

January 5, 2009

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

Herb Pemberton moved to approve the minutes of the last regular meeting and the December 31, 2008 special meeting as printed. Mike Page seconded the motion. The motion passed 2-0.

Herb Pemberton moved to approve the following add/abate/refund orders: 2008-73 thru 75. Mike Page seconded the motion. The motion passed 2-0.

Dan Morris presented 2 permits to bury water lines requested by Miami County RWD #3 located on 2400 Road east of Hadsel and on 2400 Road west of Devlin. Morris also presented a permit to bury telephone cable requested by Embarq located at 5630 W. 2200 Road. Mike Page moved to approve the permit to bury telephone cable as requested by Embarq located at 5630 W. 2200 Road. Herb Pemberton seconded the motion. The motion passed 2-0. The applications from Miami County RWD #3 were not complete so no action was taken at this time. Morris will call Miami County RWD #3 for more information.

Doug Barlet presented the signed Work for Hire Agreement with Zingre & Associates, P.A. and a signed "Permission to Enter Property" agreement from William & Ruth Burns. Barlet also stated that the Fire Board recommends a Mutual Aid Agreement with Miami County. Amsterdam, MO has also requested a Mutual Aid Agreement, but the Fire Board has not discussed the agreement with Amsterdam yet. Barlet also presented information on a 2 day workshop for Emergency Managers concerning severe weather. The Commission agreed to allow Barlet to attend the workshop. Barlet then presented bids for a vehicle for Emergency Management. Bids received were from Cox Motor Company and Shawnee Mission Ford. The Commission asked Barlet to review the bids and return later in the meeting.

Mike Page moved to adopt Resolution #09-01, 2009 Salary Resolution. Herb Pemberton seconded the motion. The motion passed 2-0.

Gary Thompson presented a resolution to change the language in a section of the Employee Handbook. Mike Page moved to adopt Resolution #09-02. Herb Pemberton seconded the motion. The motion passed 2-0. Following are copies of Resolutions #09-01 and #09-02:

RESOLUTION NO. 2009-1

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

Made this 5th day of January, 2009.

BE IT RESOLVED that the following wages be allowed for the year 2009:

FULL TIME EMPLOYEES	MONTHLY SALARY
COUNTY COMMISSIONER	\$1,738.84
COUNTY ATTORNEY	\$4,101.78
COUNTY CLERK	\$3,610.82
COUNTY REGISTER OF DEEDS	\$2,878.16
COUNTY SHERIFF	\$4,339.20
COUNTY TREASURER	\$3,078.16
COUNTY APPRAISER	\$4,173.56
COUNTY COUNSELOR	\$2,148.20
ECONOMIC DEVELOPMENT DIRECTOR	\$3,651.60
FIRE CHIEF/EMERGENCY MANAGEMENT DIRECTOR	\$4,463.34
DEPUTY FIRE CHIEF/ALT. EMER. MANAGEMENT COORDINATOR	\$2,749.30
PUBLIC HEALTH NURSE/ADMINISTRATOR	\$4,686.88
TRANSPORTATION COORDINATOR/UTILITY CLERK	\$2,301.66
NOXIOUS WEED DIRECTOR	\$2,890.68
PARK MANAGER	\$2,896.42
ZONING ADMINISTRATOR/TRAFFIC CONTROL COORDINATOR	\$3,647.02
DEPUTY APPRAISER	\$1,927.00
CAMA SPECIALIST/APPR. OFFICE MANAGER	\$2,040.96
COMMERCIAL CHIEF APPRAISER	\$1,827.00
SALES COORDINATOR/SUPERVISOR	\$1,927.00
PERSONAL/REAL DATA COLLECTOR	\$1,927.00
GIS ADMINISTRATOR	\$2,286.08
GIS CARTOGRAPHER/TECHNICIAN II	\$2,030.96
ADMIN ASSISTANT-CD. ATTORNEY	\$2,030.96
OFFICE SECRETARY	\$1,824.92
VICTIM WITNESS COORDINATOR	\$1,927.00
CLERK III-PAYROLL/ASSIST. SYSTEM ADMIN	\$1,827.00
CLERK III-TAX CLERK/ADMIN. ASSIST.	\$1,827.00
DEP. CLERK/DEP. ELEC. OFFICER/SYSTEM ADMIN	\$2,131.16
CLERK III-ACCTS. PAYABLE	\$1,927.00
BAILIFF	\$2,266.08
CUSTOMER MAINTENANCE	\$1,824.92
NIGHT JANITOR (50 hrs. per week)	\$1,251.00
MOTOR VEHICLE CLERK	\$1,927.00
MEDICAL VAN DRIVER	\$9.62
PARK EMPLOYEE	\$9.62
MARINA CLERK	\$9.62
DEPUTY REG. OF DEEDS	\$1,827.00
ROAD FOREMAN	\$2,337.20
OFFICE MANAGER	\$2,337.20
SHOP SUPERVISOR/MECHANIC	\$2,030.96
ASPHALT FOREMAN	\$2,337.20
ASSIST. ROAD FOREMAN	\$1,927.00
EQUIPMENT MAINTAINER OPERATOR	\$1,874.06
TRUCK DRIVER	\$1,874.06
HEALTH DEPT. SEC. ADMIN. ASSISTANT	\$1,874.06

UNDERSHERIFF	\$2,901.00	\$3,830.26
SHERIFF'S DEPUTY	\$2,256.08	\$2,926.36
HEAD JAILER	\$2,131.16	\$2,768.20
JAILER	\$1,865.04	\$2,605.60
DISPATCHER	\$2,030.96	\$2,632.10
CLERK II-SHERIFF'S OFFICE	\$1,824.92	\$2,367.44
RECEPTIONIST/CLERK/DISPATCHER	\$1,927.00	\$2,501.66
PRISONERS COOK	\$1,924.92	\$2,367.44
TRAFFIC CONTROL COORDINATOR	\$2,337.20	\$2,883.52
TRAFFIC CONTROL ASSISTANT	\$1,874.06	\$2,433.60
SOLID WASTE COORDINATOR	\$2,337.20	\$2,883.52
SOLID WASTE EQUIP. OPER. MECHANIC	\$2,030.96	\$2,632.10
SOLID WASTE EQUIP. OPERATOR	\$1,874.06	\$2,433.60
DEPUTY TREASURER	\$1,927.00	\$2,501.66
DEPUTY TAX CLERK	\$1,927.00	\$2,501.66
CLERK III-TREASURER'S OFFICE	\$1,874.06	\$2,433.60

PART TIME EMPLOYEES		
HEALTH DEPT. SEC./ASSISTANT	\$7.25	\$10.82
REG. OF DEEDS	\$7.25	\$8.48
CO. ATTORNEY	\$7.25	\$8.48
SHERIFF'S DEPUTY	\$8.76	\$10.33
DISPATCHER	\$8.24	\$9.73
DISTRICT COURT/MICROFILMER	\$7.25	\$9.13
ZONING/ECON. DEV.	\$7.25	\$7.62
PARK	\$7.25	\$7.62
SOLID WASTE	\$7.25	\$8.82
COMPACTOR OPERATOR	\$7.25	\$7.62
SUBSTITUTE COMP. OPER.	\$7.25	\$7.62
ELECTION WORKERS	\$7.25	\$7.25
FIRE STATION CHIEFS & ASSIST. CHIEFS		\$30.00 per call + \$7.25 per hour after 3 hours
FIREFIIGHTERS		\$25.00 per call + \$7.25 per hour after 3 hours

ATTEST:

*[Signature]*  
David L. Lamb, County Clerk



*[Signature]*  
Jason Sabine, Chairman  
*[Signature]*  
Herb Pemberton, Vice Chairman  
*[Signature]*  
Mike Page, Member

\*County Clerk salary includes 5% Election Officer salary.

\*\*County Treasurer salary includes \$100.00 Investment Officer salary but does not include Motor Vehicle salary.

RESOLUTION NO 09-02

A RESOLUTION AMENDING THE LINN COUNTY EMPLOYEE HANDBOOK BY CLARIFYING THE DEFINITION OF EMPLOYMENT DATE

IT IS HEREBY RESOLVED BY THE GOVERNING BODY OF LINN COUNTY, KANSAS:

1. That section of the Linn County Employee Handbook (Implemented January 1, 2009) on page 15, entitled "Employment/Anniversary Date" is hereby amended to read in its entirety as follows:

**\*Employment / Anniversary Date**

For purposes of calculating length-of-service compensation advances and leave accrual levels the employee's individual date-of-hire shall be considered the anniversary date, with any such changes to be effective at the start of the next pay period following the employee's anniversary date.

Some benefit plans (e.g. the health plan and KPERS retirement plan) have other specific dates to be used as the employee's anniversary date.

2. This change shall be effective upon passage of this resolution.

RESOLVED THIS 5<sup>TH</sup> DAY OF JANUARY, 2009.

Chairman



Vice-Chairman



Member

ATTEST:



COUNTY CLERK

Gary Thompson read a thank you letter from Jason Sabine. Following is a copy of the letter:

1-12-2009

Dear Friends and Colleagues,

I would like to take this opportunity to thank a few people.

First and foremost, I want to thank the other elected officials and the County employees. You are overlooked, under-appreciated and often criticized. Without all of you, this County would not function.

Next, I would like to thank the Republican Central Committeemen and Committeewomen of the 2<sup>nd</sup> Dist. for appointing me to this position and allowing me the honor of serving Linn County.

I would like to also thank those who were in opposition to my ideas and goals. You made me a better person because you made me think and formulate my ideas and opinions, which is something I will use for the rest of my life.

Mike and Herb, I wish to thank both of you for your continued dedication to Linn County.

Last but not least, I want to thank my family, friends and supporters. At one time or another you all served as a sounding board for me and did a remarkable job on researching things for me. Thank you AllVery much.

I'm sure I forgot some people but it wasn't intentional.

Sincerely,



Jason K. Sabine

Steve Hoeger, AMR discussed the new address signs that are available for County residents. They have come across some problems with the addresses in the lake developments. AMR will work with Larry Robinson to resolve those problems.

John Black informed the Commission that he needs rebar to finish a bridge. Black has bids from Carter Waters and from Diversified Supply in Parker. Carter Waters bid: #4 rebar, \$16.50 per piece and #5 rebar, \$24.50 per piece, plus freight. Diversified Supply bid: #4 rebar \$11.04 per piece, #5 rebar \$17.48 per piece, freight included. Diversified Supply is owned by Commissioner Page, so the Commission decided to wait until next week when Vicki Leonard will be able to vote on the purchase.

Doug Barlet informed the Commission that the two bids for vehicles were for identical new Ford Expedition 4X4's. Bids received were: Cox Motor Company, \$27,998.00; Shawnee Mission Ford, \$26,926.00. Mike Page moved to reject both bids. Herb Pemberton seconded the motion. The motion passed 2-0. Mike Page asked Barlet to negotiate the price and come back next week.

Barlet also asked the Commission about increasing the Station Pay from \$50.00 per month to \$100.00 per month. The increase was budgeted for 2009. Mike Page moved to increase the Fire Station Pay to \$100.00 per meeting. Herb Pemberton seconded the motion. The motion passed 2-0.

Dan Morris presented the 2 permits to bury water line requested by MCRWD#3 with all the required information. Mike Page moved

to approve the 2 permits to bury water line as requested. Herb Pemberton seconded the motion. The motion passed 2-0.

At 9:54 AM the Vice Chairman asked for public comment. Larry Hall asked about the salary schedule and COLA that were approved last Wednesday. (The 3% COLA will cost the County approximately \$145,000.00.) Hall also asked about the Appraiser buying a vehicle at the last minute, was that on the agenda for the special meeting? (Purchase Orders were listed on the special meeting notice.) Hall asked why we didn't take bids for the Appraiser's vehicle. The Counselor stated that we often don't take bids for used equipment. Hall also asked why they rejected the sealed bids for a vehicle today and instructed Barlet to negotiate with the bidders. Gary Thompson stated that all the Commission has officially done at this time, is reject both bids. Mary Thomas asked why the Fire Station Pay needed to go up 100%, was there any negotiation? Mike Page stated that the negotiation was done at budget time.

At 10:13 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Herb Pemberton seconded the motion. The motion passed 2-0. The Commission, Clerk, and County Counselor attended the executive session.

At 10:23 AM the executive session ended. No action taken.

With nothing further on the agenda Mike Page moved to adjourn until 9:00 AM Monday, January 12, 2009. Herb Pemberton seconded the motion. The motion passed 2-0.

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Commission Chair

Attest:

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County Clerk

January 12, 2009

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

The Clerk administered the Oath of Office to Commissioner Vicki Leonard and Sheriff Barry Walker. The formal ceremony for swearing in all officials will take place after lunch in the old courtroom today.

Mike Page moved to appoint Herb Pemberton as the Commission Chairman for 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to appoint Mike Page as the Commission Vice Chairman for 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

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

Herb Pemberton moved to approve the following add/abate/refund orders: 2008-76. Mike Page seconded the motion. The motion passed 3-0.

Doug Barlet informed the Commission that the Fire Board recommends hiring 2 Firefighters at Station 910, Roger Madl and Dustin Dawson. Mike Page moved to tentatively hire Madl and Dawson pending the results of pre-employment physicals and their probation periods. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet discussed problems with the garage doors at Station 950. Barlet presented 3 bids, 2 to take the doors down and remount, 1 to adjust the doors without remounting. Vicki Leonard suggested contacting Foote Construction to see if they can work on the doors. Mike Page also suggested contacting the companies that bid on the project for warranties.

Barlet also presented an Agreement for Purchase of Fire Truck with Johnson County Fire District No. 2 for a 1997 Pierce Saber fire truck for \$75,000.00. Mike Page moved to approve the agreement as presented and to make the \$40,000.00 down payment from the Special Fire Equipment Fund by March 3, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet also discussed the bunker gear purchase that was budgeted this year. It appears that we will need to wait until later in the year to purchase the bunker gear.

Barlet informed the Commission that he contacted Cox Motor Company and Shawnee Mission Ford and informed them that the Commission rejected the bids for the Ford Expedition and asked them to resubmit bids. Cox resubmitted a bid of \$27,250.00. Shawnee Mission Ford kept the same bid of \$26,926.00. (Cox Motor Company was able to get some additional discounts from Ford.) Vicki Leonard stated that she has struggled with this decision and doesn't see the need to purchase this vehicle. Mike Page asked Barlet about the impact of not buying this vehicle. Barlet stated that we would not be able to send his current truck to Parker for use as a grass truck. Barlet also stated that an SUV would be more functional for hauling the type of equipment that he hauls. Vicki Leonard asked why we need a new Expedition. Barlet stated that he needs that size of vehicle for hauling the required equipment. Vicki Leonard moved to wait on this purchase for now, until we see what the economy does. Mike Page seconded the motion. The motion passed 3-0. Mike Page would like to add a time frame to revisit the issue.

Sharon Geiss presented the Mid-America Nutrition quarterly report. Geiss stated that everything seems to be going well with the nutrition program. Geiss stated that she has received notice that State funding may be reduced by 15% for nutrition programs later this year. Mid-America Nutrition has received a grant to

assist seniors with the change to digital TV. Geiss also stated that the meal delivery van that is owned by Linn County has very high mileage and will need to be replaced in the near future.

Joe Maloney has a Lake Region meeting tomorrow in Miami County. Maloney also stated that we received our permit for the Transfer Station, CD Landfill, Waste Tire Monofill, and Yard Waste Compost Facility.

Maloney then presented permit applications for hauling solid waste for David Cummings, Hester Transportation, and L&K Services, Inc. Mike Page moved to approve the permits as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Maloney also presented bids for repairing the 953 Loader. Bids received were: Martin Caterpillar, Motor, \$18,797.89, Undercarriage, \$22,645.55; HeavyQuip, Motor, \$12,535.00, Undercarriage, \$12,169.60. Mike Page stated that he would rather repair the motor but not the undercarriage. (The undercarriage has approximately 20% remaining useful life.) Mike Page wants to get a salvage value on the current loader in case we decide not to repair it. Maloney suggested keeping the current loader for parts if we do not repair it.

At 10:23 AM Herb Pemberton moved to take a 10 minute break. Mike Page seconded the motion. The motion passed 3-0.

John Black presented bids for rebar. Carter Waters bid \$6,408.50 and Diversified Supply bid \$4,184.16. Vicki Leonard stated that she would like to have an executive session with legal council before voting on this issue. At 10:43 AM Vicki Leonard moved to recess for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. Herb Pemberton, Vicki Leonard, and Gary Thompson attended the executive session.

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

The Commission reviewed the YTD Park Report for December 2008.

Gary Thompson explained the difference between quotes and sealed bids. We did not take sealed bids for the rebar, we only requested quotes. John Black contacted 5 vendors for quotes, only 2 vendors gave him a quote. Diversified Supply is owned by Commissioner Page, but Black did not deal directly with Commissioner Page for this quote. Vicki Leonard moved to accept the quote from Diversified Supply in the amount of \$4,184.16. Herb Pemberton seconded the motion. The motion passed 2-0. Mike Page abstained.

Herb Pemberton moved to reschedule the January 19<sup>th</sup> regular meeting to Tuesday, January 20<sup>th</sup> at 9:00 AM due to the Martin Luther King, Jr. Holiday. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented the annual KAC 2009 Dues invoice in the amount of \$2,719.43. This is a decrease from last year's dues of \$2,807.13. Herb Pemberton moved to pay the annual KAC Dues for 2009 in the amount of \$2,719.43. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk also presented the 2008 Audit Contract with Diehl, Banwart, & Bolton, CPA's in the amount of \$13,585.00 (2% increase from last year). Vicki Leonard moved to approve the Audit Contract in the amount of \$13,585.00. Mike Page seconded the motion. The motion passed 3-0.

Steve Hoeger gave an update on the ambulance service. AMR is holding an in-service this afternoon with their Paramedics on using some new equipment.

At 11:17 AM the Chairman asked for public comment. Jean Vaughn asked why the ambulance people are here every week. Vaughn also commented on the vehicle repairs.

At 11:20 AM the Commission took a break until Noon.

At Noon the Commission reconvened for lunch with the County employees. The Elected Officials were sworn in by District Court Judge Richard Smith. After lunch, the Commission also recognized employees' years of service.

With nothing further on the agenda Herb Pemberton moved to adjourn until 9:00 AM Tuesday, January 20, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

January 20, 2009

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

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

Sheriff Walker gave the Commission a report on his first week in office. Four of the previous Deputies and one Jailer have been replaced. Walker still plans on hiring another Deputy.

John Byington reported on year end expenditures for the Road & Bridge Dept. Byington also discussed proposed projects for this year. He is planning on completing the 1700 Road project this year. Byington needs to know what roads we plan on working on this year within the next two weeks. The Commission agreed to allow Byington to deal with Wade Quarries for the rock for the 1700 Road project.

Dan Morris reported on the year end expenditures for his Road Dist.

Joe Maloney presented the State Solid Waste Permit for signature. Maloney also stated that we have an open seat on the Solid Waste Regional Board. Herb Pemberton moved to appoint Al Doan to the Lake Region Solid Waste Board. Vicki Leonard seconded the motion. The motion passed 3-0. Mike Page moved to allow the Chairman to sign the Dept. of Health & Environment Solid Waste Permit. Vicki Leonard seconded the motion. The motion passed 3-0. Maloney reported that the salvage value on the 953 Loader would be \$4,000.00 to \$5,000.00.

John Maloney informed the Commission of an Annual Flows Conference he needs to attend in Hutchinson. The Commission agreed to allow Maloney to attend. Maloney also has a meeting in Garnett next month.

Doug Barlet presented a revised Real Estate Agreement with RWD #1 for the old Fire Station 950. Barlet also asked the Commission to pay Douglass and Sons Heating & A/C \$9,258.00 (PO#2008-21) for the equipment for the Fire Station heaters. Mike Page moved to approve paying Douglass and Sons Heating & A/C \$9,258.00 as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet informed the Commission that John Morse's position on the Fire Board is expiring and Morse is willing to continue on the Board. Jason Sabine and Mary Wilson have also expressed an interest in the position.

Vicki Leonard moved to approve and sign the revised lease agreement with RWD #1. Herb Pemberton seconded the motion. The motion passed 3-0. Barlet and the Commission also discussed needed repairs to the Parker grass truck.

Donna Thomas informed the Commission that on March 23<sup>rd</sup> thru 27<sup>th</sup> the Linn County Health Dept. will be having exercises on bio-terrorism.

At the request of Donna Thomas, Mike Page moved to appoint Dr. Allen as the County Health Officer for Linn County and the County will pay for the required bond. Vicki Leonard seconded the motion. The motion passed 3-0.

Rod Earnest addressed the Commission concerning a fence view on his property line with Francis Lindell. Gary Thompson explained the authorities of the Commission on a fence view. Earnest will request a fence view with the County Clerk.

At 10:55 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 11:05 AM the executive session ended. No action taken.

Steve Hoeger updated the Commission on the training and equipment that he discussed last week.

Larry Robinson presented information on a Regional Transportation Summit on January 26<sup>th</sup> in Joplin. The Commission agreed to allow Robinson to attend the meeting in Joplin. Robinson also discussed some road and ditch issues near 1800 Road. Robinson stated that the Governor's Budget Proposal cuts funds that Counties receive.

At 11:20 AM the Chairman asked for public comment. Tommy Tuggle asked about the Prescott Fire Station, how much does the County plan on spending? Bernita Robbins asked about the money that was transferred to Special Equipment, what is it for?

The Clerk gave the Commission a thank you card from Barry Walker for the dinner and ceremony last week.

Mike Page moved to approve the following add/abate/refund orders: 2008-77 thru 85. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve the Sheriff's Monthly Fee Report for December 2008. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following pays/special pays: General, \$246,962.31; Employee Benefit, \$190,216.54; Appraiser, \$8,516.96; Rural Fire, \$19,469.87; Road and Bridge, \$89,830.86; 911 Telephone Tax, \$1,208.58; County Health Dept., \$6,819.47; Crime Victim Assistance, \$954.54; Elderly, \$15,052.15; and Zoning LEPP, \$216.67. Vicki Leonard seconded the motion. The motion passed 3-0.

Dennis Arnold updated that Commission on IPC and Tower Metals. IPC is almost completed with phase one, everything is going well for them. Tower Metals is still operating, but could be affected by changes in the auto industry. Arnold also stated that Mercy is still planning on building the clinic in Pleasanton. Arnold discussed programs available through the SEK Regional Planning Commission. Arnold stated that we need to replace Jim Ferrante on the SEK Regional Planning General Commission. Arnold also discussed appointments to other SEK Regional Planning committees. Mike Page moved to approve the annual dues payment to the SEK Regional Planning Commission in the amount of \$3,835.50. Vicki Leonard seconded the motion. The motion passed 3-0. Arnold informed the Commission that he received the "Driven to Excellence Award" for Economic Development for the SEK region.

With nothing further on the agenda Vicki Leonard moved to adjourn until 9:00 AM Monday, January 26, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

January 26, 2009

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

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

Doug Barlet informed the Commission that we were awarded an Assistance to Firefighters Grant in the amount of \$45,600.00 (5% match). Barlet also informed the Commission that Station 950's Rescue truck has transmission problems. Barlet then asked about an appointment for the At Large position on the Fire Board. John Morse and Jason Sabine are both interested in the position. Mary Wilson is not interested. Herb Pemberton moved to appoint John Morse to the At Large position on the Fire Board. Vicki Leonard seconded the motion. The motion passed 3-0. Herb Pemberton stated that we need to replace the grass truck at Parker. Herb Pemberton is in favor of buying the Ford Expedition for Emergency Management and using the existing truck driven by Barlet for a grass truck for Parker. Vicki Leonard is in favor of repairing the existing grass truck. Mike Page is not in favor of spending money to repair the Parker grass truck. Mike Page moved to purchase the Ford Expedition and replace the Parker grass truck with Barlet's current truck. Herb Pemberton seconded the motion. The motion passed 2-1. Herb Pemberton moved to purchase the vehicle from Cox Motor Company in the amount of \$27,250.00. Mike Page seconded the motion. The motion passed 2-1.

Marilyn Augur informed the Commission of a meeting that she and Rebecca Patience need to attend in Wichita for 2 days. The Commission agreed to allow Augur and Patience to attend the meeting.

Sheriff Barry Walker gave a report of activity for the last week. Walker also thanked the Mapping Dept. for the maps for his Deputies. Walker also discussed adding some beds to the jail.

John Byington addressed the Commission concerning new road preparation for this year. Dan Morris suggested repairing existing blacktop roads in all three districts instead of blacktopping new roads this year. The Commission agreed to use the funds for repairing existing blacktop roads. Byington talked to Nation Rock, they will not be able to produce cover material this year.

John Black presented a permit to bury telephone cable requested by Embarq located at CR 1095 and Nickel Road. The Commission decided to wait until we receive more information before approving the permit.

Herb Pemberton discussed the loader at the landfill. Pemberton stated that the loader is in good shape, it was just a problem with one piston that caused the breakdown. Harry Wisdom found two motors for the loader. HeavyQuip's price is \$9,035.00 but does not contain everything we would need. Caterpillar's price is \$12,500.00 and does contain everything we would need. Mike Page moved to purchase the motor from Caterpillar in the amount of \$12,500.00 to repair the 953 Loader, and other repairs not to exceed \$14,000.00 (including the \$12,500.00). The Road shop will change the motor and fix the air conditioner. Vicki Leonard seconded the motion. The motion passed 3-0.

