At 10:41 AM the executive session ended. No action taken.

At 10:42 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, and Deputy Clerk attended the executive session.

At 10:57 AM Tom Foerschler motioned to extend the executive session for 5 minutes.

At 11:02 AM the executive session ended.

As a result of the executive session, Tom Foerschler motioned to adopt the proposed Salary Schedule (Exhibit 1) and to make all new hires subject to evaluation and placement on the Salary Schedule effective Jan. 1, 2004. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to place all full time personnel on the salary schedule according to Exhibit 2 effective Jan. 1, 2004. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to give a 3% Cost of Living Allowance to be applied to all employees effective Jan. 1, 2004. Herb Pemberton seconded the motion. The motion passed 3-0.

Tom Foerschler motioned to reappoint Bruce Smith to the Hospital Board. Herb Pemberton seconded the motion. The motion passed 3-0.

Delbert Cannon motioned to reappoint Janet Kleweno to the Hospital Board. Tom Foerschler seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to reappoint John Teagarden to the Hospital Board. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motioned that he and Herb Pemberton would inspect the roof on the La Cygne clinic at 2:00 PM Monday, Dec. 29th. Tom Foerschler seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Delbert Cannon motioned to adjourn until 9:00 a.m., Monday, December 29. Herb Pemberton seconded the motion. The motion passed 3-0.

Deputy County Clerk

Commission Chair

December 29, 2003

The Board of Linn County Commission met in a regular session. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; Tom Foerschler, Member; David Lamb, Deputy County Clerk and Gary Thompson, County Counselor.

Tom Foerschler motioned to approve the minutes of the last regular meeting as printed. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$123,233.07; Employee Benefit, \$22,876.67; Community Policing, \$5,159.91; Appraiser, \$9,651.02; Rural Fire, \$5,452.48; Road & Bridge, \$32,649.59; Spl. Fire Equip. Replacement, \$4,213.11; DARE, \$1,600.00; Hospital Board, \$11,505.98; Special Alcohol, \$407.74; Crime Victim Assistance, \$18.40; Elderly, \$10,942.00.

The Commission approved the following add/abate/refund order numbers: 2003-169-172, 175, 176.

At 9:16 AM at the request of Solid Waste Coordinator Ed Fleming, Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, Ed Fleming, and David Lamb attended the executive session.

At 9:26 AM the executive session ended. No action taken.

The Commission reviewed the Sheriff's fee report through November.

Tom Foerschler motioned to approve Purchase Order #2003-11 in the amount of \$800.00 for Tax Roll Microfilming to Mid-Continent Micrographics, Purchase Order #2003-12 in the amount of \$8,000.00 for Postage to United States Postal Service, and Purchase Order #2003-13 in the amount of \$200,000.00 for Helath Insurance Claims to Linn County Treasurer's Benefit Trust. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve Cereal Malt Beverage license renewal for PDQ, Inc. Delbert Cannon seconded the motion. The motion passed 2-1.

Tom Foerschler motioned to purchase the Chevrolet Silverado 2500 Pickup from Beckman Motors, Inc., Garnett, KS for \$17,496.00. Delbert Cannon seconded the motion. The passed 2-0. Herb Pemberton abstained.

Tom Foerschler motion to approve Purchase Order #2003-14 for a 2004 Chevrolet Silverado 2500 to Beckman Motors, Inc. in the amount of \$17,496.00. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:00 AM the Commission took a 5 minute break.

At 10:10 AM Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, Deputy Clerk, and Charlene Smith attended the executive session.

At 10:15 AM Charlene Smith left the executive session.

At 10:20 AM the executive session ended. No action taken.

At 10:21 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, and Deputy Clerk attended the executive session.

At 10:32 AM Tom Foerschler motioned to extend the executive session for 10 minutes. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:42 AM the executive session ended. No action taken.

At 10:42 AM the Commission took a 5 minute break.

Tom Foerschler motioned to approve lot split #03-157 and to accept the accompanying road easements. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton motioned to approve Resolution #2003-54, 2004 Salary Schedule. Tom Foerschler seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2003-54:

At 10:59 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, Deputy Clerk, and Clanton DuBose, Emergystat, Inc. attended the executive session.

At 11:09 AM the executive session ended.

At 11:23 AM Tom Foerschler motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a personnel issue related to a non elected employee. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, County Counselor, Deputy Clerk, and Jerry Bedgood attended the executive session.

At 11:28 AM Tom Foerschler motioned to extend the executive session for 5 minutes. Delbert Cannon seconded the motion. The motion passed 3-0.

At 11:33 AM the executive session ended. No action taken.

As a result of the 10:59 AM executive session, Tom Foerschler motioned to sign the Ambulance Service Contract with Emergystat, Inc. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:44 AM at the request of Bernard Streeter, Fire Coordinator, Delbert Cannon motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue related to a non elected employee. Tom Foerschler seconded the motion. The motion passed 3-0. The Commission, County Counselor, Deputy Clerk, and Bernard Streeter attended the executive session.

At 11:54 AM the executive session ended. No action taken.

Herb Pemberton motioned to transfer \$25,500.00 from Emergency Preparedness, General Fund to the Special Equipment, Rural Fire Fund. Tom Foerschler seconded the motion. The motion passed 3-0.

Delbert Cannon motion to recess from the Board of Commission meeting until 2:00 PM. Herb Pemberton seconded the motion. The motion passed 3-0.

At 2:00 PM Delbert Cannon motioned to reconvene the Board of Commission meeting at the Linn County Family Care La Cygne Clinic. Herb Pemberton seconded the motion. The motion passed 2-0. Those present were Delbert Cannon, Chairman; Herb Pemberton, Vice Chairman; and David Lamb, Deputy County Clerk.

The Commission inspected the roof and attic of the clinic.

With nothing further on the agenda, Herb Pemberton motioned to adjourn until 9:00 a.m., Monday, January 5. Delbert Cannon seconded the motion. The motion passed 2-0.

Deputy County Clerk

Commission Chair