Dan Morris informed the Commission that his mechanic is off work due to medical problems.

Norm Bowers, Local Road Engineer for KAC, addressed the Commission concerning his duties with KAC and what he does for Counties. Bowers stated that the Kansas Transportation Program ends in June. Bowers asked the Commission to pass a resolution concerning road needs in Linn County. Bowers will email a sample resolution to Gary Thompson.

At 10:28 AM Herb Pemberton moved to take a 10 minute break. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following add/abate/refund orders: 2008-86 through 90. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to accept the annual reports from Cemetery District #1, Cemetery District #5, and Valley Township. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented a Fence View Request filed by Rod Earnest on a boundary fence between Earnest and Francis Lindell. Herb Pemberton moved to schedule the Fence View on Tuesday, February 17, 2009 at 1:00 PM. Mike Page seconded the motion. The motion passed 3-0. The Commission will meet at the Rod Earnest residence located at 25529 E. 800 Road. Mr. Lindell is planning on requesting an additional fence view with another landowner that can be scheduled at the same time.

Gary Thompson presented a revised agreement with Mercy Health System concerning building their clinic in Pleasanton. Mercy

has asked for an amended agreement to extend their deadline for starting construction until June 2009. Mike Page stated that he would like to talk to Tim Staton before approving the amendment to the agreement.

Carmen Self presented the year end reports on interest and delinquent taxes. Interest for 2008 was \$218,655.29 (\$158,135.60 decrease from 2007). Delinquent Real Estate taxes on December 31, 2008 were \$546,678.26. Delinquent Personal Property taxes on December 31, 2008 were \$59,515.42.

Carmen Self, Kristy Schmitz, and David Lamb discussed the upcoming SEK County Officials meeting with the Commission. Linn County will be the host for the meeting to be held on March 19, 2009.

Herb Pemberton stated that we need some repairs at the Extension Building. Mike Page will take a look at the problems. Mike Page has tried to contact Bourbon County concerning a jail project but has not received a response yet.

At 11:11 AM the Chairman asked for public comment. Ed Samyn stated that the Commission needs to cut back on spending. Samyn stated that he doesn't think we need the new Prescott Fire Station. Larry Hall stated that he agrees that we need to cut spending. Hall thinks we need to make plans for reduced spending if funds are not available for some of our projects.

With nothing further on the agenda Vicki Leonard moved to adjourn until 9:00 AM Monday, February 2, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

February 2, 2009

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

Herb Pemberton noted that Marvin Stites, former Sheriff, passed away over the weekend, and led a moment of silence in honor of Mr. Stites and his family.

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

Dennis Arnold, Economic Development Director, reported on a summer youth program that will be available through Kansas Works. The program provides funding to hire youths 16-21 years old to work for a business, a non-profit entity, or a public or governmental entity. The program has been expanded to include youths who have a family member who has been laid off, and to families that receive some state aid benefits. People interested in the program may contact Travis Allen at the Kansas Works office in Pittsburg, (620) 232-7490. Businesses that are interested in hiring a young person through the program may contact Dennis Arnold.

Arnold also reported he is working on a grant for work on the courthouse. The grant application is due March 1.

Barry Walker, Sheriff, reported that all deputies will be wearing a black sash across their badges in honor of Mr. Stites. Walker also reported on arrests and other activity for his department. Walker said he is working on assigning patrol areas, and is using part-time deputies to fill in since he is still two deputies short of a full staff. Formal training is being considered for dispatchers. Walker said he is developing bids for manufacturing and installing additional metal bunks in four of the existing cells on the south side of the prisoner area and in three of the existing cells on the north side of the prisoner area. That would bring the total beds to 17.

Doug Barlet, Fire Chief, reported on a grant from the Northeast (Kansas) Homeland Security for radio equipment, the related agreement seeking a single point of contact for the county, and allowing use of a state radio frequency. Barlet said the county's only cost would be for the installation costs of the equipment. In return, Linn County will receive several pieces of radio equipment. The equipment includes 15 mobile radios, 10 portable radios, a radio for the emergency operations center, and a radio for the dispatch center. Sheriff Walker said he had no issues with the grant and equipment, explaining that within the next several years his department's radio equipment will have to be replaced to meet federal regulations. The commission asked that Gary Thompson review the documents before they are signed.

Barlet reported that in the past year his department spent \$52,150 in repairs, including \$34,150 for parts and about \$18,000 for labor. Barlet said about \$8,000 of the labor was from local vendors with the other \$10,000 spent from specialized vendors. Barlet noted that volunteer firefighters also provide a lot of repair labor, however he does not track those hours. Barlet reported that the pumper repair estimate has not been received. The pumper, from the La Cygne station, is still out of service.

Barlet reported that he will attend two days of training for Emergency Management this week, and that he and Josh Marshall will attend a pipeline training session this week. A storm spotter training session has been scheduled for Tuesday, February 10, at Bunker Hill Community Center. The session is open to the public.

Pam Cannon, GIS / Mapping Administrator, presented copies of city and town map books that she prepared for the Sheriff's Department. Cannon said the books could be made available to the public at a cost of \$15 - \$20, depending on the binding format. Mike Page made a motion to add the charge of \$15 for paper covered city map books and \$20 for plastic covered city map books to the county's fee schedule. Vicki Leonard seconded the motion. The motion passed 3-0.

John Black, Road District #2 foreman, asked for permission to list as surplus an old 7x14 refrigerated-style truck bed box so that it can be sold. Herb Pemberton made a motion to declare the equipment as surplus. Vicki Leonard seconded the motion. Motion passed 3-0.

Gary Thompson presented a resolution (09-03) of support endorsing a new statewide comprehensive transportation program. Mike Page made a motion to approve the resolution. Vicki Leonard seconded the motion. The motion passed 3-0. A copy of resolution 09-03 follows:

RESOLUTION NO. 09-03

A RESOLUTION ENDORSING TRANSPORTATION IMPROVEMENTS FOR LINN COUNTY, KANSAS CONCERNING THE ENACTMENT BY THE KANSAS LEGISLATURE OF A NEW STATE WIDE COMPREHENSIVE TRANSPORTATION PROGRAM

WHEREAS, one of the major responsibilities of Linn County government is to plan for the investment and long-term transportation needs of Linn County;

WHEREAS, the Board of County Commissioners of Linn County, Kansas (hereinafter the "County") has conducted the necessary investigations to identify the transportation capital improvements that are needed in the County and surrounding region; and

WHEREAS, these specific transportation capital improvements are essential to the health, safety and welfare of our citizens in the future; and

WHEREAS, these specific transportation capital improvements are vital to the economic well-being of the County and to its long-term growth and development; and

WHEREAS, the failure to undertake these transportation capital improvements will impede and may prevent the economic needs and goals of the County from being accomplished; and

WHEREAS, the County is unable to finance such capital transportation improvements without substantial assistance from the State of Kansas and the Kansas Department of Transportation; and

WHEREAS, the State of Kansas and the Department of Transportation cannot sufficiently address the transportation needs of the County and other cities and counties across the state without the enactment of a new Comprehensive Transportation Program by the Kansas Legislature;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LINN COUNTY, KANSAS:

Section 1. *Priority Transportation Projects.* After careful investigation of the transportation needs in the County, the following transportation capital improvements are hereby declared to be vital to the future economic growth and development of the County and the safety of its citizens:

- (1) US-69 Highway from 1.44 to First Street - width to 4 lane
- (2) US-489 from US-77 to US-69 - width to 4 lane
- (3) K-7 Highway through Sugar Creek valley north of Mound City - general improvements and abatement.

- (4) K-7 & K-12 intersection in Mound City area lanes.
- (5) Airport improvement at Pappas/Linn County airport
- (6) Funding for new lanes on highways at key intersections in rural areas.
- (7) Newcomer funding for Transit.
- (8) Newcomer funding for local roads and streets (Special City & County Highway Fund).

Section 2. *New Comprehensive Transportation Program.* The County hereby endorses and supports the enactment of a new Comprehensive Transportation Program by the Kansas Legislature of sufficient size and magnitude to address the specific transportation capital improvements set forth in Section 1.

Section 3. The County Clerk shall send copies of this resolution and any supporting documentation to Governor Kathleen Sebelius, State Senator Pat Apple, State Representative Shirley Palmer, local news media outlets, and the Kansas Association of Counties.

ADOPTED this 2nd day of February, 2009

ATTEST:

LINN COUNTY COMMISSIONER

*[Signature]* Chairman

*[Signature]* Commissioner

*[Signature]* Commissioner

*[Signature]* Commissioner

*[Signature]* Commissioner

Steve Hoeger, AMR Ambulance Service, reported on that he is working on a cooperative agreement with Miami County so provide ambulance coverage when both of his local ambulances are busy. Hoeger said AMR and Miami County would share maps and radio frequencies to enhance the ability of both services to provide ambulance coverage.

Herb Pemberton moved to reschedule the Earnest / Lindell fence view to 10:30 a.m. Monday, February 16, 2009 due to conflicts with a previously planned equipment demonstration on February 17. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$330,330.04: General, \$120,731.29; Employee Benefit, \$92,199.86; Appraiser, \$8,266.94; Rural Fire, \$46,366.77; Road and Bridge, \$50,936.59; 911 Telephone Tax, \$2,483.79; County Health Dept., \$6,248.32; Crime Victim Assistance, \$954.54; Elderly, \$1,925.27; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

At 10:06 a.m. Herb Pemberton moved to recess into executive session for 15 minutes for matters relating to non-elected personnel. Those attending the session were the commissioners and counselor. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:21 a.m. Herb Pemberton made a motion to extend the executive session for 15 minutes. Mike Page seconded the motion. The motion passed 3-0. The same people attended. At 10:27 a.m. Marilyn Augur joined the session.

At 10:36 a.m. Mike Page made a motion to extend the executive session for 10 minutes. Vicki Leonard seconded the motion. The motion passed 3-0. The same people attended.

At 10:48 a.m. the regular meeting reconvened, with no action taken.

Mike Page made a motion to sign an amended agreement with Mercy Health System of Kansas, allowing Mercy additional time to commence construction of a clinic structure on land deeded to Mercy by Linn County. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following add/abate/refund orders: 2008-91. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard made a motion to pay annual dues to the Kansas County Commissioners' Association for \$280.80. Herb Pemberton seconded the motion. The motion passed 3-0.

The commission reviewed annual reports from Mound City Township, Mound City Cemetery District, and Stanton Township. Vicki Leonard made a motion to accept the reports. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard made a motion to lower courthouse flags to half-staff for one day and to close the courthouse for four hours at the time of the funeral for Marvin Stites, with the deputy county clerk authorized to determine the specific time. Mike Page seconded the motion. The motion passed 3-0. The commission noted that funeral arrangements are not finalized, and that if the funeral service is on Saturday county offices will not need to close.

In public comments; Jean Vaughn had questions about the Stanton Township annual report. Vicki Leonard offered to provide a

photocopy of the report. Mary Grosshart told the commissioners that she has resigned as Linn County's representative to the Silver Haired Legislature, creating an opening for the position. She said those interested in serving could get information from the Area Agency on Aging.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, February 9, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

February 9, 2009

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

Sheriff Barry Walker introduced Deputy Tanner Ogden who will be working with the department's drug dog. Ogden will attend training in March. Walker also reported on department activity during the past week.

Jerry Bishop, one of Linn County's representatives to the Lake Region Solid Waste Authority Management Committee, presented the revised Lake Region Solid Waste Management Plan and a proposed resolution approving the plan. Gary Thompson will review the plan and resolution. Bishop noted that the county needs to appoint one additional representative to the committee.

Mary Thomas requested that the county consider funding expenses for the county's representative to the Silver Haired Legislature.

Joe Maloney, Solid Waste Coordinator, reported that plastic and cardboard collected for recycling currently has no significant market value. He plans to hold onto the materials to see if the market improves. Maloney said he is currently storing approximately 80 bales of cardboard, and that having sufficient storage area is an issue. He is considering some storage alternatives. Maloney also reported on the progress of repair work on the solid waste loader.

Maloney requested permission to work on the plot plan for additional construction debris landfill space. The commission agreed to allow Maloney to talk with the county's surveyor about what needs to be done on the plan and related costs.

Maloney asked the commission about his 2009 budgeted plans to replace a Freightliner truck, in light of economic developments. Maloney said he has \$50,000 budgeted for the trade-in. The Freightliner is a 2007 model that is now out of warranty. The truck has had significant mechanical problems. The commission authorized Maloney to develop specifications for a new truck.

Mike Page moved to approve Resolution 09-04, adopting the Lake Region Annual Solid Waste management plan. Vicki Leonard seconded the motion. The motion passed 3-0. A copy of the resolution follows:

RESOLUTION  
NO. 09-04

A RESOLUTION ADOPTING THE LAKE REGION SOLID WASTE MANAGEMENT PLAN

WHEREAS, K.S.A. 65-3401 et seq., encourages the several counties of Kansas to join together in establishing regional groups for the purpose of developing workable plans for the management of solid waste, in lieu of separate county plans; and

WHEREAS, Linn County, Kansas is a municipal government with the authority, pursuant to K.S.A. 12-2901, et seq., to enter into agreements with other governmental entities; and

WHEREAS, The Board of County Commissioners entered into an inter local agreement among the counties of Anderson, Coffey, Franklin, Linn, Miami, and Osage in 1993 for the purpose of creating a Lake Region Solid Waste Management planning authority to develop and adopt a regional solid waste management plan pursuant to K.S.A. 65-3401 et seq.; and

WHEREAS, a regional solid waste management committee was created in September 1993 and said committee has met and reconvened in 2008 to review, revise and submit to the counties a Lake Region Solid Waste Management Plan and said plan was presented to the Lake Region Solid Waste Authority on Nov. 25, 2008 and to the Board of County Commissioners of Linn County, Kansas, on February 9, 2009.

IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LINN COUNTY, KANSAS, that the Lake Region Solid Waste Management Plan be, and is hereby adopted by said Board.

RESOLVED This 9th day of February 2009

BOARD OF COUNTY COMMISSIONERS  
Chairman  
Commissioner  
Commissioner

ATTORNEY  
COUNTY CLERK

John Maloney, Noxious Weed Director, presented the Annual Noxious Weed Eradication Progress Report. Herb Pemberton moved to approve the annual report. Mike Page seconded the motion. The motion passed 3-0

Maloney also presented the Annual Management Plan for Noxious Weeds, outlining his work plans for the year. Vicki Leonard moved to allow the chairman to sign the plan. Mike Pemberton seconded the motion. The motion passed 3-0.

Doug Barlet, Fire Chief, reported that he initiated a burn-ban in the county last Thursday and Friday, due to weather conditions.

Barlet said the Fire Board recommends hiring Kyle Harlow for Station 910, Mound City. Mike Page moved to hire Harlow on probationary basis. Vicki Leonard seconded. The motion passed 3-0.

Barlet presented the agreement for radio equipment that Northeast Region Homeland Security will provide to Linn County. Gary Thompson has reviewed the agreement. The agreement requires the appointment of one person to be the point of contact between Linn County and Northeast Region. Herb Pemberton moved to enter into the agreement, and to designate Doug Barlet as the county's point of contact. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet and the commission discussed the burn resolution passed last year. Barlet said the Fire Board has recommended publishing the burn resolution again this year so that residents will be aware of the danger and penalties of uncontrolled burning.

Larry Robinson, 911 coordinator, requested that the commission approve a letter to Embarq asking that Robinson be trained on new 911 software installed by Embarq. Mike Page made a motion to send the letter. Vick Leonard seconded the motion. The motion passed 3-0. Robinson reported two instances of problems in tracking 911 calls made from wireless telephones. In one instance, the telephone was finally located. In the second instance, the caller was never located. Robinson said such instances are the reason he is requesting the training.

Robinson said he has a request for permission to install directional and information signage for the Trail of Death. He is reviewing the request.

At 10:45 a.m. Herb Pemberton moved to take a five minute break followed by a 10 minute executive session for personnel matters related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0.

At 11:00 a.m. Herb Pemberton moved to extend the executive session for 15 minutes. Vicki Leonard seconded the motion. The motion passed 3-0.

At 11:12 a.m. Vicki Leonard moved to extend the executive session for 5 minutes for legal issues. Mike Page seconded the motion. The motion passed 3-0.

At 11:19 a.m. the meeting reconvened. No action was taken.

Public comments: Mary Thomas asked if the commissioner planned to develop an alternate budget in case there is a crisis. The commission explained that the budget adopted for the year is a spending plan and doesn't necessarily mean that all budgeted money has to be spent.

Vick Leonard moved to authorize payment of the annual renewal premium of \$2,000 to Schulte Agency for insurance at Gilmore Airport. Mike Page seconded the motion. The motion passed 3-0.

Herb Pemberton moved to appoint Vicki Leonard as Linn County's representative to the Southeast Kansas Regional Detention Center Board. Mike Page seconded the motion. The motion passed 2-0.

Herb Pemberton moved to reschedule the next regular commission meeting to 9:00 a.m. Tuesday, February 17, 2009 due to President's Day, and to conduct a special meeting at 10:30 a.m. Monday, February 16, at the Rod Earnest residence, 25529 East 800 Road, for the purpose of a fence view. Vicki Leonard seconded the motion. The motion passed 3-0.

The commission received and reviewed annual reports from Paris Township and Potosi Township. Vicki Leonard moved to accept the reports. Mike Page seconded the motion. The motion passed 3-0.

John Maloney asked if he should charge David Sweat for another septic permit since Sweat is doing repairs on his septic system. The commission agreed to waive the permit fee, but to require the re-inspection, since this is a repair issue.

Herb Pemberton moved to approve the following add/abate/refund orders: 2008-92 and 2008-93. Mike Page seconded the motion. The motion passed 3-0.

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

Mike Page moved to approve the following pays/special pays, totaling \$417,426.78: General, \$142,132.50; Employee Benefit, \$0; Appraiser, \$13,706.88; Rural Fire, \$4,283.53; Road and Bridge, \$60,228.82; Special Machinery, \$189,856.42; 911 Telephone Tax, \$833.78; DARE, 1,504.43; County Health Dept., \$843.09; Crime Victim Assistance, \$0; Elderly, \$4,037.33; and Zoning LEPP, \$0. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard reported on a conversation she had last week with the state director of emergency management, in which they talked about the state agency helping to implement a citizens emergency management plan. Leonard explained that the plan

would help citizens know where resources are in the event of an emergency. Leonard said we would possibly have meetings in our communities and form some county committees to develop such a plan.

Mike Page reported that there is still an open hole in the floor at the extension office. The roof repairs seem to be holding and the lighting is improved.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 10:30 AM Monday, February 16, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

February 16, 2009

The Board of Linn County Commission met in special session at 10:30 AM at the Rod Earnest residence, 25529 East 800 Road, Pleasanton, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; Vicki Leonard, Member; John Cople, Deputy County Clerk; Gary Thompson, County Counselor, Barry Walker, Sheriff; Rod Earnest, landowner; and Francis Lindell, landowner. Herb Pemberton called the meeting to order. John Cople read the Notice of Special Meeting, a copy of which follows.

LINN COUNTY, KANSAS  
P.O. Box 100, 315 Main  
Mound City, KS 66006-0100  
913-795-2688  
Fax: 913-795-2889



COUNTY COMMISSIONERS  
Herb Pemberton  
Vicki Leonard  
Jason Sabino  
Mike Page

NOTICE OF SPECIAL MEETING  
BOARD OF LINN COUNTY COMMISSIONERS

You are hereby notified that a special meeting of the Board of Linn County Commissioners has been called and will be held at 10:30 AM on Monday, February 16, 2009 at 25529 East 800 Road, Pleasanton, Kansas. This special meeting has been called for the Commissioners to consider a fence view and take any necessary action. The Commission's regular meeting for the week has been rescheduled to Tuesday, February 17, 2009.

DATED this 16th day of February, 2009.  
*John Cople*  
John W. Cople  
Linn County Deputy Clerk

David L. Lamb, County Clerk      Kelly Schmeck, Register of Deeds      John Vidriney, Business Agent  
Carmen Sak, County Treasurer      Gary Thompson, County Counselor      Dennis Arnold, Economic Development  
John Sabino, County Attorney      Steve Thompson, County Inspector      David Beckel, Paul Fink, Gregg Mize  
Marvin Shles, Sheriff      Marilyn Aquir, Transportation      Andy McHugh, Zoning & Sanitation

Gary Thompson explained the commission responsibilities, noting that the commission does not determine boundary differences nor does it determine landowner responsibilities other than for installation of a fence. The commissioners viewed a section where fence is not installed and an adjacent section of fence that has been installed. Thompson explained that the commission would put its findings in a letter to both landowners.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Tuesday, February 17, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

February 17, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting as printed. Mike Page seconded the motion. The motion passed 2-0.

Mike Page moved to approve the minutes of the February 16, 2009 special meeting as printed. Vicki Leonard seconded the motion. The motion passed 2-0.

John Byington reported on All-District Road budget items.

Barry Walker, Sheriff, reported on activity for the past week. Walker introduced Deputy Paul Haen.

Joe Maloney presented an application for a solid waste collection permit for Arnold Ayers, Blue Mound. Vicki Leonard moved to approve the application. Mike Page seconded. Motion passed 2-0.

Maloney reported that he would request estimated costs from the county surveyor to close the current landfill location in preparation for opening the new construction debris landfill location. Closure of the current site will require a fill-dirt covering and other items to meet specifications.

Maloney reported on bid preparations for a truck to replace the Freightliner. Maloney said Sterling is discontinuing the truck he was considering as a replacement, so he is now looking at another Freightliner. Maloney said the only problem with the current Freightliner is low torque due to the combination of engine and rear-end gearing. Maloney said the sales representative he talked to recommended staying with a 2007 model Freightliner due to emissions changes that could cause problems. Maloney asked the commission if he should seek bids on a 2007 new model truck or on a current model truck. Vicki Leonard said she checked on the truck and learned that it was purchased in June of 2006, that it was a 2007 model, and that it was purchased through Cox Motors. Leonard said Jesse Secrest, Cox Motors, contacted John Ross of Custom Trucks, who said the truck is currently under a three-year warranty for the engine and drive train, so Freightliner would do any work necessary to repair the truck. Leonard said she did not believe that it was necessary to replace the truck. Maloney said the only reason for recommending replacing the truck was due to the torque and power issue. Leonard said neither Cox nor Custom Trucks has any record of repairs made at either business. Maloney said repairs were made at Olathe Freightliner, due to Custom Trucks not being having the equipment to make initial repairs. Leonard asked why the truck was purchased if it was not adequately powered. Maloney said that a then-current commissioner did not want to purchase any truck, so the lower-priced truck was all that could be done. Leonard said that a former commissioner could not be blamed, and that Maloney was responsible for the purchase. Leonard said that having the current truck repaired before the end of the three-year warranty would save the county \$50,000, and that she would not support replacing the truck. Mike Page suggested that Maloney bring back information on all of the Solid Waste Trucks, since during budget preparations the discussion was to replace one truck based on the entire fleet.

Marilyn Augur, Transportation Director, reported that she would travel to Chanute on Tuesday for a meeting.

At 9:34 a.m., Vicki Leonard moved to go into executive session for personnel matters related to non-elected personnel for 10 minutes. Mike Page seconded the motion. The motion passed 2-0. The commission, counselor, and Marilyn Augur attended the session.

At 9:44 a.m., Vicki Leonard moved to extend the executive session for 10 minutes. Mike Page seconded the motion. The motion passed 2-0.

At 10:57 a.m., the regular meeting resumed. No action was taken.

John Black, Road District #2 Foreman, presented burial permits from CrawKan Telephone Cooperative for the

burial of fiber optic cable (from Pleasanton City Hall along 500 Road, Scott Road and East 1050 Road), and from Embarq along Nickell Road to CR 1095. Vicki Leonard moved to approve the burial permits. Mike Page seconded the motion. The motion passed 2-0.

Dennis Arnold, Economic Development Director, reported on attendance at a Kansas Works meeting held last week regarding summer youth employment. Arnold also reported that the Census Bureau would be hiring 16 to 20 people (at least 18 years old) locally in a three-county area. Interviews will be conducted February 24, from 10:00 to 12:30 at the Courthouse Annex in Mound City, and at the Labette Bank meeting room in La Cygne from 2:30 to 4:00 p.m. Anyone with questions may call 866-861-2010.

Arnold reported on a seminar to be conducted by the Small Business Center on Driving Your Business Growth. The seminar will be held March 4, at Pittsburg, Kansas. Linn County Economic Development will provide three or four \$100 scholarships to attend the session.

John Copple reported that Fire Chief Doug Barlet and the fire board recommended hiring Darryl Gillespie, Jr. and Micah Atherton for probationary status at Prescott Station 960. Vicki Leonard moved to hire Gillespie and Atherton on probationary status. Mike Page seconded the motion. The motion passed 2-0.

Mike Page moved to approve the Sheriff's Monthly Receipts report. Vicki Leonard seconded the motion. The motion passed 2-0.

Vicki Leonard moved to approve the Linn County Park year-to-date report. Mike Page seconded the motion. The motion passed 2-0.

Mike Page moved to approve the following add/abate/refund orders: 2008-94 and 2008-95. Vicki Leonard seconded the motion. The motion passed 2-0.

Mike Page moved to accept the Annual Report of Sheridan Township. Vicki Leonard seconded the motion. The motion passed 2-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$217,382.56: General, \$95,550.23; Employee Benefit, \$69,835.44; Appraiser, \$8,002.31; Rural Fire, \$1,779.65; Road and Bridge, \$33,476.69; Special Machinery, \$00; 911 Telephone Tax, \$648.55; DARE, \$00; County Health Department, \$5,211.37; Crime Victim Assistance, \$954.53; Elderly, \$1,707.12; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 2-0.

Harry Wisdom, road District #3, presented a road burial permit from Paul Acton for 3058 West 800 Road. Mike Page moved to approve the burial permit. Vicki Leonard seconded the motion. The motion passed 2-0.

Public comments: Bernita Robbins asked why the engine in the Solid Waste Truck (Freightliner) could not be replaced. Robbins also asked why the county is looking at new asphalt equipment today when the road graders have an attachment that does the same thing. Mike Page explained that the equipment does milling and pulverizes material up to 12 inches thick, with the material then available to use as road base. Ed Self said that he thought Vicki Leonard was unfair with Joe Maloney regarding the proposed replacement of the Solid Waste truck. Self said that the company built the wrong truck, and that two previous commissioners and Herb Pemberton sent Maloney back to see what he could get. Self said this (Freightliner) was all Maloney could get within the price range. Self said that Joe Maloney "probably should have stood up and said 'I need the truck that I ordered.'" Mary Thomas read a newspaper article regarding budget cuts in Travis County, Texas in 1990 and 1991. Thomas encouraged commissioners to pay attention to spending and to cut wherever possible. Steve Johnson asked when Mike Page would be available to look at a road problem, because he had asked to meet several times in the past. Mike Page said he and Harry Wisdom would meet with Johnson at 3:00 today at Johnson's house, just north of 300 Road on Quail Road.

Elizabeth Maxwell, East Central Kansas Area Agency on Aging, presented the agency's annual report. The agency's primary purpose is to coordinate and provide services to people age 60 and older so they can stay in their own homes as long as possible. ECKAAA serves Linn and five other counties, with each county contributing money.

Maxwell reported that the first annual Linn County Senior Health Fair, held last October, was successful with more than 80 seniors attending. The area agency also formed the Linn County Aging Network last year, involving 20 agencies that provide services to seniors. The Network will meet quarterly. In 2008 the agency brought \$468,000 in Medicaid-funded services, and \$230,000 in non-Medicaid-funded services into Linn County. Approximately \$8.7 million in services are provided to the six-county area.

John Black presented bids on an old truck bed that was declared surplus property. Bids were received from Jerry Purdy for \$200, and from Ricky Ketron for \$100. Vicki Leonard moved to sell the truck bed to Jerry Purdy for \$200. Mike Page seconded the motion. The motion passed 2-0.

Doug Barlett said the National Weather Service will host the dedication of the new NOAA weather radio tower. The dedication will be held March 4<sup>th</sup> in the Courthouse Annex.

Barlett said that 90 people attended last week's storm spotter training session.

The commission discussed yesterday's fence view with Thompson. Thompson said he would prepare a written response and present it to for commission review on Monday, March 2.

Vicki Leonard moved to recess until 1:00 p.m. Mike Page seconded the motion. The motion passed 2-0.

At 1:00, the meeting reconvened.

Bryan Knight, Asphalt Zipper, gave a presentation on the asphalt milling machinery his company offers. Knight said that his company has attempted to produce an affordable milling machine that performs well. Knight explained that the machine not only removes the aged asphalt, but grinds it up so it can be used again as road base material rather than being hauled to a disposal site. The meeting was moved to a site west of Mound City for demonstration of the equipment.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, February 23, 2009. Mike Page seconded the motion. The motion passed 2-0.

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Commission Chair

Attest:

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County Clerk

February 23, 2009

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

Vicki Leonard asked to correct last week's minutes to indicate that she did not speak directly to Custom Trucks regarding the Solid Waste truck. Herb Pemberton moved to approve the minutes of the last regular meeting as corrected. Vicki Leonard seconded the motion. The motion passed 3-0.

At 9:02 a.m., Mike Page moved to go into executive session for legal matters for 10 minutes. Vicki Leonard seconded the motion. The motion passed 3-0. The commission, counselor, and Larry Robinson attended the session.

At 9:12 a.m., the regular meeting resumed. Mike Page made a motion to make a square intersection out of Paine Road and 400 Road due to the unsafe nature of the current intersection. Vicki Leonard seconded the motion. The motion passed 3-0.

Barry Walker, Sheriff, gave a report of weekly activity for his department. Walker said that four additional bunks will be installed in the bullpen area of the jail this week.

Vicki Leonard made a motion to approve an emergency vehicle permit for Christopher J. Martin's personal vehicle. Walker said lights and siren will be installed at Martin's expense. Martin is the sheriff department's technology person, and may need to respond to a crime scene. Herb Pemberton seconded the motion. The motion passed 3-0.

At 9:20 a.m., Mike Page moved to go into executive session for legal matters for 10 minutes. Vicki Leonard seconded the motion. The motion passed 3-0. The commission, counselor, and Walker attended the session.

At 9:28 a.m., the regular meeting resumed. No action was taken.

John Byington reviewed last week's demonstration of an asphalt-milling machine. Byington said the machine could be serviced by any John Deere dealer. Vicki Leonard said she is impressed by the machine, but that she would like to do some more research. The commission agreed to review the item for one week before making a decision.

Danny Morris, Road District #1 Foreman, asked for permission to seek bids on box culvert construction. The commission granted Morris permission to seek bids.

Morris said he has talked with a fuel distributor about purchasing diesel fuel in bulk. The contract would require purchase of a minimum of 21,000 gallons, and that would take more than one road district. John Black, Road District #2 Foreman, has agreed to share in the purchase. Morris said the contract could be made for three months. Morris said that the price would be locked in for the length of the contract. The commission agreed to have Morris pursue the discussion with the distributor to see if details can be worked out. Mike Page asked that Morris talk with any local distributor who might be able to provide the same contract service.

The commission granted permission for John Maloney, Noxious Weeds Director, said to attend an annual conference and schooling in Lawrence.

The commission granted Maloney permission to publish the annual list of noxious weeds, and notice of penalties for not cleaning up noxious weeds.

Maloney reported on the small-flows conference he attended, noting that he intends to learn more about soil types to be able to put the conference training to best use in Linn County.

At 9:48 a.m., Vicki Leonard moved to go into executive session for personnel matters related to non-elected personnel for five minutes. Mike Page seconded the motion. The motion passed 3-0. The commission and John Maloney attended the session.

At 9:53 a.m., the regular meeting resumed. No action was taken.

Doug Barlet, Fire Chief, presented documents to be signed on the environmental assessment for the grant to construct a new fire station at Prescott. Mike Page moved to approve signing of the documents on the contingency that they are reviewed and approved by the counselor. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet said the NOAA radio tower dedication will be held at 10:00 a.m. March 4<sup>th</sup> in the Courthouse Annex.

Barlet said there were 37 controlled burns called in on Sunday, and several that were not called in. Barlet said a burn ban has been implemented today due to weather conditions. Barlet said burn bans are being reviewed on a day-to-day basis.

Barlet said a fire in Prescott last night resulted in a fatality.

Barlet said that he needs to purchase light bars for three new vehicles, and has solicited bids for the equipment. Barlet said he forgot to bring all the bids with him, but the low bid was \$2,915 for the emergency management vehicle, and \$3,762 for the brush trucks. The light bars are LED equipped to reduce draw on the vehicles' electrical systems. Barlet said the LED bars are more expensive than conventional type bars, but that there should be savings due to reduced service on electrical systems. The bid for the emergency management vehicle includes a siren and speaker. Barlet said the fire board recommends moving his current truck for use by the assistant fire chief rather than moving it to the Parker station as a grass truck. The board also recommends putting the new vehicles into service as grass trucks. The new brush trucks are scheduled for delivery the week of March 16<sup>th</sup>. Vicki Leonard questioned buying new vehicles versus used vehicles for use as brush trucks. Barlet said the board believes that the new vehicles will cost less than making repairs on used vehicles. Herb Pemberton said that all seven of the department's grass trucks are at least 20 years old, and that we need to gradually replace them. Pemberton said that prices of new trucks are close to prices for good used trucks, and that new trucks have a warranty on them. Leonard said she is concerned about the method of replacement of vehicles and urged the fire board to be careful in spending money. Mike Page moved to spend \$2,915 for equipment for the new emergency management vehicle. Vicki Leonard seconded the motion. The motion passed 3-0. Herb Pemberton moved to spend \$3,762 on lighting equipment for the fire department. Mike Page seconded the motion. The motion passed 3-0.

Barlet said the fire board recommends exercising the contract option with Douglass and Sons Heating and Air Conditioning for the installation of heating equipment at the Blue Mound station. Douglass agreed to honor the price of \$8,351 that it bid last year for the installation. Vicki Leonard moved to approve the expenditure. Mike Page seconded the motion. The motion passed 3-0.

Gene Smith requested use of the courthouse grounds on Saturday, April 25<sup>th</sup>, for the annual car show. This is the sixth year for the show. Mike Page moved to allow the use of the grounds. Vicki Leonard seconded the motion. The motion passed 3-0.

Public comments: Jim Ptacek said he is concerned about the county using old vehicles. Vicki Leonard said her suggestions about used trucks is related to grass trucks, and not primary response trucks. Mike Page said that with government pricing concessions he believes we are saving significantly by using new trucks. Ed Self commented regarding last week's discussion of replacing a Solid Waste truck. Self said he reviewed the minutes of commission meetings and found that Jesse Secrest, Cox Motor Company, had discussed the truck purchase on May 8<sup>th</sup> with the commission. On May 15<sup>th</sup>, Secrest advised waiting rather than purchasing the truck with lower power. On June 5<sup>th</sup>, Secrest told the commission that he found a truck with a smaller engine that cost \$9,000 less than the previously ordered truck. Self said that Joe Maloney did not purchase the truck and should not have been told that he was the one who bought the truck. Vicki Leonard said that she had stated that Maloney could not blame someone else and that he had shared in responsibility for buying the truck. Leonard said she has done more research and learned that it is possible to reset the torque on the Mercedes engine in the current truck. Leonard said she does not see that it makes sense to replace a 2007 model truck with another 2007 model truck just to go a few miles per hour faster. Ed Samyn said he agrees that a county employee should not be blamed when he brought a spec sheet to the commission, and a dealer talked the commissioners into buying a different truck. Leonard said that in an earlier meeting Maloney reported that there were several things wrong with the truck and that the truck was not still under

warranty. Leonard said she checked and learned that Freightliner had a three-year warranty on that truck. Rosalea Demott said she believes that the department head should take the responsibility and should have spoken up about the truck at the time it was purchased. Mary Thomas said she remembered the purchase price of the emergency management vehicle being closer to \$27,000 than the \$20,000 mentioned today. Mike Page explained that \$20,000 was the approximate price for the fire department trucks, and the emergency management vehicle is higher priced.

At 10:57 a.m., Mike Page moved to take a five-minute break followed by a 15 minute executive session on personnel matters related to non-elected personnel. The commissioners and Rebecca Patience attended the session.

At 11:20 a.m., Herb Pemberton made a motion to extend the executive session for 15 minutes. Vicki Leonard seconded the motion. The motion passed 3-0. The commission attended.

At 11:35 a.m., Herb Pemberton made a motion to extend the executive session for 15 minutes. Vicki Leonard seconded the motion. The motion passed 3-0. The commission attended.

At 11:50 a.m., Vicki Leonard made a motion to extend the executive session for 15 minutes. Herb Pemberton seconded the motion. The motion passed 3-0. The commission and Melinda Bolling attended.

At 12:05 p.m., the regular meeting resumed. No action was taken.

Mike Page moved to approve the following add/abate/refund orders: 2008- 96 and 2008-97. Vicki Leonard seconded the motion. The motion passed 3-0.

The commission asked the deputy clerk to advertise a piece of land (22.9 acres) immediately east of the landfill for agricultural lease. The land is currently under lease, to expire March 31, 2009.

The deputy clerk informed the commission that Waste Corporation of America has notified the county of a 3% increase in rates for waste disposal effective April 1, 2009. The annual increase is authorized in the contract between Linn County and WCA. The new rate will be \$20.83 per ton for waste hauled to the Oak Grove Landfill site. The original contract with WCA was signed in 2005 and is in effect for 10 years.

Dennis Arnold, Economic Development Director, said he is preparing a Heritage Trust Fund grant application for repair work on the courthouse. The grant would require a 20 percent match from county funds. Arnold said the application process is highly competitive, and is open to private and government projects. Herb Pemberton made a motion to approve the filing of the grant application. Mike Page seconded the motion. The motion passed 3-0. Vicki Leonard made a motion to allow Arnold to sign the grant application as the county's legal representative for purposes of grant administration. Mike Page seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, March 2, 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

March 2, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting as printed. Mike Page seconded the motion. The motion passed 2-0.

Mike Page moved to approve the following add/abate/refund orders: 2008-98 and 2008-99. Vicki Leonard seconded the motion. The motion passed 2-0.

Larry Robinson asked for permission to purchase wood sign posts. The Commission agreed to allow Robinson to ask for bids from lumber yards in the County and outside the County. Robinson also presented contracts with KDOT concerning upgrading 2 railroad crossings. Vicki Leonard moved to approve and sign the agreements with KDOT for the railroad crossings. Mike Page seconded the motion. The motion passed 2-0.

Vicki Leonard discussed stimulus funding for roads and bridges. Applications are due by March 13<sup>th</sup>.

Sheriff Barry Walker gave a report on the past week's activities. Walker also discussed plans for Government Day.

At 9:23 AM at the request of Sheriff Walker, Vicki Leonard moved to recess from the Board of Commission meeting into executive session to discuss personnel issues related to non-elected personnel until 9:30 AM. Mike Page seconded the motion. The motion passed 2-0. The Commission, Counselor, and Sheriff Walker attended the executive session.

At 9:30 AM the executive session ended. No action taken.

Sheriff Walker introduced Deputy Russ Gardner.

Doug Barlet informed the Commission that Rescue 5 repairs will cost around \$2,000.00 to \$2,500.00. Mike Page moved to approve up to \$2,500.00 to repair Rescue 5. Vicki Leonard seconded the motion. The motion passed 2-0. The Hellcat (Truck 911) from Mound City also needs repairs that will cost \$1,500.00 to \$2,000.00. Barlet also discussed the open burning resolution.

Joe Maloney informed the Commission that one of his employees (James Folsom) gave his 2 week's notice. Maloney will post the position to County employees before advertising. Maloney also stated that the new plot plan is completed. Maloney asked for permission to allow Taylor Design Group to give us a bid for closing cell 2. The Commission agreed to allow Maloney to get bids from Taylor Design Group and from other companies.

John Maloney informed the Commission that he investigated some sanitation complaints at Tanglewood Lakes. Maloney also discussed another sanitation issue near Pleasanton. Maloney then discussed issues at a site that recently had a house fire.

Steve Hoeger informed the Commission that the new equipment they are using has increased the level of care in the County.

John Byington informed the Commission that he will be taking bids for road oil. Byington is checking on problems with chip loss on some of our chip & seal roads. Byington then discussed the Asphalt Zipper. Steve Christie from Asphalt Zipper was present to answer questions. Steve Riley informed the Commission that he called other entities that use Zippers and got good reports from everyone that has used the machine. Dan Morris stated his concern would be damage to our loaders. Vicki Leonard moved to purchase the Asphalt Zipper using \$53,000.00 from the All Dist. Capital Outlay and either make payments on the balance or pay the balance out of Special Machinery. Mike Page seconded the motion. The motion passed 2-0.

Dan Morris presented a permit to bury water line requested by Diversified Contracting, for RWD #3, located at 2000 Road & Farlin Road. (Diversified Contracting is owned by Mike Page.) Vicki Leonard moved to approve the permit to bury water line as requested. Mike Page seconded the motion. The motion passed 1-0. Mike Page abstained.

At 11:07 AM Mike Page moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 2-0.

At 11:20 AM the Vice Chairman asked for public comment. Tommy Tuggle asked if the grant has been accepted on the Prescott Fire Station. (It has been accepted but we do not have to spend the entire amount.) Ed Self read a quote from the paper concerning the Solid Waste truck that was purchased. Self asked the Clerk to play part of the recording from the Feb. 17 meeting. Self also discussed the need for maintenance records on all trucks/equipment.

The Clerk reminded the Commission about Government Day next week. The Commission will welcome the students Monday morning and is invited to join the students for lunch.

The Clerk asked the Commission about providing an email address for Claude Warren, Special Deputy Coroner. Gary Thompson suggested giving Warren a copy of the computer policy. Mike Page moved to allow Warren to use a County email address. Vicki Leonard seconded the motion. The motion passed 2-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$399,335.09: General, \$196,781.01; Employee Benefit, \$83,437.69; Appraiser, \$8,018.03; Rural Fire, \$59,967.18; Road and Bridge, \$40,243.95; 911 Telephone Tax, \$1,710.22; County Health Department, \$4,875.53; Crime Victim Assistance, \$954.53; Elderly, \$3,130.28; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 2-0.

Marilyn Augur asked about repairing the medical transportation van at Mid-American Coach in Raytown, MO. The Commission agreed to allow Augur to take the van to Raytown, MO for repairs.

At 11:44 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session until Noon to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 2-0. The Commission, Clerk, and Counselor attended the executive session.

At Noon the executive session ended.

At 12:01 PM Vicki Leonard moved to extend the above executive session for 15 minutes. Mike Page seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Marilyn Augur attended this portion of the executive session.

At 12:10 Mel Bolling entered the executive session.

At 12:13 Mel Bolling and Marilyn Augur left the executive session.

12:16 PM the executive session ended. As a result of the executive session, Mike Page stated that the job descriptions have been rewritten for Mel Bolling and Marilyn Augur. Vicki Leonard moved to implement the new job descriptions for the Annex Clerk and the Annex Office Manager. Mike Page seconded the motion. The motion passed 2-0.

Doug Barlet stated that the estimate for repairing the Telesquirt is just under \$1,000.00. He would like to get approval for up to \$1,200.00 in case of other incidental repairs. Mike Page moved to authorize up to \$1,200.00 for repairs to the Telesquirt. Vicki Leonard seconded the motion. The motion passed 2-0.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, March 9, 2009. Vicki Leonard seconded the motion. The motion passed 2-0.

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Commission Chair

Attest:

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County Clerk

March 9, 2009

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

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

Mike Page moved to approve the following pays/special pays, totaling \$138,633.13: General, \$72,127.06; Appraiser, \$2,503.47; Rural Fire, \$5,147.09; Road and Bridge, \$53,976.15; County Health Department, \$1,200.13; Crime Victim Assistance, \$233.45; and Elderly, \$3,445.78. Vicki Leonard seconded the motion. The motion passed 3-0.

Sheriff Walker gave a report on the last week's activity. The Sheriff stated that he can get a new Explorer for the Sheriff's Dept. for \$22,598.00. He plans on ordering the vehicle this week.

At 9:15 AM the Commission went to the old courtroom to greet the Government Day students. At 9:41 AM the Commission returned to the Commission room.

Mike Page moved to approve the following add/abate/refund orders: 2008-100 and 2008-101. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for February 2009.

Gary Thompson presented the proposed findings from the February 16, 2009 Fence View between Rod Earnest and Francis Lindell. Mike Page moved to adopt the Findings of Fence Viewers as presented. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of the Findings of Fence Viewers:

FINDINGS OF FENCE VIEWERS

At the request of Rod Earnest, the County Commissioners of Linn County, Kansas, conducted a fence viewing on February 16, 2009, at 10:30 AM. The commissioners viewed the fence on the North boundary of a tract owned by Mr. Earnest in Section 22, Township 22, Range 25, Linn County, Kansas.

The owner of record of the adjoining parcel to the North is Francis Lindell. The two properties share a partition line. Mr. Earnest seeks a determination of responsibility for maintenance of the fence. Proper notices were given and both Mr. Earnest and Mr. Lindell attended the viewing.

The findings of the fence viewers are as follows:

1. Mr. Earnest is responsible for maintaining the East 1/2 of the fence between the properties. This portion of the fence is found to be a legally sufficient fence.
2. Mr. Lindell is responsible for maintaining the West 1/2 of the fence between the properties. No fence currently exists in this area. Mr. Lindell is hereby ordered to construct and maintain this West 1/2 of the partition fence. Said fence shall be constructed within 60 days.
3. This Finding and Order shall be filed with the Register of Deeds of Linn County pursuant to K.S.A. §29-304.

IT IS SO FOUND AND ORDERED THIS 9<sup>TH</sup> DAY OF MARCH, 2009.

 _____ COMMISSIONER	 _____ COMMISSIONER	 _____ COMMISSIONER	ATTEST:  _____ COUNTY CLERK
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Gary Thompson also presented a notice from Olathe Medical Services, Inc. that they are moving out of the old clinic building at La Cygne and an acknowledgement of receipt of notice. Vicki Leonard moved to sign the acknowledgement. Mike Page seconded the motion. The motion passed 3-0.

The Commission discussed what they plan on doing with the old clinic building. The Commission agreed that they want to sell the old clinic building. The Commission asked the Clerk to get an estimate of the value of the old clinic building from the County Appraiser.

The Clerk and Commission discussed the SEK County Officials Meeting that we are hosting next week.

Robert Tyson addressed the Commission concerning the County Open Burning Resolution. Mr. Tyson is concerned about limits placed on open burning by the County. Mr. Tyson stated that burning is the only option he has for managing his prairie ground. Mr. Tyson asked the Commission to reconsider the County Open Burning Resolution. Doug Barlet explained the history of the County Open Burning Resolution and reasons for the regulations. Herb Pemberton suggested sending the resolution back to the Fire Board to come up with a less burdensome resolution.

At 10:20 AM the Chairman asked for public comment. Fred Kautt stated that he received a notice from the USDA office in Mound City that he has CRP that needs to be burned. Included with the notice was a copy of the open burning regulations. One of the students asked about the number of fire trucks sent to a small fire. Doug Barlet explained the 3 stations are sent to all structure fires so we will have enough resources. Other students and public commented on the Fire Dept. and open burning.

Doug Barlet presented the Automatic Aid Agreement that has been approved and signed by the City of Mound City. Vicki Leonard moved to approve the Automatic Aid Agreement with the City of Mound City. Mike Page seconded the motion. The motion passed 3-0.

Barlet then informed the Commission that the Fire Board recommends hiring the following Firefighters: Joey Riggs, Station 940; Clint Eastwood, Station 930; Derrick Bowman, Station 930; and Glenn Johnson, Station 910. Mike Page moved to hire the Firefighters pending the results of pre-employment physicals and their probation periods. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet also presented a list of equipment needed for CPR/AED classes totaling around \$5,000.00. The Commission asked Barlet to get bids for the needed supplies.

Larry Robinson addressed the Commission concerning the stimulus bill for road and bridge projects. Our Road Foremen have turned in possible projects for the stimulus projects. Vicki Leonard moved to allow the Chairman to sign the applications with revised dollar amounts to be determined by the Road Foremen. Mike Page seconded the motion. The motion passed 3-0.

John Maloney presented information on a property that needs to be cleaned up.

At 11:20 AM Vicki Leonard moved to take a break followed by a 10 minute executive session beginning at 11:30 for the preliminary discussion of land acquisition and discussion of legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Dennis Arnold, and County Counselor attended the executive session.

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

Dennis Arnold discussed the trailer that we have as collateral for a micro-loan.

Vicki Leonard informed the Commission that she was contacted by Glen Smith about the road between his property and Lake Chapparral. Mr. Smith is threatening to put a fence across the road.

At 11:59 AM the Commission recessed to go to lunch with the Government Day Students at the Legion Building.

After lunch and with nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, March 16, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

March 16, 2009

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

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

Mike Page moved to approve the following add/abate/refund orders: 2008-102. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the Sheriff's Monthly Fee Report for February 2009. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$214,838.11: General, \$98,007.76; Employee Benefit, \$58,111.56; Appraiser, \$8,341.30; Rural Fire, \$7,391.56; Road and Bridge, \$32,603.71; 911 Telephone Tax, \$1,982.15; DARE, \$128.59; County Health Department, \$4,953.24; Crime Victim Assistance, \$954.53; Elderly, \$2,147.04; and Zoning LEPP, \$216.67; and the following special pay totaling \$1,223.78: General, \$1,136.82; and Employee Benefit, \$86.96. Mike Page seconded the motion. The motion passed 3-0.

John Byington reported on his monthly expenditures. Byington also asked to hire Jimmy Hendrix as a temporary employee for the Road Dept. Vicki Leonard moved to hire Hendrix as a temporary employee for the Road Dept. at \$9.01 per hour. Mike Page seconded the motion. The motion passed 3-0.

Dan Morris reported on the monthly expenditures for Road Dist. #1. Morris also presented bids for box culverts.

The following bids were received:

	<u>Foote Construction</u>	<u>Thoele Foundations</u>
<u>Walker Brothers Foundations</u>		
Class A Concrete (per Cu. Yd.) \$245.00	\$237.00	\$237.00
Reinforcing Steel (per Lb.) \$0.38	\$0.36	\$0.35
Class I Excavation (per Cu. Yd.) \$25.00	\$24.00	\$20.00
Class III Excavation (per Cu. Yd.) \$30.00	\$29.00	\$24.00

Mike Page moved to award the contracts for at least 2 culverts to Foote Construction and at least 2 culverts to Thoele Foundations, and split the other culvert contracts as evenly as possible between Foote and Thoele. Vicki Leonard seconded the motion. The motion passed 3-0.

Morris also asked to hire Vic Roche and Matt Higgins as temporary employees this summer for mowing in Dist. #1. The Commission agreed to let Morris hire Roche and Higgins.

John Black informed the Commission that the rear end went out of the low boy tractor (Unit 211). It will cost \$2,494.75 to repair. Herb Pemberton moved to allow Black to repair the tractor for \$2,494.75. Vicki Leonard seconded the motion. The motion passed 3-0.

John Maloney informed the Commission that Glen Smith had talked to him about the boundary between his property and Lake Chaparral. The Commission and Counselor have already been discussing this issue. Herb Pemberton stated that he has told Mr. Smith that he should get his own survey of the property. Gary Thompson read copies of letters that we have sent to Mr. Smith in the past concerning this issue. Maloney stated that Mr. Smith said that he was going to start shooting people. The Counselor and Commission advised Maloney that he should file a report with the Sheriff's office.

Maloney also discussed the nuisance abatement on a property that burned near Pleasanton.

Larry Robinson informed the Commission that we submitted requests for stimulus funds for 4 projects last week.

Donna Thomas presented grant applications for approval and signatures. The Commission and Thomas discussed the level funding requirement for one of her grants. Vicki Leonard moved to allow the Chairman to sign the grant application. Mike Page seconded the motion. The motion passed 3-0.

Thomas also asked about meal reimbursement when employees are traveling. The Commission discussed changing the policy so it doesn't pay a per diem for quarters when a meal is provided as part of the meeting registration fee.

Harry Wisdom presented a permit to bury telephone cable requested by Embarq located at 8424 Paine Road. Mike Page moved to approve the permit to bury as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission discussed requiring casing of all lines buried under hard surface roads. The Commission also discussed requiring casing for gas lines under gravel roads. (Water lines already have to be encased under gravel roads.)

At 10:51 AM Vicki Leonard moved to take a 10 minute break. Herb Pemberton seconded the motion. The motion passed 3-0.

Joe Maloney addressed the Commission concerning the CD Landfill. Maloney discussed options for closing Cell 2 and opening a new cell. If we do not reopen Cell 2, it will be 4 to 6 weeks before we accept any CD material. If we reopen Cell 2, it could cost around \$50,000.00, but we would only have to close the CD Landfill for about a week. The Commission asked Maloney to get bids from the engineers for opening Cell 3 as soon as possible. The Commission also instructed Maloney to close the CD landfill until we can open Cell 3 or reopen Cell 2. Vicki Leonard moved to close the CD Landfill immediately until further notice. Herb Pemberton seconded the motion. The motion passed 3-0.

At 12:04 PM the Chairman asked for public comment. Jean Vaughn asked about firefighters not getting paid during probation. Vaughn also announced a meeting of Americans for Prosperity this Saturday at Bunker Hill. Bernita Robbins stated that she had already said what Mr. Tyson said last week about open burning. Fred Kautt gave the Commission a copy of Anderson County's resolution for open burning. Mr. Kautt also talked about the street signs in Centerville.

Vicki Leonard moved to set a special meeting for Thursday, March 19<sup>th</sup> at 9:00 AM for the SEK County Officials Meeting. Herb Pemberton seconded the motion. The motion passed 3-0.

At 12:22 PM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Larry Robinson attended the executive session.

At 12:32 PM the executive session ended. No action taken.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Thursday, March 19, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

March 23, 2009

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

Undersheriff Paul McKee gave the weekly report from the Sheriff's Office. The Sheriff's Office started using TV dinners for inmates this weekend, saving approximately \$100.00 per day.

The Clerk announced that on Friday, March 20<sup>th</sup> he conducted a phone poll of the Commissioners concerning work that needed to be done at the CD Landfill. The Linn County News and the Osawatomie Graphic were notified that he was conducting a phone poll of the Commissioners on this issue. The Commissioners all agreed that the County employees should go ahead and remove the layer of cap dirt on Cell 2 so more CD debris could be placed in that cell. The Commissioners also met on Thursday, March 19<sup>th</sup> with the SEK County Officials, but no action was taken at that meeting.

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

Mike Page moved to approve the following add/abate/refund orders: 2008-103 thru 2008-106. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to accept the annual township reports from Scott Township and Liberty Township. Vicki Leonard seconded the motion. The motion passed 3-0.

Joe Maloney addressed the Commission concerning the CD Landfill. The Solid Waste and Road Depts. started working Friday to reopen Cell 2 of the CD Landfill. Maloney stated that we should be able to reopen by Wednesday. Vicki Leonard moved to reopen the CD Landfill tomorrow or as soon as the weather permits. Mike Page seconded the motion. The motion passed 3-0.

At 9:37 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Counselor, and John Maloney attended the executive session.

At 9:47 AM the executive session ended.

At 9:47 AM Herb Pemberton moved to extend the above executive session for 10 minutes. Vicki Leonard seconded the motion. The motion passed 3-0. The same people attended this portion of the executive session.

At 9:57 AM the executive session ended. No action taken.

At 9:57 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, Clerk, and Doug Barlet attended the executive session.

At 10:07 AM the executive session ended. As a result of the executive session, Mike Page moved to terminate Dustin Dawson as a part time firefighter. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet presented a proposed Permanent Loan Agreement with the City of Osawatomie for an 18' boat to be used for water rescue. Mike Page moved to enter into the Permanent Loan Agreement with the City of Osawatomie for an 18' boat. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet informed the Commission that the transmission went out in Truck 913 this weekend. We can get a remanufactured transmission with a 12,000 mile warranty for \$1,200.00 including labor. The Commission asked Barlet to get more bids and then Mike Page moved to approve up to \$1,200.00 to replace the transmission. Vicki

Leonard seconded the motion. The motion passed 3-0.

Barlet also informed the Commission that the Fire Board recommends sending 4 firefighters to training in Great Bend for approximately \$1,800.00. Vicki Leonard moved to approve sending the firefighters to training in Great Bend. Herb Pemberton seconded the motion. The motion passed 3-0.

The Fire Board does not have any specific recommendations concerning the Open Burning Resolution yet. There was a ban on burning yesterday, but there were several fires that required the Fire Dept. Barlet recommends starting to access fines for people that violate our resolution. The Commission, Barlet, and the audience discussed the idea of accessing fines and other possible solutions.

At 10:54 AM Mike Page moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

Roger Carbon addressed the Commission concerning the roads at the Fairgrounds. Carbon would like to get the roads blacktopped. In 2007, we estimated that it would cost \$50,480.00 to blacktop the roads. The Commission will contact John Byington for an updated estimate.

At 11:15 AM the Commission opened bids for the farm ground near the landfill. Bids received were: Chad Gorman bid \$1,201.00 per year for two years, Charles Lindell bid \$825.00 per year for two years. Vicki Leonard moved to accept the bid from Chad Gorman in the amount of \$1,201.00 per year. Mike Page seconded the motion. The motion passed 3-0.

The Commission presented a plaque to Mel Bolling honoring her for acquiring her Master's Degree and thanking her for her work with the County.

Herb Pemberton read a request from Sharon Geiss for a new meal delivery van. Geiss also stated that the State may stop funding the meal programs. Geiss stated that we would need to close some of the sites or contribute more money if the State funding stops.

Vicki Leonard discussed a road that she received a request to close. Gary Thompson stated that another option would be to declare the road minimum maintenance and allow the landowner to fence it.

At 11:41 the Chairman asked for public comment. Jean Vaughn asked about the meal reimbursement policy. Mary Grosshart commented on the programs for the elderly.

The Clerk and Commission discussed selling the old La Cygne Clinic building. Gary Thompson stated that we would have to advertise for two consecutive weeks.

Vicki Leonard suggested starting to work on the budgets for next year. She would like to schedule some study sessions.

With nothing further on the agenda, Herb Pemberton moved to adjourn until 9:00 AM Monday, March 30, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

March 30, 2009

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

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

Mike Page moved to approve the following add/abate/refund orders: 2008-107 thru 2008-115. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to accept the annual report from Cemetery District #3. Herb Pemberton seconded the motion. The motion passed 3-0.

John Byington presented oil quotes for 2009 from Coastal Energy and Vance Brothers. (Sem Materials did not submit a quote this year.) Vance Brothers was the lower quote for all types of oil that they quoted. Vance Brothers did not give a quote for AEP, CMS-1, or CRS-2. Vance Brothers' quote is good through 6/30/09. Coastal Energy gave an additional quote for after 6/30/09. Mike Page moved to approve purchasing oil from Vance Brothers through 6/30/09. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton suggested using the Asphalt Zipper and chip & seal the roads at the Fairgrounds instead of blacktopping the roads.

Dennis Arnold informed the Commission that the churches in La Cygne are looking for a building to use for the food pantry. They might be interested in the old clinic building. Arnold also stated that Jamie Chambers is working out of the County and is unable to attend Economic Development Committee meetings. We will need to find someone to replace her on the committee.

Doug Barlet asked the Commission to pass a resolution declaring a local disaster area. The resolution is being prepared and will be available later in the meeting.

Vicki Leonard moved to take Dennis Mitchell off of probationary status for the Fire Dept. Mike Page seconded the motion. The motion passed 3-0.

Steve Thompson addressed the Commission concerning moving the Appraiser's Office and the Mapping Dept. off of the second floor. Thompson suggested moving the Appraiser and Mapping Depts. to the Commission Room in the Annex. Then the Commission would have to move to a different location.

Joe Maloney asked the Commission to hire Jeff Whitley as a driver for the Solid Waste Dept. Vicki Leonard moved to hire Jeff Whitley as a Truck Driver for the Solid Waste Dept. at \$10.81 per hour (Range 4, Step A). Mike Page seconded the motion. The motion passed 3-0. The Commission plans on reviewing Whitley's salary after one or two months. Whitley will take a pre-employment physical/drug test and will be on standard 6 month probation.

At 9:51 AM Mike Page moved to recess from the Board of Commission meeting into executive session to discuss legal issues (attorney/client privilege) with the County Counselor until 10:00 AM. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Counselor, and John Maloney attended the executive session.

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

Rick Porter gave an update and Annual Report on the Lake Region RC&D.

Larry Robinson presented Lot Split #09-237 and the accompanying grant of road easement. Mike Page moved to accept the grant of road easement for Lot Split for Peggy Jo Mead. Vicki Leonard seconded the motion. The motion passed 3-0.

Robinson also presented Subdivision Plat #09-01. Mike Page moved to approve Plat #09-01 and accept the road easements for associated with the plat. Vicki Leonard seconded the motion. The motion passed 3-0.

Robinson then presented CUP #0209332 requested by Dianna Smith. The Planning Commission approved the CUP by a vote of 8-0 with the following findings: 1) Character of the Neighborhood is Agricultural and this is a home occupation permitted in an agricultural district with a conditional use permit, 2) There is no conflict/contradiction to the Comprehensive Plan, 3) Gain to the public would be an additional market for produce, and additional tax revenue generated from sales, and 4) Professional staff recommendation is for approval since there are no conflicts with the "Golden Rules" of zoning cases; and the following condition: 1) Parking lot shall be all weather surface and shall be kept weed free. Vicki Leonard moved to adopt Resolution #09-05 approving CUP #0209332 and adopt the findings of the Planning Commission. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-05:



Vicki Leonard presented information concerning the lack of space in the Courthouse. Leonard discussed the Baptist Church building that is for sale.

Gary Thompson presented the real estate purchase agreement with the City of Prescott for the Fire Station in the amount of \$25,001.00. No action was taken at this time.

Gary Thompson also presented an advertisement for selling the La Cygne Clinic. Mike Page moved to place the advertisement for sealed bids for the La Cygne Clinic building. Vicki Leonard seconded the motion. The motion passed 3-0.

Gary Thompson also presented proposed changes to the meal reimbursement plan. No action taken.

Clint Stewart, Taylor Design Group, addressed the Commission concerning the CD Landfill. Also present was Floyd Cotter from Aquaterra and Jim Schmitz from Taylor Design Group. Stewart will revise the estimate for services and submit it to the Commission.

Vicki Leonard moved to approve the following pays/special pays, totaling \$453,970.79: General, \$220,553.97; Employee Benefit, \$111,887.84; Appraiser, \$8,448.30; Rural Fire, \$43,585.74; Road and Bridge, \$37,485.57; Spl. Fire Equipment, \$20,773.95; County Health Department, \$6,483.65; Crime Victim Assistance, \$954.54; Elderly, \$3,580.56; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

Herb Pemberton moved to adopt Resolution #09-06, declaring a State of Local Disaster Emergency for Linn County due to this weekend's snow storm. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-06:

RESOLUTION # 09-06 AND PROCLAMATION

PROCLAMATION of a State of Local Disaster Emergency for Linn County, Kansas:

WHEREAS on the 28<sup>th</sup> day of March, 2009 the Board of Commissioners of Linn County, Kansas finds certain conditions have caused, or eminently threaten to cause wide-spread or severe damage, injury or loss of life or property in disaster proportion in Linn County, Kansas.

WHEREAS, such conditions have created obstructions which endanger health, safety and welfare of persons and property within the border of Linn County, Kansas.

Now, therefore, be it resolved by the Board of County Commissioners of Linn County, Kansas:

That the Board of County Commissioners of Linn County, Kansas under and by virtue of the authority vested in it by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists.

IT IS FURTHER RESOLVED AND PROCLAIMED that the area within the border of Linn County, Kansas covered by this proclamation/resolution is the entire area of Linn County, Kansas.

BE IT FURTHER RESOLVED that said Board has all rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.

IT IS FURTHER RESOLVED AND PROCLAIMED that this resolution shall remain in effect for a period of seven (7) days unless terminated earlier or renewed by consent of the governing body.

ADOPTED BY THE BOARD OF LINN COUNTY COMMISSIONERS THIS 30<sup>th</sup> DAY OF MARCH, 2009.



HERB PEMBERTON, CHAIRMAN



MIKE PAGE, VICE-CHAIRMAN



VICKI LEONARD, MEMBER



ATTEST:  
  
DAVID LAMB, LINN COUNTY CLERK

At 11:30 AM the Chairman asked for public comment. Jean Vaughn asked about medical insurance on inmates. We do not have medical insurance on inmates. Tommy Tuggle asked about the open burning resolution. No changes have been made at this time.

Vicki Leonard read a letter concerning senior meals.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, April 6, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Attest:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Commission Chair

April 6, 2009

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

The Commission discussed the possible availability of Federal grant money for projects that would qualify for CDBG funds.

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

John Byington stated that the Asphalt Zipper was delivered last week. We will set up training for the zipper soon. We need to discuss proposed projects for the zipper. It costs approximately \$43,000.00 per mile to double chip seal a road. We have about \$30,000.00 per district available this year for surfacing additional roads. Byington stated that materials for a double chip seal at the Fairgrounds will cost \$25,230.00.

Marilyn Augur presented a change to the Employee Assistance Program with the Consortium. Vicki Leonard moved to approve and sign the revised agreement. Mike Page seconded the motion. The motion passed 3-0.

Herb Pemberton stated that Elizabeth Maxwell told him that if we want to take over the Elderly meal program, we would need to make that decision by May.

Larry Robinson presented corrected information on a Lot Split requested by Peggy Jo Mead. The Commission needs to approve the Lot Split. Mike Page moved to approve Lot Split #09-237. Vicki Leonard seconded the motion. The motion passed 3-0. (The grant of easement was accepted last week.)

Mike Page moved to accept the annual report from Lincoln Township. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to approve a Proclamation Declaring April Fair Housing Month in Linn County. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of the Proclamation:

LINN COUNTY, KANSAS

Proclamation Declaring April Fair Housing  
Month in Linn County

WHEREAS, Title VI of the landmark Civil Rights Act of 1964 provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

WHEREAS, Title VIII of the Civil Rights Act of 1968 extended protection against discrimination on the basis of race, color, or national origin to include housing and related facilities provided with Federal Assistance, and lending practices "with respect to residential property when such practices are connected with loans insured or guaranteed by the Federal government."

WHEREAS, the denial of equal housing opportunity is one of the most serious challenges a community can face. It is a challenge that must be met and surmounted lest it erode the vital social structure that holds a community together and gives it shape and dimension. The need for shelter is an essential human need. The right to freely choose a place to live is a basic human right and discrimination in housing is not only against the law, but contrary to our sense of what our country should mean to us and to others.

WHEREAS, in support of equal housing opportunity, Linn County has established a Fair Housing contact whose functions include receiving complaints regarding alleged violations of jurisdictional fair housing policies, and attempting to resolve legitimate grievances through conferences and conciliation at the local level, if possible.

WHEREAS, there are voluntary programs in support of fair housing that we as concerned citizens can encourage at every level in our community and in our jobs. There are personal and professional attitudes that we can and must change. These efforts are to make fair housing choice a basic right for ourselves and our neighbors.

NOW THEREFORE, I, Herm Pemberton, Chairman of Linn County, do hereby designate the month of April, 2009, as FAIR HOUSING MONTH in Linn County, Kansas, and urge all citizens to join in this observance by resolving to fight discrimination in our personal lives, and by making ourselves aware of the Fair Housing Act and the ways in which it applies to our community.

SIGNED AND SEALED THIS 6th day of April, 2009

Herb Pemberton, Chairman

  
David Lamb, County Clerk



Vicki Leonard moved to allow the Chairman to sign the Real Estate Lease with Chad Gorman for the 22.9 acres of farm ground near the landfill. Mike Page seconded the motion. The motion passed 3-0.

Rose Smith addressed the Commission concerning paving the roads at the fairgrounds. Smith stated that the money for surfacing the fairgrounds roads would have to come from the Contingency Fund, since it was not budgeted this year. Smith stated that the only road listed as County property in the fairgrounds is the road that circles around the 4-H Building. Smith stated that there is no deed showing County ownership of this road. Smith also stated that County funds should not be used to pave a private road. Roger Carbon stated that the roads were designated as County roads years ago so the Sheriff's office could patrol the property.

At 10:13 AM the Chairman asked for public comment. Jim Ptacek asked if there was any way to get some money from Arts & Crafts to help with the upkeep of the fairgrounds. Denise Cassells stated that if it is private property, the owner could charge a parking fee. Fred Kautt commented on the need for street signs in Centerville. Richard Wilson stated that if the fairgrounds is public property, we should maintain it. Wilson also commented on the County Park, we keep it in good shape because it brings people into the County. Ed Self stated that there are more important things to take care of in the County instead of the fairgrounds roads.

At 10:24 AM Herb Pemberton moved to take a break until 10:30 AM and then recess from the Board of Commission meeting into executive session until 11:00 AM to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, John Maloney, and Counselor attended the executive session.

At 10:47 AM John Maloney left the executive session.

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

Jim Shields commented on Noxious Weed control and the Fairgrounds. Shields thinks we should maintain the Fairgrounds. Tommy Tuggle asked if the Commission would consider taking bids for adding on to the old Fire Station.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, April 13, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

April 13, 2009

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

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

The Commission reviewed the YTD Park Report for March 2009.

John Maloney commented on Noxious Weeds in the County right of ways. Maloney stated that if someone sees an infestation of noxious weeds, they should let us know where it is and what kind of weeds are there so we can take care of the problem. Maloney also discussed nuisance abatement on the Rick Baldwin property on 1000 Road.

Doug Barlet informed the Commission that the new Homeland Security Trailer is here and available for everyone to see when we take a break today.

John Black informed the Commission that he needs to buy culverts (5-12", 5-15", 5-18", 5-24", and 3-30") totaling \$6,812.40. Herb Pemberton moved to allow Black to purchase the culverts as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton informed the Commission that the Clerk's office found the resolution from 1972 when roads in the fairgrounds were dedicated to the County. Herb Pemberton also stated that we have chipped and sealed the roads since that time.

Vicki Leonard presented an estimate of costs for running the Elderly program. The Clerk also presented information on employee benefit costs and grant income. Mary Grosshart presented information from Shirley Palmer concerning meals for the elderly.

Harry Wisdom stated that he also needs to purchase culverts totaling \$5,398.50. Mike Page moved to allow Wisdom to purchase culverts as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

At 9:50 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Counselor, and Harry Wisdom attended the executive session.

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

Vicki Leonard read a letter from Roger Carbon concerning his presentation on paving the fairgrounds roads last week. Carbon was concerned about interruptions from the audience during his presentation. Carbon suggested not letting audience comment during presentations.

At 10:04 AM the Commission opened bids for sign posts (300-4x4x16 #2 Ground Contact). Mike Page recused himself from the discussion. Bids received were: Avery Lumber, \$4,257.00; Diversified Supply, \$3,813.00; and Miami Lumber, Inc., \$3,747.00. Vicki Leonard moved to accept the low bid from Miami Lumber, Inc. in the amount of \$3,747.00. Herb Pemberton seconded the motion. The motion passed 2-0.

At 10:09 AM the Commission opened bids for selling the 27' Hallmark trailer. Bids received were Rick Catron, \$800.00; Ron Nation, \$2,700.00; and Brandon Johnson, \$675.00. Herb Pemberton moved to accept the high bid from Ron Nation in the amount of \$2,700.00. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:16 AM the Commission opened bids for Noxious Weed chemicals. Bids received were:

	<u>Matthes Farm &amp; Field Supply</u>	<u>Van Diest Supply Co.</u>
Milestone – 6 gallons	\$312.00 gal.	\$285.74 gal.

Plateau – 7 gallons	\$215.00 gal.	\$187.76 gal.
Escort – 128 oz.	\$ 9.95 oz.	\$ 6.47 oz.
Premier 90 – 20 gallons	\$ 16.50 gal.	\$ 18.38 gal.

Vicki Leonard moved to accept the bid from Van Diest Supply Co. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$352,793.93: General, \$96,787.33; Appraiser, \$340.47; Rural Fire, \$8,765.35; Road and Bridge, \$152,608.33; Spec. Machinery, \$73,945.00; 911 Telephone Tax, \$3,979.09; County Health Department, \$2,020.91; and Elderly, \$14,347.45. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$205,905.91: General, \$90,393.33; Employee Benefit, \$64,449.52; Appraiser, \$7,916.96; Rural Fire, \$1,643.65; Road and Bridge, \$32,766.77; County Health Department, \$5,621.05; Crime Victim Assistance, \$954.54; Elderly, \$1,943.42; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

At 10:26 AM Herb Pemberton moved to take a 15 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:41 AM the Chairman asked for public comment. Evan Bechtel addressed the Commission concerning 1850 Road near Tanglewood Lakes. Bechtel would like to have a hard surface road from 1095 to Tanglewood Gate 3 (approximately 1 mile). Bob James also asked the Commission to consider blacktopping 1850 Road. Bernita Robbins suggested having County employees burn the right of ways to prevent out of control fires. Ed Self commented on needed repairs to the Courthouse and needed repairs on roads and other County buildings. Self suggested making needed repairs before spending money on fairgrounds roads and other projects.

Linda Weldon, SEK Regional Planning Commission addressed the Commission concerning projects that could be done with stimulus money. Bridges and buildings for a non-profit organizations are possible projects that could be funded. One of the requirements is that 51% of the residents in the area must be low to moderate income. The County would have to match 50% of the total project amount. The City could apply for the program for the medical clinic. Donations to the non-profit clinic organizations could be used for the 50% match.

Robert Tyson reported on his meeting with the Fire Board. Tyson stated that our job as elected officials is to protect the people. Tyson asked the Commission to fine people whose fires get onto another person's property, not someone that doesn't call in before a fire or someone that lights a fire after dark. Tyson does not feel like he got anywhere with the Fire Board. Mike Page stated that he asked the Fire Board to review the issue at the end of the burn season. Glenn Vaughn stated that he feels that we are trying to discourage burning, when we should encourage burning. Mary Grosshart commented on health concerns due to burning. Bernita Robbins stated that she has land that needs to be burned at least every other year.

At 11:42 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

At 11:52 AM the executive session ended. No action taken.

At 12:01 PM Herb Pemberton moved to adjourn the Board of Commission meeting and reconvene as the Board of Canvassers. Vicki Leonard seconded the motion. The motion passed 3-0.

Election Officer David Lamb read the County machine print out results as the Board of Canvassers compared the results to the Abstract Book. Lamb then read the write in results as the Board of Canvassers compared the results to the Abstract Book and the Tally Books.

The Board of Canvassers then reviewed the 16 Provisional Ballots. Vicki Leonard moved to accept the recommendation of the Election Officer to not count 7 provisional ballots, and to count the remaining 9 provisional

ballots. Mike Page seconded the motion. The motion passed 3-0.

At 12:57 PM the Board of Canvassers went to the Courthouse to run the provisional ballots through the ballot scanner, after which the Board of Canvassers certified the total election results.

With nothing further on the agenda Vicki Leonard moved to adjourn the Board of Canvassers meeting. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

April 20, 2009

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

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

Vicki Leonard moved to approve the Sheriff's Monthly Fee Report for March 2009. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following pays/special pays, totaling \$59,297.16: Employee Benefit, \$59,297.16. Vicki Leonard seconded the motion. The motion passed 3-0.

Dennis Arnold presented the following list of businesses that applied for the Summer Youth Employment Program: Farmers & Merchants Bank, Avery Lumber, JRK Portable Welding, Coffel-Schneider Funeral Home, Double K Construction, Linn County News, Prescott State Bank, Cox Motor Co., Sugar Valley, and Linn County Economic Development. Vicki Leonard moved to approve the businesses that applied for the Summer Youth Employment Program. Mike Page seconded the motion. The motion passed 3-0.

John Maloney informed the Commission that the deadline has passed for the landowner to clean up the Baldwin property near Pleasanton. The property has sold and Maloney asked if we could give the new owner some time to clean up the property. The Counselor instructed Maloney to give a 5 day extension on the old notice and to inform the new owner that if he gets the deed filed this week, we will give him an additional 30 days to clean up the property. Maloney also discussed another property that needs to be cleaned up.

Joe Maloney presented a Solid Waste Collection Permit for Ryan Walker. Vicki Leonard moved to approve the permit as requested. Mike Page seconded the motion. The motion passed 3-0.

Maloney and the Commission also discussed issues with the waste cardboard from Tower Metals. Our compactors and our cardboard baler are not set up to handle this type of cardboard.

Doug Barlet informed the Commission that we received an Emergency Preparedness Grant in the amount of \$17,512.59. Barlet also informed the Commission that we need to purchase some turnout gear. Vicki Leonard moved to approve purchasing \$38,000.00 of turnout gear. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to allow the heat & air contractor to install new heating elements at the La Cygne Fire Station, with the understanding that the warranty be extended. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet also informed the Commission that the Fire Board recommends going out for bids for the Prescott Fire Station. Mike Page moved to authorize the architect to let bids for the fire station. Vicki Leonard seconded the motion. The motion passed 3-0.

Gary Thompson presented a letter from RWD #1 concerning improvements to the old fire station in La Cygne. Mike Page moved to allow the requested improvements at the old fire station, to be paid for by RWD #1. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:00 AM the Commission was scheduled to open bids for the old clinic building in La Cygne. No bids were received. Herb Pemberton stated that we have a storage container that we could also take bids to sell. The Clerk will check with Dept. Heads to see if anyone is interested in the storage container. Herb Pemberton stated that some stucco came off the outside of the clinic building. Mike Page will check on how much it would cost to repair the stucco.

The Clerk stated that he and Herb Pemberton had looked for copies of a proposal for a new jail and courthouse that

was done in 2000 or 2001, but were unable to find the proposal. The Clerk contacted Rick Freeman, HMN Architects, but Freeman stated that their offices had moved and he can't find the plans from 2000-2001 proposal either. Mary Gilkison stated that she might have a copy of the plans. The Commission discussed repairs that are needed on the Courthouse and issues with having offices on the second floor with no ADA access. Bernita Robbins volunteered to loan the County the money to fix the Courthouse roof at 3% interest for 2 years.

At 10:34 AM Vicki Leonard moved to take a 15 minute break. Herb Pemberton seconded the motion. The motion passed 3-0.

Sharon Geiss, Mid-America Nutrition, gave her quarterly report. Geiss stated that the Legislature did not cut the funding for the nutrition program. Home delivered meals in Linn County are up 10% over last year. Congregate meals are down slightly from last year. Vicki Leonard stated that the fundraising by seniors has caused a lot of complaints. Vicki Leonard also stated that we have had some complaints about the quality of the food.

Mary Asher, Mound City Historical Society, presented Historical Society information and their annual report. Asher discussed the Freedom's Frontier National Heritage Area and the Kansas Sampler Foundation. Asher also presented copies of a book titled "A Little History About Mound City, Kansas and Our Neighbors" to the Commissioners.

At 11:37 AM the Chairman asked for public comment. Jean Vaughn asked if the Commission ever gets calls thanking them for doing a good job or just complaints. The Commissioners stated that they do occasionally get calls thanking them for doing a good job.

Larry Robinson presented an email concerning signage near the US 69, K 52 East junction.

The Clerk informed the Commission that the organizers of this weekend's car show asked about having the Courthouse open for tours on Saturday. The Clerk stated that he will not be available this weekend. The Commission decided not to have the Courthouse open for tours.

The Clerk gave the Commission a report showing the voter turnout for the April 7<sup>th</sup> City/School Election. 21.8% of the eligible voters cast ballots in this election. The Commission signed the Abstract Book for the April 7<sup>th</sup> City/School Election.

Mike Page stated that he has a copy of K-State's recommendations for open burning. Copies may be obtained from Mel Bolling.

The Commission and Counselor discussed selling the old clinic building in La Cygne. Vicki Leonard moved to continue advertising the old clinic building. Mike Page seconded the motion. The motion passed 3-0.

At 11:58 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session until 12:10 PM to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission and John Maloney attended the executive session.

At 12:10 PM the executive session ended. No action taken.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, April 27, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

April 27, 2009

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

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

Vicki Leonard moved to approve paying Douglass and Sons Heating & A/C \$8,351.00 for the Blue Mound Fire Station heaters. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented historical budget information to the Commission for their review.

Dan Morris presented a permit to bury water line requested by Linn County RWD #1 located on Ullery Road. Herb Pemberton moved to approve the permit to bury as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Joe Maloney presented information on the waste cardboard from Tower Metals. Maloney stated that we could handle the amount of cardboard they have at this time. Mike Page moved to support Tower Metal by handling their waste cardboard for three months. We will evaluate the situation again at that time. Vicki Leonard seconded the motion. The motion passed 3-0.

Brian Barthol addressed the Commission concerning the drainage problem at 2400 & Iliff Road. Barthol claims that we did not clean out the ditch on the north side of the road. The Commission asked Barthol to contact the USDA Office about waterways and to come back to the Commission next week.

At 9:57 AM Mike Page moved to recess from the Board of Commission meeting into executive session to discuss personnel issues related to non-elected personnel until 10:15 AM. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, Clerk, Steve Thompson, and Pam Cannon attended the executive session.

At 10:15 AM the executive session ended. No action taken.

At 10:15 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 30 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 2-0. The Commission, Counselor, and Clerk attended the executive session.

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

At 10:50 AM Herb Pemberton moved to take a break until 11:00 AM. Mike Page seconded the motion. The motion passed 3-0.

Bill Van Kirk presented the 6<sup>th</sup> Judicial District Community Services, KDOC, FY 2010 Comprehensive Plan. Vicki Leonard moved to allow the Chairman to sign the 6<sup>th</sup> Judicial District Community Services KDOC FY 2010 Comprehensive Plan. Mike Page seconded the motion. The motion passed 3-0.

James Dean, La Cygne Police Chief, addressed the Commission concerning issues with the Sheriff's Office. Issues included serving warrants without notifying City Chief, lack of backup, lack of communications, etc.

Charlie Blevins addressed the Commission concerning a low water bridge on 200 Road between Read & Scott that needs work. Blevins also stated that on old 69 Highway near the Prescott intersection, there is a hump of concrete on the road that needs to be removed.

The Commission asked Gary Stone to check into issues brought up by La Cygne Police Chief James Dean.

At 11:21 AM the Chairman asked for public comment. Tommy Tuggle asked about the agenda item concerning relocating the Appraiser's office. The Commission talked to Thompson about personnel issues in executive session. Larry Hall commented on the economy and the Commission's plans for reduced revenues. Tommy Tuggle also asked about bids on the Prescott Fire Station and plans for working on the old fire station. Mike Page is waiting on information from a company that works with metal buildings. Susan Highsmitt stated that the people that keep coming in from Tanglewood asking for the paving of 1850 Road do not represent all the owners at Tanglewood.

Vicki Leonard stated that we had a bee problem at the Health Dept. but it has been corrected. Leonard also stated that Donna Thomas and Doug Barlet were meeting with Dr. Allen this morning concerning Swine Flu issues.

Mike Page stated that the stucco problem at the old clinic building can be repaired for approximately \$300.00.

The Clerk informed the Commission that he did find the 2001 proposal for a jail and judicial center. The Clerk will copy the information for the Commissioners.

At 11:39 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and John Maloney attended the executive session.

At 11:49 AM the executive session ended. No action taken.

Mary Gilkison asked about forming a committee to study new buildings (Jail, Judicial, and Courthouse).

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, May 4, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

May 4, 2009

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; Vicki Leonard, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Herb Pemberton led the Pledge of Allegiance. Karl Rewa, Pastor of the Blue Mound Federated Church, led a prayer to open the meeting.

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

Mike Page moved to approve the following add/abate/refund orders: 2008-116 thru 2008-122. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve Resolution #09-07 declaring a State of Local Disaster Emergency because of the recent flooding in the County. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-07:



Detective Gary Stone discussed an email that the Sheriff received last week concerning the Sheriff working while he is in school. Stone asked that any emails be directed to Undersheriff Paul McKee or Detective Gary Stone. Det. Stone also discussed the allegations from the La Cygne Police Chief. Det. Stone stated that he has contacted the KBI and the KBI found no wrong doing in the serving of the search warrant in La Cygne.

Doug Barlet reported on the water level of the Marais des Cygne. K152 is open this morning and the extra ambulance has been taken out of service. Barlet reported that Dennis Arnold has found a potential grant (\$50,000.00 from USDA) to help with the Prescott Fire Station. Mike Page moved to allow the Chairman to sign the application for a USDA grant for the Prescott Fire Station. Vicki Leonard seconded the motion. The motion passed 3-0.

Bruce Holt addressed the Commission concerning his summer help. Holt asked to hire Jean Ruse, 30 hrs. per week; Patsy Rhynerson, 20hrs. per week; and Logan Smith, 28 hrs per week @ \$7.25 per hour starting May 18<sup>th</sup>. Vicki Leonard moved to approve hiring Jean Ruse, Patsy Rhynerson, and Logan Smith as temporary employees for the County Park @ \$7.25 per hour. Mike Page seconded the motion. The motion passed 3-0.

Steve Hoeger reported that AMR added a third ambulance for the west side of the County due to the flooding. The unit was stationed in Parker. The Commission advised Hoeger that we can take that unit out of service today.

Charlie Blevins stated that he is upset about issues around his property. Blevins is not happy with what the paper printed about him last week. Blevins discussed problems that he has had and threats he has received in the past. The Commission will look at the road issues when it gets drier. Gary Thompson also advised Blevins to file reports with the Sheriff's office when he receives threats.

Treasurer Carmen Self gave the 1<sup>st</sup> Quarter 2009 Interest Report and Delinquent Tax Report. Interest for the 1<sup>st</sup> quarter was \$34,535.89, down from \$82,895.96 last year. Delinquent Real Estate Taxes as of March 31, 2009 were \$486,222.72 and Delinquent Personal Property Taxes as of March 31, 2009 were \$91,130.79.

Vicki Leonard moved to approve the following pays/special pays, totaling \$403,991.64: General, \$235,057.04; Employee Benefit, \$55,235.67; Appraiser, \$8,665.77; Rural Fire, \$31,814.30; Road and Bridge, \$54,352.51; 911 Telephone Tax, \$2,487.98; County Health Department, \$5,391.17; Crime Victim Assistance, \$954.54; Elderly, \$3,766.61; Zoning LEPP, \$216.67; and Sewer Dist. #1, 6,049.38. Mike Page seconded the motion. The motion passed 3-0.

At 9:52 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Steve Thompson attended the executive session.

At 10:07 AM the executive session ended. No action taken.

At 10:07 AM Vicki Leonard moved to take a break until 10:15. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission discussed repairs that are needed for the Courthouse, Annex, Extension, and 4-H Buildings.

At 10:35 AM the Chairman asked for public comment. Oscar Holway commented that the meals have improved at the Senior Centers. Jim Ptacek commented on the need for storm shelters in Mound City. (The basement at Bunker Hill is available for use as a storm shelter.) Robert James discussed last week's public comment on paving 1850 Road. Mr. James stated that he does not speak for everyone at Tanglewood, but he does speak for a group of people at Tanglewood that want to make a difference.

Mike Page stated that he looked at the Brian Barthol property last week after the rains. He does not see a good solution for Mr. Barthol's water problem. The Commission had more discussion about Courthouse repairs. The Commission and Clerk will contact others Counties that have repaired old buildings. The Commission discussed a study that was done previously concerning a combined jail in Miami County. The Commission is not interested in combining jails with another County at this time. The Commission discussed forming a committee to study building needs.

At 11:10 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 7 minutes to discuss legal issues (attorney/client privilege) with the County Counselor and for 15 minutes to discuss personnel issues related to non-elected personnel. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 11:32 AM the executive session ended. No action taken.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, May 11, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

May 11, 2009

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

Mike Page moved to approve the minutes of the last regular meeting as printed. Vicki Leonard seconded the motion. The motion passed 2-0.

Dan Morris asked to hire Vic Roche and Matt Higgins as temporary employees for Road Dist. #1 @ \$9.01 per hour. Vicki Leonard moved to approve hiring Roche and Higgins as requested. Mike Page seconded the motion. The motion passed 2-0.

John Byington asked to rehire Jimmy Hendrix as a temporary employee for Road Dist. #3 @ \$9.02 per hour and to hire Ronald Lee Porter for the Asphalt Dept. and Road Dist. #3 @ \$8.50 per hour. (Hendrix has already been working for the Road Dept. and will just return to work so no action was needed.) Mike Page moved to approve hiring Porter as requested. Vicki Leonard seconded the motion. The motion passed 2-0.

Harry Wisdom presented a permit to bury telephone cable requested by Embarq located at 2156 Jackson Road. Vicki Leonard moved to approve the permit to bury telephone cable as requested. Mike Page seconded the motion. The motion passed 2-0.

Vicki Leonard moved to approve the following add/abate/refund orders: 2008-123 thru 2008-133. Mike Page seconded the motion. The motion passed 2-0.

The Commission reviewed the YTD Park Report for April 2009.

Dennis Arnold informed the Commission that we have been approved for a \$90,000.00 Heritage Trust Fund Grant for the Courthouse. The total project cost is listed at \$146,640.00.

Doug Barlet reported on the Marais des Cygne river levels. Barlet has a pre-bid meeting today on the Prescott Fire Station. Barlet also reported that the new truck at the La Cygne Fire Station was damaged this weekend when it pulled out of the station with a door open. Barlet then reported that there are still no confirmed cases of H1N1 Flu in Linn County.

Joe Maloney discussed a proposal from Taylor Design Group for the landfill. Taylor Design Group will be here at 11:00 AM today to discuss the proposal.

At 9:45 AM Mike Page moved to recess from the Board of Commission meeting into executive session until 10:00 AM to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Jerry Bedgood attended the executive session.

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

Bedgood discussed roof problems on the Annex. Bedgood has an estimate from Keith Steiner for fixing the Annex roof. The Commission asked Bedgood to get bids for repairing the Annex roof. The 4-H Building also has some leaks. Bedgood will also get bids for the 4-H Building.

Mike Page moved to approve Resolution #09-08 declaring a State of Local Disaster Emergency because of the recent flooding in the County. Vicki Leonard seconded the motion. The motion passed 2-0. Following is a copy of Resolution #09-08:

RESOLUTION #09-09 AND PROCLAMATION

PROCLAMATION of a State and Local Disaster Emergency for Linn County, Kansas:

WHEREAS on the 8<sup>th</sup> day of May, 2009 the Board of Commissioners of Linn County, Kansas finds certain conditions have caused, or eminently threaten to cause wide-spread or severe damage, injury or loss of life or property in disaster proportion in Linn County, Kansas.

WHEREAS, such conditions have created obstructions which endanger health, safety and welfare of persons and property within the border of Linn County, Kansas.

Now, therefore, be it resolved by the Board of County Commissioners of Linn County, Kansas:

That the Board of County Commissioners of Linn County, Kansas under and by virtue of the authority vested in it by K.S.A. 1976 Supp. 48-932, does hereby PROCLAIM that a State of Local Disaster Emergency exists:

IT IS FURTHER RESOLVED AND PROCLAIMED that the area within the border of Linn County, Kansas covered by this proclamation/resolution is the entire area of Linn County, Kansas.

BE IT FURTHER RESOLVED that said Board has all rights and/or powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.

IT IS FURTHER RESOLVED AND PROCLAIMED that this resolution shall remain in effect for a period of seven (7) days unless terminated earlier or renewed by consent of the governing body.

ADOPTED BY THE BOARD OF LINN COUNTY COMMISSIONERS THIS 11<sup>th</sup> DAY OF MAY, 2009.

Herb Pemberton, Chairman

Mike Page, Vice-Chairman

Vicki Leonard, Member

ATTEST:



David L. Lamb, Linn County Clerk

Larry Robinson presented CUP #0209333 requested by Justin Brockway for a Firearms Dealership and Knife Sales. The Planning Commission approved the CUP by a vote of 7-0 with the following findings: 1) The use fits the character of the neighborhood since there are similar uses in other Ag. districts in Linn County and the use does not contradict the Comprehensive Plan, 2) There is no burden or hardship on surrounding property owners, and 3) There should be no effect on surrounding property values because of the use of this property; and the following condition: 1) Permit be granted for a 3 year period. After reviewing the findings and condition, Vicki Leonard moved to adopt findings of the Planning Commission and pass Resolution #09-09. Mike Page seconded the motion. The motion passed 2-0.

Robinson also discussed a Lot Split and rezoning that was approved 7-0 by the Planning Commission, but he is waiting on a survey so it is not ready for Commission approval.

Larry Robinson then presented CUP #0309334 requested by the Linn County Sheriff's Office for a Law Enforcement Shooting Range. The Planning Commission approved the CUP by a vote of 7-0 with the following findings: 1) The use fits with the character of the neighborhood since a shooting range has operated there before and the use does not contradict the Comprehensive Plan, 2) There is no burden or hardship on surrounding property owners, and 3) There should be no effect on surrounding property values because of the use of this property; and the following conditions: 1) Range shall meet all federal and state requirements for shooting ranges and all operations will be conducted in accordance with federal/state regulations with regard to firearms use/safety, and meet or exceed all requirements of the NRA, ATF, as well as the State of Kansas, 2) Range shall meet or exceed all NRA range design standards, 3) All shoots will be supervised by an NRA certified range instructor and certifications shall be kept on file in the Planning and Zoning office, 4) A red flag will be flown whenever a shoot is in progress, and 5) Operating hours will be 8:00 AM to 5:00 PM except for no more than 5 night shoots per year to allow for night shooting qualifications. No shooting will be allowed on Sundays and the official County Holidays. The Commission will adopt the findings and pass Resolution #09-10 later in today's meeting when the resolution is ready.

At 10:30 AM Mike Page moved to take a break until 10:45 AM. Vicki Leonard seconded the motion. The motion passed 2-0.

At 10:47 AM the Vice-Chairman asked for public comment. Daisy Self thanked the Clerk for programming her weather radio and asked who takes care of the Cemeteries and discussed issues at the Walnut Grove Cemetery. The

Clerk will give Mrs. Self a list of Township Officers for Paris Township. Mary Grosshart discussed people getting involved with issues in the County, attending meetings, etc. and also mentioned that the State budget was passed last week with a freeze on employee salaries. Grosshart recently attended a meeting about grants for safe rooms. Ralph Brandt and Glenn Kerr addressed the Commission concerning hard surfacing a road from Parker, north to 2400 Road, and then east to 1077. Brandt and Kerr also discussed water running over the road in several locations. Bernita Robbins asked when budget discussions will start. Larry Hall asked if the Commission recognizes that we are in a recession and need a plan for next year's budget.

Clint Stewart, Taylor Design Group, P.A., presented a proposal for opening and closing cells at the landfill.

After reviewing the findings and conditions of CUP #0309334, Vicki Leonard moved to adopt findings of Planning Commission for the shooting range and pass Resolution #09-10. Mike Page seconded the motion. The motion passed 2-0. Following are copies of Resolution #09-09 and #09-10 (Resolution #09-09 was approved earlier in the meeting):

Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 09-09  
A RESOLUTION APPROVING CONDITIONAL USE PERMIT #0209333 (Brockway) TO PERMIT THE OPERATION OF A FIREARMS DEALERSHIP AND KNIFE SALES AS A HOME OCCUPATION IN THE A - AGRICULTURAL ZONE

WHEREAS, Linn County, Kansas is a county municipal government with the authority to adopt zoning regulations and create zoning district boundaries as provided in K.S.A. 12-753a and

WHEREAS, Linn County did adopt countywide zoning regulations on June 22, 1981; and

WHEREAS, the Linn County Planning Commission did, on March 25th, 2009, publish a notice of a public hearing to consider Conditional Use Permit #0209333 pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on April 14<sup>th</sup>, 2009 to consider said Conditional Use Permit for the operation of a firearms dealership and knife sales as a home occupation in the A - Agricultural Zone; and

WHEREAS, the Planning Commission after review and reconsideration of all plans, reports and testimony did, by 7-0 vote, recommend approval of said Conditional Use Permit based on the following findings and subject to the conditions as listed in Section 2:

- 1) The use fits with the character of the neighborhood since there are similar uses in other Ag districts in Linn County and the use does not contradict the Comp Plan.
- 2) There is no burden of hardship on surrounding property owners.
- 3) There should be no effect on surrounding property values because of the use of the property.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendations of the Planning Commission together with all public comment filed by issue said Conditional Use Permit as follows:

**SECTION 1:** Conditional Use Permit #0209333 is hereby issued on the following described property:

A tract of land in the SW¼ of Section 10, Township 20 South, Range 22 East of the 6<sup>th</sup> P.M., in Linn County, Kansas.

**SECTION 2:** Conditional Use Permit #0209333 is issued for the property to be used subject to the following conditions:

- 1) Permit be granted for a 3 year period.

**PASSED AND ADOPTED** by the Linn County Board of County Commissioners: 09-11<sup>th</sup> day of May, 2009.



CLERK  
DANA JAMES - Clerk

Chairman  
T. C. O'Connell

Vice-Chairman  
M. J. P. [Signature]

Member  
[Signature]

Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 09-10  
A RESOLUTION APPROVING CONDITIONAL USE PERMIT #0309334 (S.O. Shooting Range) TO PERMIT THE OPERATION OF A LAW ENFORCEMENT SHOOTING RANGE IN AN "A" - AGRICULTURAL DISTRICT

WHEREAS, Linn County, Kansas is a county municipal government with the authority to adopt zoning regulations and create zoning district boundaries as provided in K.S.A. 12-753; and

WHEREAS, Linn County did adopt countywide zoning regulations on June 22, 1981; and

WHEREAS, the Linn County Planning Commission did, on March 25th, 2009, publish a notice of a public hearing to consider Conditional Use Permit #0309334 pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on April 14<sup>th</sup>, 2009 to consider said Conditional Use Permit for the operation of a law enforcement shooting range in an A - Agricultural Zone; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimony did, by 7-0 vote, recommend approval of said Conditional Use Permit based on the following findings and subject to the conditions as listed in Section 2:

- 1) The use fits with the character of the neighborhood since a shooting range has operated there before and the use does not contradict the Comp Plan.
- 2) There is no burden or hardship on surrounding property owners.
- 3) There should be no effect on surrounding property values because of this use of the property.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendations of the Planning Commission together with all public comment filed to issue said Conditional Use Permit as follows:

**SECTION 1:** Conditional Use Permit #0309334 is hereby issued on the following described property:

A tract of land in the SW¼ of Section 33, Township 22 South, Range 25 East of the 6<sup>th</sup> P.M., in Linn County, Kansas.

**SECTION 2:** Conditional Use Permit #020034 is issued for the property to be used subject to the following conditions:

- 1) Range shall meet all federal and state requirements for shooting ranges and all operations will be conducted in accordance with federal/state regulations with respect to firearms use/safety, and meet or exceed all requirements of the NFA, ATF, as well as the State of Kansas.
- 2) Range shall meet or exceed all NRA range design standards.
- 3) All shoots will be supervised by an NRA certified range instructor and certifications shall be kept on file in the Planning and Zoning office.
- 4) A red flag will be flown whenever a shoot is in progress.
- 5) Operating hours will be 8:00AM to 5:00PM except for not more than 5 night shoots per year to allow for night shooting qualifications. No shooting will be allowed on Sundays and the official County holidays.

**PASSED AND ADOPTED** by the Linn County Board of County Commissioners this 11<sup>th</sup> day of May, 2009.



Vicki Leonard moved to approve the following pays/special pays, totaling \$225,127.49: General, \$99,202.93; Appraiser, \$237.17; Rural Fire, \$38,670.28; Road and Bridge, \$81,340.75; 911 Telephone Tax, \$1,208.58; DARE, \$950.00; County Health Department, \$1,228.17; Crime Victim Assistance, \$278.60; and Elderly, \$2,011.01. Mike Page seconded the motion. The motion passed 2-0.

Mike Page stated that the bidding is being postponed on the Prescott Fire Station. Commissioners Page is reviewing some options for the building.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, May 18, 2009. Mike Page seconded the motion. The motion passed 2-0.

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Commission Chair

Attest:

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County Clerk

May 18, 2009

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

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

Herb Pemberton moved to reschedule the May 25<sup>th</sup> regular meeting to Tuesday, May 26<sup>th</sup> at 9:00 AM due to the Memorial Day Holiday. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the Sheriff's Monthly Fee Report for April 2009. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following add/abate/refund orders: 2008-134 thru 2008-155. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to approve the following pays/special pays, totaling \$216,891.62: General, \$101,392.19; Employee Benefit, \$44,383.40; Appraiser, \$8,025.06; Rural Fire, \$2,173.17; Road and Bridge, \$51,368.36; County Health Department, \$6,114.83; Crime Victim Assistance, \$954.54; Elderly, \$2,263.40; and Zoning LEPP, \$216.67. Vicki Leonard seconded the motion. The motion passed 3-0.

Harry Wisdom asked to purchase 10 truck tires from Harlow Oil Company in the amount of \$2,754.70. Vicki Leonard moved to allow the purchase as requested. Mike Page seconded the motion. The motion passed 3-0.

Dan Morris informed the Commission that he had a problem with his backhoe. The repairs will cost over \$1,000.00, but he doesn't have the exact amount yet.

John Black presented a permit to bury water line requested by RWD #3 located at 1500 and Nelson Road. Mike Page moved to approve the permit to bury water line as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Joe Maloney presented bids for scrap metal collection. The only bid received was from Wes' Recycling, Inc. in the amount of \$2,651.00. Vicki Leonard moved to accept the bid from Wes' Recycling, Inc. Mike Page seconded the motion. The motion passed 3-0.

Mary Grosshart informed the Commission that Chris Paus recently gave a presentation commending our Solid Waste Dept. for their recycling work.

Larry Robinson presented Lot Split #09-238 and a Grant of Road Easement and Rezoning requested by Bruce & Cleo Mitchell. Vicki Leonard moved to approve Lot Split #09-238 and accept the accompanying Grant of Road Easement as requested. Mike Page seconded the motion. The motion passed 3-0. Vicki Leonard moved to approve Rezoning Resolution #09-11. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-11:

RESOLUTION 27-09

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS  
A RESOLUTION AMENDING ZONING ON SPECIFIC PROPERTY AND AMENDING  
THE OFFICIAL ZONING MAP

WHEREAS, pursuant to K.S.A. 12-758, the Linn County Planning Commission on April 14<sup>th</sup>, 2009, held a public hearing on Case Z0309196 (Bruce & Cleo Mitchell) and after consideration of all the factors recommended approval to the Linn County Commissioners by a vote of 7 to 0.

WHEREAS, on the 18<sup>th</sup> day of May, 2009, Case Z0309196 was heard before the Board of County Commissioners, Linn County, Kansas, as more particularly described below; and

WHEREAS, said case was heard before a duly called, qualified, and acting quorum of said Board of County Commissioners; and

WHEREAS, after due consideration of the issues presented and the overall land use plan for Linn County, Kansas, it is the desire of the Commissioners of Linn County, Kansas, to change, amend and modify the zoning classification of the real estate more fully described below, and to amend the official zoning map to reflect said change.

THEREFORE, be it resolved by the Board of County Commissioners of Linn County, Kansas, that the zoning classification of the following described real estate:

3.58 acres in the SW¼, Section 16, Township 22 S, Range 22 E, Linn County, Kansas.

Shall be and is hereby changed to the classification of "A/R" - Agriculture/Residential

This resolution was passed and approved by the Board of County Commissioners of Linn County, Kansas, by a majority vote of same on this 18th day of May, 2009.



BOARD OF COUNTY COMMISSIONERS  
Linn County, Kansas

Chairman  
Vice Chairman  
Member

ATTEST

David Lamb, County Clerk

Steve Hoeger informed the Commission that this National EMS Week. AMR will be recognizing their employees for their contributions to Linn County.

The Clerk informed the Commission that he had a meeting with Eloy Gallegos from the Census Bureau last week. Gallegos stated that in the 2000 Census, only 53% of the people in Linn County responded to the census form that was mailed out. The Census Bureau would like to get at least a 70% response to their initial mailing. Gallegos is asking for assistance from the County to help with the 2010 Census.

The Clerk also informed the Commission that he met with Dept. Heads last week concerning salary requests for the 2010 Budget. The Clerk stated that some Dept. Heads wanted to use the proposal that was submitted last December. Several others stated that they understood that this may not be a good time to ask for increases, but they would like to see the health insurance remain unchanged. Two Dept. Heads also suggested giving additional step increases beyond 15 years. Vicki Leonard suggested that Departments submit budget proposals with no COLA, and then the Commission will look at all budgets and make a decision about COLA. The Commission could adjust budgets at any time before final budget approval. The other Commissioners agreed.

The Commission and Clerk discussed finding companies to do the repair work on the Courthouse.

The Commission agreed to allow Dennis Arnold and Larry Robinson to attend a series of classes on grant writing. The first class is May 20<sup>th</sup> in Linn County.

The Commission discussed funding that is available from FEMA to help with the costs of building safe rooms in structures.

At 10:10 AM the Chairman asked for public comment. Jean Vaughn asked about the status on the Prescott Fire Station. (The bid opening has been postponed, we are waiting on additional information on grants.) Vaughn also asked about the insurance renewal, are we taking bids? (We have not even received the renewal quote yet.) Bernita Robbins stated that Social Security is not giving raises for the next two years.

At 10:15 AM Herb Pemberton moved to take a break until 10:30 AM. Mike Page seconded the motion. The motion passed 3-0.

Joy Purkeypile presented the 2010 Extension Council budget request in the amount of \$124,324.00. (\$4,824.00 increase from last year.) Vicki Leonard asked Purkeypile how using one of their CD's would affect their budget. Purkeypile will check into the CD and give the Commission an update. The Commission wants to wait on updated information from Purkeypile before tentatively approving the budget.

Mike Page moved to allow the Chairman to sign the agreement with Wes' Recycling for scrap metal removal. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page stated that he wants Harry Wisdom to put up some barricades to prevent access to the PWWSO #13 Lake. The Commission agreed that barricades should be installed.

Charlie Blevins asked about the cement on the old highway. The Commission informed Blevins that John Black will take care of the cement and will contact him about his other issues.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Tuesday, May 26, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

May 26, 2009

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

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

Vicki Leonard moved to approve the following add/abate/refund orders: 2008-157 thru 2008-164. Mike Page seconded the motion. The motion passed 3-0.

John Black informed the Commission that he needs to hire some temporary help. Vicki Leonard moved to let Black advertise for 2 temporary employees. Mike Page seconded the motion. The motion passed 3-0.

Doug Barlet informed the Commission that the bid opening for the Prescott Fire Station has been extended to June 22<sup>nd</sup>. Barlet stated that we may be eligible for up to \$70,000.00 from a USDA grant for the Prescott Fire Station. Barlet also informed the Commission that the Fire Board recommends hiring Eric Browning and Robert Wittgartner for the Centerville Station and John Martin for the Pleasanton Station. Mike Page moved to hire Browning, Wittgartner, and Martin as requested. Vicki Leonard seconded the motion. The motion passed 3-0. Barlet also presented an update that the Fire Board recommends for the Standard Operating Guidelines. The Commission will have the Counselor review the update before approval. Barlet and the Commission discussed ISO Ratings and what the Fire Dept. is doing to try to lower the ISO Ratings.

The Clerk and Commission discussed companies that have worked on other Courthouses in the area.

Gary Thompson arrived at 9:41 AM.

After the Counselor reviewed the proposed update to the Fire Dept. Standard Operating Guidelines, the Commission agreed that they would pass a new resolution amending the Fire Dept. SOG.

At 9:49 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Doug Barlet attended the executive session.

At 10:04 AM Doug Barlet left the executive session.

At 10:09 AM the executive session ended. No action taken.

At 10:10 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss personnel issues related to non-elected personnel, and then for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Doug Barlet attended the executive session.

At 10:20 AM Doug Barlet left the executive session.

At 10:25 AM the executive session ended. No action taken.

John Sutherland presented the 2010 County Attorney Budget request in the amount of \$184,383.00. (No change from 2009.) Vicki Leonard moved to tentatively approve the 2010 County Attorney Budget in the amount of \$184,383.00. Mike Page seconded the motion. The motion passed 3-0.

At 10:31 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss legal issues (attorney/client privilege) with the County Attorney and County Counselor. Vicki

Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and County Attorney attended the executive session.

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

Dennis Arnold informed the Commission that he has someone that wants to buy spotlights that Arnold has for around \$750.00 each. The Commission agreed that Arnold should sell the spotlights.

Denise Cassells informed the Commission that she met with the Fire Board last week. Cassells stated that the Fire Board approved having her work on setting up a Linn County Firefighter's Fund to help with items that are needed for the Fire Dept.

At 10:54 AM the Chairman asked for public comment. Evan Bechtel again asked the Commission to consider paving 1850 Road. Bob James commented on maintaining the scenic views in Linn County when issues come up that require Commission action. Steve Riley stated that there are potholes in the base on 1700 Road. The holes need to be fixed before it is paved.

At 11:01 AM Herb Pemberton moved to take a 10 minute break. Mike Page seconded the motion. The motion passed 3-0.

Jerry Bedgood presented bids on repairs for the Annex and 4-H Building roofs. Bids received were: Midwest Diversified, Inc, 4-H Building, \$13,633.00, Annex, \$6,859.00; Houston Construction, 4-H Building, \$11,822.00, Annex, \$9,324.00; and Boone Brothers Roofing, 4-H Building, \$4,778.00, Annex (Repair) \$2,341.00, Annex (Re-Roof) \$14,887.00. Mike Page moved to accept the Boone Brothers bids in the amount of \$4,778.00 for the 4-H Building and \$2,341.00 for the Annex. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission and Bedgood also discussed Courthouse repairs.

Vicki Leonard moved to adopt Resolution #9-12 amending the Fire Dept. SOG. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-12:

RESOLUTION #09-12

Linn County Rural Fire District # 1  
Standard Operating Guideline Update  
May 21, 2009

A Resolution Amending The Standard Operating Guidelines Of Linn County Rural Fire District By Addition Of A Policy For Vehicle Operation.

1. The Standard Operating Guidelines of Linn County Rural Fire District #1 are hereby amended by the addition of the Vehicle Operating Policy attached here to and made part here of by resolution.
2. This resolution shall become effective upon its passage of the governing body.

APPROVED AND ADOPTED this 26<sup>th</sup> day of May, 2009.

BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

*[Signature]*  
Herb Pemberton, Chairman

*[Signature]*  
Mike Page, Vice Chairman

*[Signature]*  
Vicki Leonard, Member

ATTEST:  
*[Signature]*  
David V. Lembs, County Clerk

**Vehicle Operations**

Any time a member of the Linn County Rural Fire District # 1 is going to operate/move a fire department vehicle the member should first conduct a walk-around inspection of the apparatus. This inspection should be performed each time the operator of the apparatus plans to enter the apparatus for the purpose of moving, repositioning or driving the vehicle.

One method would be to begin at the driver's door and walk along the left side towards the rear of the vehicle. Then cross the rear of the vehicle to the right side and walk to the front along the right side. Once at the front of the vehicle cross back to the left (driver's) side and go to the driver's door in order to enter the apparatus. Conducting this inspection will allow the operator to insure that all doors are properly closed and secured, wheel chocks are removed and there are no persons or obstacles in the movement path.

Gary Thompson reported on the process for repairing/remodeling the Courthouse since it is on the State Historical

Register.

At 12:37 PM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 12:47 PM the executive session ended. No action taken.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, June 1, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

June 1, 2009

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

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

Mike Page moved to approve the following add/abate/refund orders: 2008-165 and 2008-166. Vicki Leonard seconded the motion. The motion passed 3-0.

John Byington asked the Commission if they had any questions about the work he has been doing on the blacktop roads. Byington has had some complaints about the roads he is working on, but the work is not completed yet.

Joe Maloney informed the Commission that the KCPL has 36,000 railroad ties that they need to get rid of. The KCPL contractor would like to bring the railroad ties to the landfill and pay a fee to dispose of them. Maloney would like to have one of the Commissioners attend a meeting with the contractor to discuss the issue. The Commission and Counselor discussed liability and cost issues that we need to consider.

Maloney also asked about increasing Jeff Whitley's pay due to his experience. Herb Pemberton moved to increase Jeff Whitley's pay to Range 4, Step B (\$11.06 per hour). Vicki Leonard seconded the motion. The motion passed 3-0.

John Maloney presented the 2010 Noxious Weed Budget request in the amount of \$103,000.00. (No change from 2009.) Herb Pemberton moved to tentatively approve the 2010 Noxious Weed Budget in the amount of \$103,000.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Maloney also presented a map of areas he has been spraying for weeds.

Carmen Self presented the 2010 Treasurer Budget request in the amount of \$169,617.00. (No change from 2009.) Herb Pemberton moved to tentatively approve the 2010 Treasurer Budget in the amount of \$169,617.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Jerry Bedgood addressed the Commission concerning Courthouse repairs. Bedgood has 3 contractors coming this week to work on bids for repairing the Courthouse. Mike Page stated that we should be able to use a lift next week that is being delivered to IPC this week.

The Counselor presented contracts with Boone Brothers Roofing for repairing the 4-H Building and Annex roofs. The Commission and Bedgood also discussed repairs to the La Cygne ambulance barn. Mike Page moved to approve and allow the Chairman to sign the contracts with Boone Brothers Roofing (ARR Roofing, LLC) for the 4-H Building and Annex roofs. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet informed the Commission that the Fire Board recommends hiring Jeri Ann Ramsey for Station 910. Vicki Leonard moved to approve hiring Ramsey as requested. Mike Page seconded the motion. The motion passed 3-0.

Doug Barlet presented the 2010 Rural Fire Budget request in the amount of \$588,198.00. (\$16,911.00 increase from 2009.) The Commission discussed budget issues with Barlet and Fire Board member Tom Kemper. The Commission discussed having a special meeting with the Fire Board to discuss the budget.

At 11:08 AM Vicki Leonard moved to take a break until 11:15 AM. Mike Page seconded the motion. The motion passed 3-0.

Doug Barlet presented 2 options for the 2010 Emergency Management Budget request in the amounts of \$119,169.00 and \$110,169.00. (\$38,229.00 or \$47,229.00 decrease from 2009.) Mike Page moved to tentatively approve the 2010 Emergency Management Budget in the amount of \$110,169.00 (\$47,229.00 decrease from 2009). Vicki Leonard seconded the motion. The motion passed 3-0.

Joy Purkeypille presented additional information on the 2010 Extension Council Budget request. Vicki Leonard suggested cutting the Extension Council Budget request by \$10,000.00. Mike Page moved to tentatively approve the 2010 Extension Council Budget in the amount of \$119,500.00 (no change from last year). Herb Pemberton seconded the motion. The motion passed 2-1. (Vicki Leonard voted no.)

At 12:11 PM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 12:21 PM the executive session ended. No action taken.

Mike Page moved to approve the following pays/special pays, totaling \$228,257.78: General, \$107,100.72; Employee Benefit, \$47,472.78; Appraiser, \$8,091.97; Rural Fire, \$12,714.69; Road and Bridge, \$41,233.23; 911 Telephone Tax, \$2,487.63; County Health Department, \$4,762.20; Crime Victim Assistance, \$954.54; Elderly, \$3,223.35; and Zoning LEPP, \$216.67. Vicki Leonard seconded the motion. The motion passed 3-0.

At 12:28 PM the Chairman asked for public comment. Maxine Goucher informed the Commission that she is the new Silver Haired Legislator for Linn County. Steve Riley commented on the railroad ties, Riley estimated that it could take up to \$4.00 per tie to dispose of them.

The Clerk presented the 2010 Ambulance Budget request in the amount of \$765,000.00. (\$35,000.00 increase from 2009.) Mike Page moved to tentatively approve the 2010 Ambulance Budget in the amount of \$765,000.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Commissioner Budget request in the amount of \$68,200.00. (\$700.00 decrease from 2009.) Mike Page moved to tentatively approve the 2010 Commissioner Budget in the amount of \$68,200.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Juvenile Intake Budget request in the amount of \$49,203.00. (\$13,203.00 increase from 2009.) Herb Pemberton moved to tentatively approve the 2010 Juvenile Intake Budget in the amount of \$49,203.00. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Special Alcohol Fund Budget request in the amount of \$9,000.00. (No change from 2009.) Mike Page moved to tentatively approve the 2010 Special Alcohol Fund Budget in the amount of \$9,000.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Special Park & Recreation Budget request in the amount of \$4,500.00. (\$500.00 decrease from 2009.) Mike Page moved to tentatively approve the 2010 Special Park & Recreation Budget in the amount of \$4,500.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk presented information on the Health Insurance renewal. The Clerk explained the Health Insurance renewal and recommended that we renew the insurance with Blue Cross. The renewal quote was a 4.62% increase on the maximum claims liability. The average increase for the past four years was 2.86%. This is a much lower than average increase for health insurance. The Commission decided to postpone a decision until next week.

Doug Barlet presented information fire calls for this year.

Vicki Leonard discussed the Elderly budget. Leonard discussed cutting some money from the Buildings line item and using it for buying a meal delivery van.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, June 8, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

June 8, 2009

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

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

Mike Page moved to approve the following add/abate/refund orders: 2008-167. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for May 2009.

Vicki Leonard moved to approve the following pays/special pays, totaling \$206,134.23: General, \$159,424.51; Appraiser, \$1,096.62; Rural Fire, \$5,388.12; Road and Bridge, \$35,338.91; 911 Telephone Tax, \$832.53; County Health Department, \$2,047.90; and Elderly, \$2,005.64. Mike Page seconded the motion. The motion passed 3-0.

Jerry Bedgood presented a bid for Courthouse repairs. He only has one complete bid now, but should have two more this week. Herb Pemberton stated that he talked to Rick Freeman about blueprints for the Courthouse and also discussed an elevator for the Courthouse. Freeman stated that he could check with the Fire Marshall and the Historical Society about installing an elevator.

Vicki Leonard presented copies of the Juvenile Detention budget.

Dan Morris stated that he is interested in the shipping container for storage. Doug Barlet is also interested in using the shipping container.

The Commission discussed issues with the ditch on the Brian Barthol property.

Doug Barlet presented a Foreign Animal Disease Proposal from E-Fm Consulting. Barlet wants to review the contract before making a decision. Barlet has forwarded a copy of the contract to the County Counselor.

Barlet also presented grant information for the USDA Grant for the Prescott Fire Station. After discussion, Mike Page moved to sign the "Notice of Public Meeting" to be published in this week's paper and spend the extra \$720.00 for architect fees. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to adopt Resolution #09-13, Adopting and Providing for Standards for Procurement, Bidding and Contract Awards. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-13:

RESOLUTION OF GOVERNING BODY ADOPTING  
AND PROVIDING FOR STANDARDS FOR  
PROCUREMENT, BIDDING AND CONTRACT AWARDS

WHEREAS, County of Linn (Name of Entity) Linn County, Kansas has applied for a loan to be made or insured by the United States of America acting through the Rural Housing Service (herein called the Government) for the construction of facilities to be owned and operated by the County of Linn and the Government's regulations require that the County of Linn adopt standards (a) relating to the conduct of its officers, employees, and agents in contracting and in expending loan funds and (b) establishing procurement and contracting procedures;

Now, Therefore Be It Resolved That the County of Linn (Name of Entity) Linn County, Kansas does hereby adopt the standards of conduct and procurement procedures set forth in those regulations of the Farmers Home Administration appearing in Title 5, Code of Federal Regulations, Section 1942.18 (i), (j), (k), provided however that in those instances where funds derived from loans made or insured by, or grants made by, the Government are not involved, prior consent or approval of the Government as provided in such regulations shall not be required.

This resolution adopted by the Board of County Commissioners of the County of Linn (Name of Entity) Linn County, Kansas this 30th day of June, 2009.

## Certificate

J. David L. Lamb, County Clerk (Appropriate Official)  
County of Linn, Linn County, Kansas hereby certifies that the foregoing resolution was adopted by the Board of County Commissioners of said County of Linn on the date stated above at a meeting duly held upon notice or upon waiver of notice signed by all members of said County of Linn.

*J. David L. Lamb*  
David L. Lamb, County Clerk (Secretary)



Mike Page moved to allow the Chairman to sign the completed application forms for the USDA Grant. Vicki Leonard seconded the motion. The motion passed 3-0.

John Black presented bids for rebar. Bids received were from Carter Waters and Diversified Supply. Vicki Leonard moved to accept the low bid from Diversified Supply in the amount of \$22,060.00. (Carter Waters bid was \$28,895.00.) Herb Pemberton seconded the motion. The motion passed 2-0. Mike Page abstained.

Larry Robinson presented the 2010 Planning & Zoning Budget request in the amount of \$63,345.00. (No change from 2009.) Vicki Leonard moved to tentatively approve the 2010 Planning & Zoning Budget in the amount of \$63,345.00. Mike Page seconded the motion. The motion passed 3-0.

Dennis Arnold presented the 2010 Economic Development Budget request in the amount of \$106,378.00. (\$1,000.00 decrease from 2009.) Mike Page moved to tentatively approve the 2010 Economic Development Budget in the amount of \$106,378.00. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:46 AM Herb Pemberton moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

John Vaughn asked about our health insurance renewal. He would like to bid our health insurance if we are taking bids. The Clerk recommends renewing with Blue Cross this year. Mike Page stated that he would like to look at quotes in two weeks. Herb Pemberton stated that he would rather wait until next year. The Commission agreed to look at quotes in two weeks.

Larry Kinder, Raymond Burch, and Karen Tuggle presented the 2010 Conservation District Budget request in the amount of \$30,000.00. (No change from 2009.) Herb Pemberton moved to tentatively approve the 2010 Conservation District Budget in the amount of \$30,000.00. Vicki Leonard seconded the motion. The motion passed 3-0.

At 11:33 AM the Chairman asked for public comment. Bernita Robbins commented on the FAD program. Robbins, talking about animal diseases, stated, "If it is on your place, you have to keep it on your place." Jim Ptacek commented on expenses for the Fire Dept. and the airstrip. Ptacek stated that the more immediate need is fire

protection.

At 11:42 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel and then for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 12:02 PM the executive session ended.

As a result of the executive session, the Clerk asked the Commission to increase John Copple and Deb Linder by one step effective July 1, 2009, due to prior experience, additional workload with staff reduction, etc. (Lisa DeMayo had been given a step when she was hired and the Clerk is planning on hiring a part-time person instead of replacing the full-time that left last year) Vicki Leonard moved to approve the requested increases, increasing Copple to \$13.84 per hour and Linder to \$11.64 per hour effective July 1, 2009. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Clerk Budget request in the amount of \$122,000.00. (\$8,500.00 decrease from 2009.) Vicki Leonard moved to tentatively approve the 2010 Clerk Budget in the amount of \$122,000.00. Mike Page seconded the motion. The motion passed 3-0.

The Counselor presented the 2010 Counselor Budget request in the amount of \$70,000.00. (\$10,000.00 increase from 2009.) Vicki Leonard moved to tentatively approve the 2010 Counselor Budget in the amount of \$70,000.00. Herb Pemberton seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Election Budget request in the amount of \$70,000.00. (No change from 2009.) Vicki Leonard moved to tentatively approve the 2010 Election Budget in the amount of \$70,000.00. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 4-H Building Budget request in the amount of \$17,250.00. (\$750.00 decrease from 2009.) Vicki Leonard moved to tentatively approve the 2010 4-H Building Budget in the amount of \$17,250.00. Herb Pemberton seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Fair Building Budget request in the amount of \$3,000.00 and the 2010 Fair Premium Budget request in the amount of \$10,600.00. (No change from 2009.) Mike Page moved to tentatively approve the 2010 Fair Building Budget in the amount of \$3,000.00 and the 2010 Fair Premium Budget in the amount of \$10,600.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk presented the 2010 Historical Society Budget request in the amount of \$24,000.00. (No change from 2009.) Vicki Leonard moved to tentatively approve the 2010 Historical Society Budget in the amount of \$24,000.00. Mike Page seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, June 15, 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

June 15, 2009

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

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

Vicki Leonard moved to approve the Sheriff's Monthly Fee Report for May 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

Mike Page asked about rules for fireworks in the County. The Clerk will research County resolutions.

Jerry Bedgood presented the 2010 Custodian Budget request in the amount of \$69,349.16. (\$328.00 decrease from 2009.) Vicki Leonard moved to tentatively approve the 2010 Custodian Budget in the amount of \$69,349.16. Mike Page seconded the motion. The motion passed 3-0.

Joe Maloney informed the Commission that Taylor Design Group has made a recommendation for testing at the landfill but Jim Schmitz couldn't be here today to explain the recommendation. Maloney also informed the Commission that they had problems with their compactor at the landfill last week. Maloney would like to take bids to replace the compactor. Maloney then presented the 2010 Solid Waste Budget request in the amount of \$449,000.00. (\$70,000.00 decrease from 2009.) Vicki Leonard moved to tentatively approve the 2010 Solid Waste Budget in the amount of \$449,000.00. Mike Page seconded the motion. The motion passed 3-0.

John Black asked the Commission to hire Daniel Scott (\$8.50 per hour) and John Allcorn (\$9.01 per hour) as temporary employees for mowing in Road District #2. Vicki Leonard moved to hire Scott and Allcorn as requested. Mike Page seconded the motion. The motion passed 3-0.

The Clerk informed the Commission that Doug Barlet and Dan Morris would both like to have the shipping container for storage use. Barlet and Morris told the Commission what they would like to use the container for. Barlet will talk to the Fire Board about purchasing a container and the Commission will make a decision next week.

Doug Barlet reminded the Commission that the Fire Board meeting is scheduled for Thursday night at 6:30 PM in Prescott. Barlet discussed insurance that is available to cover the cost of air ambulance fees through EagleMed. Barlet also stated that he and Gary Thompson have reviewed the contract for the FAD Program and have no issues with it. Vicki Leonard moved to approve and sign the contract with E-Fm Consulting for the FAD Program. Mike Page seconded the motion. The motion passed 3-0. Barlet then presented information on the age of the fire equipment. Barlet also presented information on adding an addition to the Prescott Fire Station. According to the architect, the current grant would not pay for an addition, it would take a new grant application. Vicki Leonard read the email from Richard Zingre on this issue.

At 10:13 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss personnel issues related to non-elected personnel and for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and Barlet attended the executive session.

At 10:38 AM the executive session ended.

At 10:39 AM Vicki Leonard moved to extend the above executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor and for 5 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The same people attended this portion of the executive session.

At 10:54 AM the executive session ended. No action taken.

The Commission discussed budgets with Steven Anderson, AFP Accountant. Anderson discussed the percentage of revenue from the power plant, budgeting in tough times, inflation, cash reserves, etc. Anderson suggested performance based budgeting.

Vicki Leonard moved to approve the following pays/special pays, totaling \$225,893.96: General, \$96,166.28; Employee Benefit, \$32,511.88; Appraiser, \$8,013.69; Rural Fire, \$4,015.58; Road and Bridge, \$75,744.00; 911 Telephone Tax, \$376.05; County Health Department, \$5,080.97; Crime Victim Assistance, \$954.54; Elderly, \$2,814.30; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

The Road Foremen and Mel Bolling presented the 2010 Road & Bridge Budget request in the amount of \$3,575,760.00. (\$21,540.00 decrease from 2009.) Vicki Leonard moved to tentatively approve the 2010 Road & Bridge Budget in the amount of \$3,575,760.00. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to allow John Black to purchase 12 tires from Harlow Oil Company for \$3,306.00 (\$275.47 each). Herb Pemberton seconded the motion. The motion passed 3-0.

Bruce Holt presented the 2010 Park Budget request in the amount of \$260,500.00. (No change from 2009.) Herb Pemberton moved to tentatively approve the 2010 Park Budget in the amount of \$260,500.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Prescott Mayor John Copple discussed Prescott city streets with the Commission. Copple asked if the County would be willing to use the Asphalt Zipper to rehab the streets in Prescott. The City of Prescott would pay for teeth for the Zipper and commodities used for rehab of the streets. Vicki Leonard moved to allow John Byington to do core samples to see if the project is feasible. Mike Page seconded the motion. The motion passed 3-0.

At 12:09 PM Mike Page moved to take a break until 12:15 PM. Vicki Leonard seconded the motion. The motion passed 3-0.

Marilyn Augur presented the 2010 Elderly Budget request in the amount of \$253,397.00. (\$45,400.00 increase from 2009.) The proposed

budget includes Capital Outlay money for a Medical Van (\$13,207.00), Transportation Van (\$25,000.00), and a car (\$20,000.00). The Commission is going to check on some options and availability of State funds before approving the budget request.

Dennis Arnold discussed the grant for the Courthouse repairs. Arnold stated that some fees were included for architect's fees that would not be necessary if we are not making structural repairs/changes. Arnold also discussed tax credits that we can receive for the project that we could sell to recoup some of our costs.

The Clerk informed the Commission that he received a letter from District Court Chief Judge Richard Smith stating that effective today, the District Court office will be closing to the public at 3:30 PM due to State budget cuts.

Vicki Leonard moved to sign the Transfer & Certification of Appraisal Rolls for Real Property and Personal Property. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to schedule a Special Meeting for Thursday, June 18<sup>th</sup> at 6:30 PM at the Prescott Fire Station to discuss the Fire Dept. budget and Fire Dept. operations and to take any necessary action concerning the Fire Dept. budget and the operations of the Fire Dept. Vicki Leonard seconded the motion. The motion passed 3-0.

At 12:54 PM the Chairman asked for public comment. Mary Thomas asked how much would the County be responsible for on Prescott Fire Station grant. Thomas also stated that Road & Bridge should be a dedicated fund. (Road & Bridge is a separate fund. Additional record keeping may be necessary for tracking in kind contributions for grants.)

Vicki Leonard asked about the age of mobile homes being brought into the County. The County Planning & Zoning regulations cover this issue. Mel Bolling gave the Commission a copy of the regulations to review.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 6:30 PM Thursday, June 18, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

June 18, 2009

The Board of Linn County Commission met in special session at 6:30 PM at the Prescott Fire Station, Prescott, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; Vicki Leonard, Member; and David Lamb, County Clerk. Also present were Doug Barlet and the Rural Fire Board of Trustees. Herb Pemberton called the meeting to order at 6:41 PM. The Clerk read the following Notice of Special Meeting:



Doug Barlet informed the Fire Board and Commission that he would like to get a credit card for department use. The Fire Board recommended allowing Barlet to get a credit card with a limit of \$5,000.00 and any purchase over \$1,000.00 would need Commission approval. Mike Page moved to allow Barlet to get a credit card for Fire Dept. use with a limit of \$5,000.00, with any purchase over \$1,000.00 requiring Commission approval. Vicki Leonard seconded the motion. The motion passed 3-0.

The Fire Board recommended purchasing 80 sets safety glasses/goggles for primary eye protection totaling \$2,659.00. 90% will be paid back by a grant. Herb Pemberton moved to approve the purchase. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet stated that we have been approved for the 2009 Volunteer Fire Assistance Grant (50/50 grant) for up to \$4,725.00. Barlet asked to purchase 8 sections of hose and 3 nozzles totaling \$3,175.00 with the grant funds. He wants to wait and see if we get a higher percentage grant before spending the rest of the money. Mike Page moved to approve the purchase as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet asked the Fire Board for their opinion on how many people should be on an apparatus for storm watch. Vicki Leonard stated that it is costly to the taxpayers to send out trucks with 4 on board for storm watch. The Fire Board is not in favor of limiting the number on the truck for storm watch due to other situations that arise while the trucks are out, but they do want to let the Station Chiefs know that it is a concern.

The Commission and Fire Board then discussed the proposed budget. The Fire Board is concerned that they budgeted high enough for fuel. Vicki Leonard asked why the Fire Board wants new trucks for grass trucks. The proposed budget lists new or used trucks for grass trucks. The Fire Board is trying to replace old trucks to update the equipment, most of the grass trucks are very old. Vicki Leonard asked about the specs. on the grass trucks. The Fire Board stated that the grass trucks are very plain, vinyl seats, rubber floor mats, etc. The extras were limited slip rear ends and tow packages. Vicki Leonard asked the Fire Board if they had ideas of where they could trim the budget. The Commission and Fire Board also discussed the amount of calls for EMS assists. The Commission and Fire Board discussed possible areas to cut the budget including payroll and capital outlay. Vicki Leonard asked the 2 non-Fire Dept. members on the Fire Board if having Firefighters on the Fire Board caused any problems or conflicts. (Urban and Andersen did not think it was a problem.) Mike Page stated that he would like to see the budget at or below last year's budget. The Commission is also concerned about our valuation. (State assessed is down around \$3 million this year.) Doug Barlet stated that if he increases diesel to \$3.50 per gallon, the total increase would be \$18,411.00. (The Road & Bridge Dept. budgeted \$3.50 per gallon for diesel for 2010.)

The Fire Board and Commission discussed needed maintenance at Fire Stations. Vicki Leonard asked the Fire Board about the need for a four bay station in Prescott and the total price of the station. The Commission stayed and listened to the rest of the Fire Board meeting.

The Fire Board and Commission then allowed public comment. There were several comments about the proposed new Fire Station and the Fire Dept.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, June 22, 2009. Mike Page seconded the motion. The motion passed 3-0.

\_\_\_\_\_  
Commission Chair

Attest:

\_\_\_\_\_  
County Clerk

June 22, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting and the June 18, 2009 special meeting as printed. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to adopt Resolution #09-14 proclaiming a Local Disaster Emergency for Linn County due to the recent storms. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-14:



John Byington asked the Commission look at the roads at the Fairgrounds. The Commission agreed to meet Byington at 1:00 PM today at the 4-H Building.

Sheriff Walker is back from his training. The Sheriff gave a report on activity of the Sheriff's Dept. The new bunks in the jail have saved approximately \$40,000.00 so far this year in Out of County Prisoner Housing.

Doug Barlet asked for an executive session for personnel. At 9:14 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Doug Barlet, Josh Marshall, and the County Counselor attended the executive session.

At 9:24 AM the executive session ended. No action taken.

At 9:27 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss proprietary information of a corporation (trade secrets). Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, Deputy Clerk, Counselor, Chip Power, and Don Poole attended the executive session.

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

At 9:48 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session until

10:00 AM to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Jerry Bedgood, and the County Counselor attended the executive session.

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

At 10:00 AM the Chairman opened the CDBG hearing for the Prescott Fire Station Grant. Tommy Tuggle stated that the grant can be used for essential purposes. Tuggle defines essential as necessary and doesn't believe this fire station is necessary. Steve Johnson stated that he believes the station should be east of the train tracks to protect the bank, nursing home, and businesses. With no further comments, the Chairman closed the public meeting.

Joe Maloney gave the Commission a price for a new compactor for the landfill. The Commission did not reveal the price and stated that they want to take bids. Maloney also mentioned the proposal from Taylor Design Group for the landfill. The Taylor Design Group Engineer will be here next week to discuss the proposal.

The Clerk presented a Letter of Support for the Mound City Medical Facility. The Counselor will review the letter and make suggestions later today.

The Clerk also informed the Commission that our valuation is down approximately \$3.7 million this year. The decrease in valuation would cause a mill levy increase of 1.125 mills to generate the same amount of tax money. If the mill levy remains the same, there would be \$176,595.00 less in tax money.

Herb Pemberton stated that Glenn Smith was in this morning claiming that we have a road on his property. Gary Thompson stated that Mr. Smith has already been informed that there is nothing else we can do, if he wants anything else he will need to go to court. The Counselor will write another letter to Mr. Smith.

At 10:28 AM Vicki Leonard moved to take a 15 minute break. Mike Page seconded the motion. The motion passed 3-0.

At 10:45 AM the Commission opened bids for the Prescott Fire Station. The following bids were received:

	<u>4 Bay Station</u>	<u>3 Bay Station</u>
Strickland	\$363,900	\$334,056
SBA Construction	\$400,000	\$380,000
Wes Ogle	\$301,381	\$280,588
Once Construction	\$353,392	\$329,635
4 Star Electric	\$371,800	\$339,934

Various options were also listed on the bids that could reduce the cost. The architect will review the bids and make a recommendation.

Robert Chase presented the 2010 Mental Health Budget request in the amount of \$90,600.00. (\$2,610.00 increase from 2009.) Vicki Leonard moved to tentatively approve the 2010 Mental Health Budget in the amount of \$87,990.00 (No change from 2009). Mike Page seconded the motion. The motion passed 3-0.

Kristy Schmitz presented the 2010 Register of Deeds Budget request in the amount of \$81,321.00. (\$5,410.00 decrease from 2009.) Vicki Leonard moved to tentatively approve the 2010 Register of Deeds Budget in the amount of \$81,321.00. Mike Page seconded the motion. The motion passed 3-0.

Karl Karrow, Manager of KDWP Wildlife Area at Trading Post, addressed the Commission concerning an agreement for using the County's boom mower. (The Wildlife Area has approximately 2 miles of public roads. If you include management trails and other access roads they have 6 to 10 miles that need to be maintained.) The Commission will have a Road Foreman meet with Karrow to review the proposal.

At 11:49 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and Steve Thompson attended the executive session.

At 12:09 PM the executive session ended. No action taken.

At 12:09 PM Herb Pemberton moved to extend the above executive session for 10 minutes. Vicki Leonard seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 12:19 PM the executive session ended. No action taken.

The Clerk and Deputy Clerk presented the Health Insurance quotes. The Clerk explained fixed costs, maximum claims liability, discount percentages, etc. The Deputy Clerk also stated that open enrollment starts this week. The County received 3 quotes for self funded plans in addition to the Blue Cross renewal quote. The additional quotes were from BSD Financial, WFG Group Benefits, and The Power Group, and all had much higher fixed costs. The additional quotes were also for 12/15 or 12/12 contracts instead of incurred contracts. The Clerk stated that his recommendation was still to renew the health insurance with Blue Cross/Blue Shield of Kansas. Mike Page stated that he would like to take a little time to review the information before making a decision. Mike Page moved to wait another week to make a decision on the health insurance. Vicki Leonard seconded the motion. The motion passed 3-0.

Larry Robinson presented a railroad crossing agreement for areas north of Parker on 2400 Road. Vicki Leonard moved to sign the agreement (Project #54 X-2758-01) with the Kansas Dept. of Transportation and the Union Pacific Railroad Company. Mike Page seconded the motion. The motion passed 3-0.

Larry Robinson also discussed an email from KDOT concerning the width of roadways and asphalt thickness on dead end roads.

At 1:00 PM the Chairman asked for public comment. Bernita Robbins stated that Doug Barlet really stirred the pot at the Fire Board meeting last week. Also, Robbins stated that the Commission made Mr. Anderson wait over an hour last week and then didn't respond to him. Chip Powers thanked the Commission for the opportunity to speak today and the opportunity to bid the insurance.

Mike Page moved to sign the letter supporting the Mound City Medical Facility. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to sign the LEPP Grant for fiscal year 2010. Mike Page seconded the motion. The motion passed 3-0.

Herb Pemberton moved to go to the fairgrounds to meet John Byington to look at the roads at 1:30 PM. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission and Byington discussed paving part of the Fairgrounds roads this year for approximately \$12,000.00. This phase of the project would include the parking area for the 4-H Building and the road through the center of the Fairgrounds. The County has a purchase order for \$3,041.00 to help with the cost of the parking area paving. Byington will check on available funds in the Road & Bridge budget. The Commission and Byington also discussed costs associated with the proposed airstrip.

Mike Page moved to schedule a special meeting for Wednesday at 2:30 PM to discuss health insurance renewal. Vicki Leonard seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 2:30 PM Wednesday, June 24, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

June 24, 2009

The Board of Linn County Commission met in special session at 2:30 PM at the Linn County Courthouse Annex, Mound City, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; Vicki Leonard, Member; David Lamb, County Clerk; and John Copple, Deputy Clerk. Also present were Carmen Self, Treasurer; and Kristy Schmitz, Register of Deeds. Herb Pemberton called the meeting to order at 2:35 PM. The Clerk read the following Notice of Special Meeting:

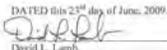
LINN COUNTY, KANSAS  
P.O. Box 350, 315 Main  
Mound City, KS 66056-0350  
913-725-2124  
Fax: 913-725-2829



COUNTY COMMISSIONERS  
First District  
Herb Pemberton  
Second District  
Vicki Leonard  
Third District  
Mike Page

NOTICE OF SPECIAL MEETING  
BOARD OF LINN COUNTY COMMISSIONERS

You are hereby notified that a special meeting of the Board of Linn County Commissioners has been called and will be held at 2:30 PM on Wednesday, June 24, 2009 in the Courthouse Annex, 316 Main St, Mound City, KS 66056. This special meeting has been called for the Commissioners to discuss the health insurance renewal and to take any necessary action concerning the health insurance renewal.

DATED this 23<sup>rd</sup> day of June, 2009.  
  
David L. Lamb,  
Linn County Clerk



David L. Lamb, County Clerk  
Carmen Self, County Treasurer  
John Salsman, County Attorney  
Betsy Walker, Sheriff

Kristy Schmitz, Register of Deeds  
Gary Thompson, County Counselor  
Steven Thompson, County Appraiser  
Marilyn Angus, Transportation

Vicki Maloney, Nicholas Weed  
Dennis Arnold, Economic Development  
Doug Barlett, Rural Fire / Emergency Mgt.  
Larry Robinson, zoning & sanitation

The Clerk, Deputy Clerk, and Commission discussed various topics concerning the health insurance renewal including: 12/15 contracts, self-funding, rates, discount percentages, brokers, etc. The Commission also discussed taking full bids next February or March. The Commission agreed that they have sufficiently analyzed the insurance renewals and agree that the best option is to renew the policy with Blue Cross/Blue Shield of Kansas. The Commission will take action on Monday, June 29<sup>th</sup>.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, June 29, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

\_\_\_\_\_  
Commission Chair

Attest:

\_\_\_\_\_  
County Clerk

June 29, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting and the June 24, 2009 special meeting as printed. Mike Page seconded the motion. The motion passed 2-0.

Mel Bolling asked about setting up a Capital Improvement Fund. The Solid Waste Dept. would like to save some money for equipment purchases. The Commission will discuss setting up the fund at next week's meeting.

AMR thanked the Commission for their support. July 1<sup>st</sup> will be 2 years that AMR has been in the County.

The Clerk informed Commission that we received \$5,145.17 for hail damage to the La Cygne Ambulance building. We also received \$358,875.00 in grant funds for purchasing the ground for the airstrip. Included in the Claims Register is a check for \$398,250.00 to purchase the ground.

Mike Page is meeting with PWWSD #13 and Wildlife & Parks this afternoon to discuss the grant and work that needs to be done at the new lake.

Gary Thompson presented a letter to send to Glen Smith concerning the road and property line issues between him and Lake Chaparral.

Vicki Leonard moved to approve the following pays/special pays, totaling \$755,924.59: General, \$194,851.03; Employee Benefit, \$49,592.56; Appraiser, \$9,203.58; Rural Fire, \$9,615.59; Road and Bridge, \$82,808.63; Law Enforcement Trust, \$1,000.00; 911 Telephone Tax, \$783.57; County Health Department, \$5,876.65; Crime Victim Assistance, \$954.54; Elderly, \$2,771.77; Economic Development Grant, \$398,250.00; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 2-0.

Joe Maloney asked the Commission about closing the landfill Saturday, July 4<sup>th</sup>. The Commission agreed to close the landfill Saturday, July 4<sup>th</sup>.

Larry Robinson presented Lot Split #09-239 and the accompanying grant of road easement requested by Charles & Linda Conley. Mike Page moved to approve Lot Split #09-239 and accept the accompanying grant of road easement. Vicki Leonard seconded the motion. The motion passed 2-0.

Dennis Arnold presented the grant agreement for the Heritage Trust Grant for the Courthouse repairs. Mike Page moved to approve and sign the agreement and appoint Dennis Arnold as the Project Manager for the grant. Vicki Leonard seconded the motion. The motion passed 2-0.

Joe Maloney presented information on closing Cell 2 and opening Cell 3 at the landfill. Cara Hendricks, Taylor Design Group and Floyd Cotter, Aquaterra explained the process and costs for closing and opening cells at the landfill. Vicki Leonard moved to approve Task 1A so the work can be started and asked Taylor Design Group and Aquaterra to revise the proposal (including tasks 1A, 1B, 1C, 1D, and 3) for using the Geoprobe on cells 3 through 6. Mike Page seconded the motion. The motion passed 2-0.

At 10:18 AM Mike Page moved to take a break until 10:30 AM. Vicki Leonard seconded the motion. The motion passed 2-0.

Vicki Leonard moved to approve the health insurance renewal with Blue Cross/Blue Shield of Kansas and stated that we will do a complete Request for Proposals to look at plan designs for next year in February. Mike Page seconded the motion. The motion passed 2-0.

The Clerk informed the Commission about a letter and proposal received from Bea Martin Peck Animal Shelter, Inc.

The Clerk will check with the Sheriff and Fire Chief about usage of the animal shelter.

At 10:46 AM the Vice Chairman asked for public comment. The only comment concerned pit bulls in the County. (We do have a resolution prohibiting pit bulls.)

At 10:47 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Steve Thompson attended the executive session.

At 10:57 AM the executive session ended.

At 10:59 AM Mike Page moved to extend the executive session for 10 minutes. Vicki Leonard seconded the motion. The motion passed 2-0. The Commission, Counselor, and Steve Thompson attended this portion of the executive session.

At 11:09 AM the executive session ended. No action taken.

Larry Robinson presented CUP #0409335 requested by Dana Elliot for operation of a dog kennel. The Planning Commission approved the CUP by a vote of 7-0 with the following findings: A) the proposed use matches the character of the neighborhood as rural residential use in an agricultural setting which have some private non-retail kennels, pets or livestock, B) Is zoned and used as ag-residential and used similar to other nearby properties, C) The subject property is suited to its present use, D) The present zoning will remain unchanged so there will be no detrimental effect on nearby property, E)The subject property is not vacant, F) The individual landowner has been operating as a retail breeder of small breed puppies for at least a year, holding a license from the Kansas Animal Health Department without the knowledge that Linn County required a CUP for that home occupation, G) Staff recommends approval, and H) The use conforms to the C.L.U.M.P. map, the future land use map, and conforms to the Linn County Comprehensive Plan; and the following conditions: 1) Limit on Permit shall be 5 years, 2) No more than 100 total dogs (male, female, and puppies), and 3) A current copy of all required State licenses shall be sent to the Linn County Planning and Zoning Office. Vicki Leonard moved to adopt Resolution #09-15 approving CUP #0409335 and adopt the findings of the Planning Commission. Mike Page seconded the motion. The motion passed 2-0. Following is a copy of Resolution #09-15:

Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 09-15  
A RESOLUTION APPROVING CONDITIONAL USE  
PERMIT #0409335 (ELIOT) TO PERMIT THE OPERATION  
OF A DOG KENNEL IN  
THE "AR" AGRICULTURAL/RESIDENTIAL ZONE

WHEREAS, Linn County, Kansas is a county municipal government with the authority to adopt zoning regulations and create zoning district boundaries as provided in K.S.A. 12-751, and

WHEREAS, Linn County did adopt countywide zoning regulations on June 22, 1991, and

WHEREAS, the Linn County Planning Commission did, on June 3<sup>rd</sup>, 2009, publish a notice of a public hearing to consider Conditional Use Permit #0409335 pursuant to K.S.A. 12-751(b), and

WHEREAS, the Linn County Planning Commission did hold a public hearing on June 9<sup>th</sup>, 2009 to consider said Conditional Use Permit for the operation of a dog kennel in the Ag/Residential zone on property described in Section 1, and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and information did, by unanimous vote, approve said Conditional Use Permit based on certain findings and subject to certain conditions,

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit as follows:

SECTION 1: Conditional Use Permit #0409335 is hereby issued on the following described property: A tract of land in the SW 1/4 of Section 4, Township 21 South, Range 22 East, at 5117 W 1600 Rd.

SECTION 2: Conditional Use Permit #0409335 (Elliot) is conditioned as follows:

- 1) Limit on Permit shall be 5 years.
- 2) No more than 100 total dogs (male, female, and puppies), and
- 3) A current copy of all required state licenses shall be sent to the Linn County Planning and Zoning Office.

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 29th day of June, 2009.

  
Herb Panfiliere - Chairman  
Mike Page - Vice Chairman  
Vicki Leonard - Member

Attest:  
  
David Lamb - Clerk

Gary Thompson informed the Commission that he has talked to Steve Thompson about his contract. Steve Thompson has agreed to a four day a week contract for the first year and then revert to five days a week after the first year. By mutual agreement, the contract can be reviewed after 1 year. Vicki Leonard moved to renew Steve Thompson's contract as County Appraiser for 4 years at current pay, with the stipulation that we review the contract after one year. Mike Page seconded the motion. The motion passed 2-0.

Larry Robinson informed the Commission that he needs to attend a meeting in Wellington on July 7<sup>th</sup> Flood Plain Management.

At 11:24 AM Mike Page moved to adjourn the Board of Commission meeting and reconvene as the Board of Canvassers. Vicki Leonard seconded the motion. The motion passed 2-0.

Vicki Leonard moved to appoint Larry Robinson as the third canvasser for the Special Election Canvass. Mike Page seconded the motion. The motion passed 2-0.

Election Officer David Lamb read the County machine print out results as the Board of Canvassers compared the results to the Abstract Book.

The Board of Canvassers then reviewed the 2 Provisional Ballots. Vicki Leonard moved to accept the recommendation of the Election Officer to count both provisional ballots. Mike Page seconded the motion. The motion passed 3-0.

At 11:27 AM the Board of Canvassers went to the Courthouse to run the provisional ballots through the ballot scanner, after which the Board of Canvassers certified the total election results.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, July 6, 2009. Larry Robinson seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

July 6, 2009

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

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

Mike Page stated that he met with PWWSO #13 and KDWP last week about the Critzer Lake. KDWP isn't sure if the lake will be ready to open for fishing next year. Also, we still have some work to do for the grants that were received for the lake.

Doug Barlet presented a letter of resignation from Allen Kinsley and applications for two new Firefighters, Mark Hochhalter and Justin Hiser (Hiser has not been presented to the Fire Board yet). Barlet also informed the Commission that we received our Emergency Preparedness grant money in the amount of \$17,512.59.

At 9:20 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Doug Barlet attended the executive session. The Clerk left the executive session at 9:23 AM.

At 9:25 AM the executive session ended. The Chairman announced that they will wait until next week to make a decision on the two applications for new Firefighters. Vicki Leonard moved to accept the resignation of Allen Kinsley. Mike Page seconded the motion. The motion passed 3-0.

Barlet also informed the Commission that his computer crashed over the weekend. He is trying to get it fixed. Vicki Leonard moved to allow the purchase of a computer if the old computer is not repairable. Mike Page seconded the motion. The motion passed 3-0.

Donna Thomas updated the Commission on current activities of the Health Dept.

At 9:43 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Counselor, and Donna Thomas attended the executive session.

At 9:53 AM the executive session ended. No action taken.

Donna Thomas presented the 2010 Health Dept. Budget request in the amount of \$191,283.00 (\$25,548.00 increase). Vicki Leonard moved to tentatively approve the 2010 Health Dept. Budget in the amount of \$191,283.00. Herb Pemberton seconded the motion. The motion passed 3-0.

At 10:16 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and Pam Cannon attended the executive session.

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

Pam Cannon gave a presentation on work that has been done by the Mapping/GIS Dept. Pam Cannon then presented the 2010 Mapping/GIS Dept. Budget request in the amount of \$99,500.00 (\$20,000.00 increase). Vicki Leonard moved to tentatively approve the 2010 Mapping/GIS Dept. Budget in the amount of \$99,500.00. Mike Page seconded the motion. The motion passed 3-0.

At 10:46 AM Herb Pemberton moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet informed the Commission that his computer is working, but may need a hard drive. A hard drive could be purchased for around \$200.00.

At 11:00 AM the Chairman asked for public comment. Mary Grosshart commented on the Appraiser changing to 4 days per week. Grosshart stated that we could save over \$300,000.00 by reducing all employees' hours by 8 hours per week. Bernita Robbins asked about the Prescott streets. (No decision has been made.) Robbins also commented on the health insurance and the Prescott Fire Station. Robbins also stated that it would be a mistake to give Karl Karrow anything after what he cost the County on the Boicourt Bridge. Evan Bechtel asked about 1850 Road. Bechtel stated that the road is in bad shape. Bob James stated that the lakes at Tanglewood are very popular with people from out of the County. James asked the Commission to consider paving 1850 Road because of the high traffic on the road.

At 11:24 AM Mike Page moved to recess from the Board of Commission meeting into executive session until 11:35 AM to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and County Surveyor Jim Schmitz attended the executive session.

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

Larry Sharp, KCAMP, addressed the Commission concerning KCAMP, our insurance coverage, loss ratios, etc. Linn County's loss ratio for the past four years is 135%.

At 11:55 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session until Noon to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission and Counselor attended the executive session.

At Noon the executive session ended. As a result of the executive session, Vicki Leonard moved to authorize Herb Pemberton to represent the County in the Continental Coal/Cunningham Lawsuit hearing. Mike Page seconded the motion. The motion passed 3-0.

Barry Walker presented the 2010 Sheriff Budget request in the amount of \$1,282,300.00 (\$120,304.00 increase). Included in the budget request were 3 additional Deputies and vehicles in order to have 24/7 coverage. No decision was made on the budget at this time.

The Clerk and Commission discussed a County Health Capital Improvement Fund and a County Equipment Reserve Fund. The County Health Capital Improvement Fund is already authorized by statute so the Clerk can set up the fund without any action from the Commission. The Commission agreed to instruct Counselor to prepare a resolution to establish a County Equipment Reserve Fund.

The Clerk reminded the Commission of an open enrollment meeting on July 15<sup>th</sup>.

Mike Page moved to approve the contract appointing Steve Thompson as the County Appraiser for the next four years and to adopt Resolution #09-16 appointing Steve Thompson as the County Appraiser. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-16:

RESOLUTION #09-16  
BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LINN COUNTY, KANSAS

TO RECALL THE APPOINTMENT OF THE COUNTY APPRAISER FOR LINN COUNTY, KANSAS.

WHEREAS, K.S.A. 19-431 requires the Board of County Commissioners of each County in the State of Kansas to appoint a County Appraiser to fulfill the statutory duties and responsibilities of that office, and K.S.A. 19-431 requires the Board of County Commissioners to fix the compensation for such County Appraiser by resolution;

WHEREAS, the term of Steve Thompson, the current County Appraiser, will expire on June 30, 2009;

WHEREAS, Steve Thompson is a Certified Kansas Appraiser, according to the requirements of the Property Valuation Division of the Kansas Dept. of Revenue, and is otherwise qualified to hold the position of County Appraiser and;

WHEREAS, the Board of County Commissioners of Linn County, Kansas deems it to be in the best interests of the County and its residents to reappoint Steve Thompson as County Appraiser for a term of four (4) years, subject to the terms of a mutually agreeable Employment Contract to be executed by the parties, and subject to termination prior to the expiration thereof pursuant to statute;

NOW, THEREFORE, BE IT RESOLVED by the Board of Linn County Commissioners as follows:

Section 1: Appointment of County Appraiser. Steve Thompson is hereby appointed as the County Appraiser for Linn County, Kansas for a term of four (4) years, from July 1, 2009 to June 30, 2013 unless his appointment is terminated pursuant to statute prior to the expiration of such term.

Section 2: Approval of Employment Contract. The Chairman of the Board of Linn County Commissioners and the County Clerk are hereby authorized to enter into, execute and deliver an Employment Contract of Steve Thompson setting forth the terms and conditions of his employment for Linn County, Kansas as the County Appraiser, upon such terms and conditions as they deem appropriate, consistent with the County budgetary constraints for the period or periods involved.

Section 3: Compensation of County Appraiser. The County Appraiser appointed hereunder shall be paid an compensation for his services an annual salary as provided for the 8-hour County employees, which salary initially shall be the sum of \$50,002.50.

ADOPTED, APPROVED AND GIVEN BY THE BOARD OF LINN COUNTY COMMISSIONERS UNDER OUR HANDS AT THE COURTHOUSE IN MOUND CITY, LINN COUNTY, KANSAS THIS 6<sup>TH</sup> DAY OF JULY, 2009.

BOARD OF COUNTY COMMISSIONERS,  
LINN COUNTY, KANSAS

  
Herbert Fredrickson, Chairman

  
Mike Page, Vice Chairman

  
Vicki Leonard, Member



SEAL  
  
David L. Frank, County Clerk

The Commission and Clerk discussed projects that need to be completed or scheduled including the Courthouse repairs, Prescott Fire Station, paving 1850 Road, the Airstrip, Critzer Lake, and paving roads at the Fairgrounds. The Clerk asked about money available in the Road Budget because of lower fuel costs this year. (The Road Dept. budgeted 80,000 gallons of fuel for this year at a price that is \$1.50 per gallon higher than average actual costs.) Mel Bolling stated that the savings from fuel costs probably went to pay for road oil. The Commission also discussed the costs of the Prescott Fire Station.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, July 13, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

July 13, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting with the following change concerning the Sheriff's budget request: Included in the budget request were 3 additional deputies and vehicles in order to have 24/7 coverage. Mike Page seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for June 2009. Vicki Leonard moved to approve the June 2009 Park Report. Mike Page seconded the motion. The motion passed 3-0.

The Clerk informed the Commission that the Scott Township Trustee Howard Curry has moved and resigned. Robert Burns is willing to take the position of Township Trustee. Herb Pemberton moved to appoint Robert J. Burns as Scott Township Trustee. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to adopt Resolution #09-17, establishing a County Equipment Reserve Fund. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-17:



The Commission asked John Byington about money left from the budget for fuel because of lower fuel prices this year. The Commission and Byington also discussed other items in the road budget. The Commission also asked Byington about 1850 Road. Byington stated that it is not in this year's budget. The Commission also discussed completing the work at Crizter Lake for the KDWP grants. The Commission and Road Foremen also discussed possible road projects for next year including Paine Road, 1850 Road, Fairgrounds, rehabbing old roads, etc.

Judge Smith and Ann Ware presented the 2010 District Court Budget request in the amount of \$230,700.00 (\$14,210.00 decrease from 2009). Mike Page moved to approve the 2010 District Court Budget in the amount of \$230,700.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission and Road Foremen then discussed a proposed bridge for Vail Road. KDOT has not offered any funding at this time. Byington stated that he does not want to cut the "New Road Prep." line item. The Foremen are planning on starting work on Crizter Lake in the next couple of weeks.

John Black presented a permit to bury water line requested by Bourbon County RWD #2 located at 1014 Updike Road. Herb Pemberton moved to approve the permit to bury water line as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Sharon Geiss presented the quarterly report and satisfaction survey from Mid-America Nutrition. Geiss stated that the State is cutting some funding for 2010. Geiss also asked about replacing the meal delivery van. (No decision has been made yet.)

Doug Barlet informed the Commission that there is a Presidential Disaster Proclamation that may help some people in the area. Barlet stated that the best bid he received for CPR manikins and AED trainers was \$3,576.00. He would also need \$309.00 for training videos. Vicki Leonard moved to approve up to \$3,900.00 for CPR manikins, AED trainers, and training videos. Mike Page seconded the motion. The motion passed 3-0.

Joe Maloney informed the Commission that their loader has a problem with the tracks, they are adjusted out as far as they can go. The Commission instructed Maloney to get bids for repairs. Maloney also has a lawn care company that would like to take our brush so they could chip it for mulch. Maloney will get more information from the lawn care company.

The Clerk informed the Commission that John Maloney needs to attend the 4 State Farm Show this weekend. The Commission agreed to let Maloney work at the Four State Farm Show.

At 10:33 AM Herb Pemberton moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

Jerry Bedgood presented estimates for Courthouse, Ambulance Building, and Annex repairs totaling \$90,390.50. The Heritage Trust Grant approval was for \$90,000.00 grant on a \$146,640.00 total project cost. The Commission needs to talk to Dennis Arnold about the grant.

John Platt presented the 2010 Tri-Ko Budget request in the amount of \$73,264.00 (\$2,134.00 increase from 2009). Vicki Leonard recused herself from the discussion. Mike Page moved to approve the 2010 Tri-Ko Budget in the amount of \$73,264.00. Herb Pemberton seconded the motion. The motion passed 2-0.

At 11:08 AM the Chairman asked for public comment. Larry Robinson informed the Commission that 3 Planning Commission members need to be appointed in July. Rosalie DeMott commented on signage for the Pleasanton exit on the new highway.

Steve Thompson presented the 2010 Appraiser Budget request in the amount of \$239,000.00 (No change from 2009). Vicki Leonard moved to approve the 2010 Appraiser Budget in the amount of \$239,000.00. Mike Page seconded the motion. The motion passed 3-0.

At 11:26 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission and Doug Barlet attended the executive session.

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

At 11:38 AM Herb Pemberton moved to recess from the Board of Commission meeting until Noon to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Sheriff, and Clerk attended the executive session.

At Noon the executive session ended. No action taken.

Herb Pemberton moved to approve the following pays/special pays, totaling \$229,866.50: General, \$93,211.08; Rural Fire, \$3,389.92; Road and Bridge, \$99,156.86; Law Enforcement Trust, \$500.00; 911 Telephone Tax, \$10,819.91; Spec. Fire Equipment Replacement, \$2,659.00; DARE, \$199.40; County Health Department, \$3,071.40; and Elderly, \$16,858.93. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve a permit to bury water line requested by RWD#2 located at 11169 US 69 Highway. Mike Page seconded the motion. The motion passed 3-0.

The Commission asked Dennis Arnold about using grant funds on the Courthouse. Arnold will research the grant details and get back with the Commission and Clerk.

At 12:16 PM Vicki Leonard moved to break until 12:35 PM for lunch. Mike Page seconded the motion. The

motion passed 3-0.

The Commission and Clerk discussed budget items. After reviewing numerous items that may need to be adjusted in the current budgets and 2010 budget requests, Mike Page moved to schedule a special meeting to discuss and take action on budgets on Friday, July 17<sup>th</sup> at 1:00 PM. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to approve the following pays/special pays, totaling \$184,324.85: General, \$93,055.62; Employee Benefit, \$37,491.94; Appraiser, \$8,703.07; Rural Fire, \$1,657.26; Road and Bridge, \$35,207.40; County Health Department, \$4,834.71; Crime Victim Assistance, \$954.54; Elderly, \$2,203.64; and Zoning LEPP, \$216.67.. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page discussed high resolution maps that have been requested by a RWD #2. Page stated that RWD #2 would agree not to give the maps to the private sector and that the County would have access to the information that is added by the State. Mike Page moved to allow RWD #2 to have access to the maps at no charge with the above listed agreements. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton asked if the Commissioners would be interested in putting water coolers in the Courthouse and Annex. The Clerk will check on prices.

With nothing further on the agenda, Mike Page moved to adjourn until 1:00 PM Friday, July 17, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

July 17, 2009

The Board of Linn County Commission met in special session at 1:00 PM at the Linn County Courthouse Annex, Mound City, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; Vicki Leonard, Member; and David Lamb, County Clerk. Herb Pemberton called the meeting to order at 1:05 PM. The Clerk read the following Notice of Special Meeting:



The Road Foremen informed the Commission that the motor went out in the paver. Joe Maloney stated that he has a motor at the landfill. We don't know if the motor that Maloney has will fit in the paver. The Commission discussed the repairs needed for the 953 Loader with Joe Maloney. Herb Pemberton moved to approve up to \$6,500.00 from HeavyQuip for parts to repair the Cat 953 Loader. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk informed the Commission that as the budget stands right now, we are looking at an 8 mill increase. We need to start making some cuts to reduce that amount.

John Byington discussed the problems with the paver. It broke down yesterday while they were paving CR 1077. Byington stated that there is a used paver that may be available for \$25,000.00 to \$30,000.00. Byington does not have estimates yet on an engine.

Mel Bolling stated that we can save \$166,000.00 in fuel in this year's budget. We could also save \$41,500.00 in next year's budget if we lower the estimated diesel cost to \$3.00 per gallon. The Commission agreed to make those changes to the Road & Bridge budget. The Commission also agreed to deduct \$30,000.00 in income for the sale of two trucks and to add \$50,000.00 in income for FEMA reimbursement (2009 Budget), and to deduct \$166,279.00 in expenses for Road Oil (2010 Budget). The Commission discussed deducting \$85,000.00 for a dump truck but did not make that change at this time.

The Commission and Sheriff discussed vehicles and personnel in the Sheriff Budget, including putting a motor in a 2004 vehicle for around \$5,000.00. Vicki Leonard mentioned sharing vehicles. The Sheriff definitely wants to replace the Sheriff 5 position. The Sheriff is working on changing Sheriff 2 and Sheriff 3 to salary instead of hourly, which would help on overtime. The Sheriff stated that his utility budget was not high enough. The large turnover in employees caused additional costs for physicals, uniforms, etc. The Commission and Sheriff agreed to cut \$10,000.00 from Contractual for Dash Cameras that have been paid off and to cut 2 Deputies and 1 Car from the 2010 budget request. The reduction of two Deputies will also allow us to reduce the 2010 Employee Benefit Budget by \$28,500.00.

The Commission then discussed charging for CD at the landfill. The Commission agreed to estimate \$125,000.00 for CD income estimate for 2010, and \$42,000 for 2009 starting Sept. 1, 2009. The Commission also agreed to cut \$30,000.00 from Solid Waste Capital Outlay and to transfer \$30,000.00 to the County Equipment Reserve Fund (2009 Budget).

Doug Barlet presented possible reductions in the Rural Fire Budget request as proposed by the Rural Fire Board. The Commission agreed to cut \$3,000.00 from Fuel, \$5,000.00 for Radios, \$15,000.00 from Payroll, and \$20,000.00 for Heaters.

The Commission also decided to make the following changes to the Elderly Fund Budget: Cut \$20,000.00 from Bldg. Improvements for 2009 but transfer \$10,000.00 to the County Equipment Reserve Fund, cut \$20,000.00 for a car from the 2010 budget, and \$10,000.00 for part of the van from the 2010 budget.

The Commission also discussed the Health Dept. and the Mapping/GIS budgets but did not make any changes at this time. The Clerk presented budget requests for EMS, Courthouse, Contingency, Windfall, Spec. Bldg, and Employee Benefits. Some adjustments will still need to be made to the Windfall budget when we receive estimates for the Prescott Fire Station on Monday. The changes made today will reduce the mill levy increase from 8.279 mills to 3.356 mills.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, July 20, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Attest:

Commission Chair

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County Clerk

July 20, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting and the July 17<sup>th</sup> special meeting as printed. Mike Page seconded the motion. The motion passed 3-0.

The Clerk informed the Commission that the increase in mill levy now stands at 3.230 mills after the Clerk adjusted the amount for restaining the Annex and corrected a typo in another budget.

John Byington discussed the paver that broke down last week. Byington stated that it would cost \$7,070.00 for parts to replace the engine, \$11,696.00 including labor with the Van Keppel Co. in Kansas City. It would cost \$4,000.00 per week or \$12,000.00 per month to rent a paver. Herb Pemberton moved to allow Byington to get the motor replaced by Van Keppel for \$11,696.63. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission and Byington discussed Hemlock Street in Mound City. Mike Page is planning on meeting with the City of Mound City later this week to discuss this issue.

Dennis Arnold and Jerry Bedgood discussed the grant requirements for the Courthouse repairs. We have to publish the request for bids in 3 papers and send it to 3 contractors. Arnold also discussed an energy efficiency audit on the Courthouse that could give us additional reimbursement for repairs. Arnold suggested having Mr. Armesto from the State Energy Office come to a Commission meeting to explain the program.

Arnold also discussed stimulus money that has been allocated through bonds to Linn County. Arnold believes it could be used for industrial park improvements and purchases and for other businesses. Arnold is planning on checking with the State for more information.

Joe Maloney stated that he received three bids for the compactor at the landfill. Bids received were:

	Compactor	with Power unit	Installation
Downing Sales & Service, Inc.	\$11,412.50	\$14,386.25	\$2,350.00
Nedland Industries, Inc.	\$ 7,650.00	\$ 9,570.00	No Bid
Midwest Management & Leasing	\$ 8,650.00	\$11,450.00	\$2,500.00

Mike Page will meet with Maloney to look at installation issues and report back to the Commission next week.

The Commission then discussed the proposal from Taylor Design Group for the landfill in the amount of \$17,000.00 to \$18,400.00. The proposal does not include a "not to exceed" amount. The Commission instructed Maloney to contact Taylor Design Group and ask for a "not to exceed" amount.

Doug Barlet informed the Commission that the Fire Board approved purchasing 4 Thermal Cameras from Weis Fire Equipment for \$37,727.36 and 7 Draeger Gas Monitors from Jerry Ingrahm Fire/Rescue for \$5,600.00, to be purchased with a 95% grant. Vicki Leonard moved to approve the purchase totaling \$43,327.36 from Weis Fire Equipment and Jerry Ingrahm Fire/Rescue, with the County's portion being \$2,166.37 after grant reimbursement. Mike Page seconded the motion. The motion passed 3-0.

Barlet also has bids for 16 portable radios that can be reimbursed by a 50% grant totaling \$2,500.00. The radios would cost \$5,100.48 minus the \$2,500.00 grant reimbursement. We could possible get a 90% grant but we won't know for approximately 60 days. Mike Page moved to approve the purchase of 16 radios for \$5,100.48, \$2,500.00 to be reimbursed by grant. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet then gave the Commission copies of the costs for the Prescott Fire Station. The Commission and Barlet discussed various options on the Fire Station. The Fire Board has not made a recommendation yet. The Clerk will use the costs estimates to figure the Windfall Budget.

At 11:11 AM the Chairman asked for public comment. Rosalie DeMott asked about storing the ranger in the Prescott Fire Station. DeMott also thanked the Commission for working hard on the budget. Alice Widner gave the Commission copies of information on the Trading Post Museum and directions on how to get there. Widner asked the Commission about some property that needs to be cleaned up near the Museum. The Commission asked Robinson to check into the issue.

The Counselor presented the contract with SEKRPC for administering the CDBG for the Prescott Fire Station. Mike Page moved to authorize the Chairman to sign the contract. Herb Pemberton seconded the motion. The motion passed 2-0. Vicki Leonard abstained.

At 11:20 Herb Pemberton moved to take a 5 minute break and then recess from the Board of Commission meeting into executive session to discuss personnel issues related to non-elected personnel until 11:35 AM. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and Doug Barlet attended the executive session.

At 11:35 AM the executive session ended. As a result of the executive session, Vicki Leonard moved to hire Justin Hiser as a Firefighter. Mike Page seconded the motion. The motion passed 3-0. Mike Page moved to hire Mark Hochhalter as a Firefighter. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

Vicki Leonard moved to appoint Harriet Bogan to the Planning Commission. Mike Page seconded the motion. The motion passed 3-0.

Herb Pemberton moved to reappoint Dave Berglund to the Planning Commission. Mike Page seconded the motion. The motion passed 3-0.

The Commission and Counselor discussed issues associated with charging for CD at the landfill. The Counselor will work on possible resolutions for charging at the landfill.

Vicki Leonard stated that she has had some complaints about 700 Road due to the truck traffic going to the quarry on Read Road. Larry Robinson will check on permits for the quarry. Robinson later informed the Commission that the quarry is permitted until May 2010.

The Clerk and Commission discussed the grant income in the Health Dept. fund. The only grant that is affected by reducing the mill levy is the \$5,436.00 Aid to Local Health Departments Grant. The Commission agreed to reduce the amount of transfer to the Health Capital Outlay Fund to \$20,000.00 and reduce the Health Fund levy, and by doing so we will lose the \$5,436.00 grant.

Mike Page moved to approve the Sheriff's Monthly Fee Report for June 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission then discussed the Mapping/GIS budget. The Commission stated that they don't feel like they can justify the \$20,000.00 increase this year.

The Clerk and Commission discussed the amount to budget from the Windfall line item for the Prescott Fire Station.

Herb Pemberton moved to approve a memo to all departments asking them to reduce their budgets to help decrease next year's mill levy. Vicki Leonard seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, July 27, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

July 27, 2009

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

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

The Clerk informed the Commission that the increase in mill levy now stands at 2.496 mills.

Mel Bolling informed the Commission that the transportation van needs a high output alternator and some wiring that will cost approximately \$1,300.00. Vicki Leonard moved to approve the repairs with Mid-America Coach for \$1,300.00. Mike Page seconded the motion. The motion passed 3-0.

Doug Barlet informed the Commission that the Fire Board recommends hiring Tommy Capp as a Firefighter at Station 950. Herb Pemberton moved to hire Tommy Capp as a Firefighter for Station 950. Vicki Leonard seconded the motion. The motion passed 3-0. Capp will be on the standard six months probation.

Barlet also stated that the Fire Board recommends declaring 2 old grass trucks and a pumper as surplus property and using the money to help pay for the Prescott Fire Station.

At 9:16 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Counselor, and Doug Barlet attended the executive session.

At 9:26 AM the executive session ended. As a result of the executive session, Doug Barlet asked to hire DeLoss Horttor for the Emergency Management program as a temporary employee at \$15.00 per hour using grant funds (\$7,500.00). Vicki Leonard moved to approve hiring Horttor as a temporary employee for Emergency Management at \$15.00 per hour. Mike Page seconded the motion. The motion passed 3-0.

Harry Wisdom presented a permit to bury water line requested by Bourbon County RWD #4 located at Kansas 31 Highway and Gorman Road. Mike Page moved to approve the permit to bury water line as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Gary Thompson presented copies of the agreement that was proposed for Hemlock Street in Mound City. Gary Thompson also presented a draft of a resolution for charging for CD waste. Vicki Leonard and Mike Page are checking on the availability of scales for use at the landfill.

Larry Robinson presented a petition to vacate a portion of a County road (Kelly Lane) submitted by Gerald Dean Carter. Vicki Leonard also discussed a portion of 200 Road that Charlie Blevins has talked to her about closing.

Vicki Leonard presented a letter of resignation from Jennifer Sabine effective 8/1/09. Vicki Leonard moved to accept the letter of resignation effective 8/1/09. Mike Page seconded the motion. The motion passed 3-0.

Joe Maloney asked the Commission about the compactor bids and the Taylor Design Group cost. Mike Page stated that we can install the compactor ourselves, but we would have to close down for 1 ½ to 3 days. Vicki Leonard moved to purchase the compactor and power unit from Nedland Industries, Inc. for \$9,570.00. Mike Page seconded the motion. The motion passed 3-0.

The Commission and Maloney then discussed the Taylor Design Group proposal. Taylor Design Group stated that they would make the \$18,400.00 the "not to exceed cost" if it was paid in advance. The Commission asked Maloney to contact Taylor Design and Aquaterra and ask them to come to next week's meeting.

At 10:45 AM Herb Pemberton moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk presented budget information. Currently the increase is 2.496 mills. The Clerk reminded the Commission that once the budget is published, they can still make cuts to the budget but cannot increase the budget. The Clerk discussed the results of last week's memo to Dept. Heads. The Dept. Heads made the following suggestions to cut expenses in their budgets: Clerk, \$500.00 from 2009 Capital Outlay; Economic Development, \$5,500.00 from Contractual for Community Challenge Grant and Leadership Program; Planning & Zoning, \$2,500.00 from Personal Services; and Mapping/GIS, \$2,400.00 from Contractual for a Summer Intern.

Peter Armesto from the State Energy Office discussed the Facility Conservation Improvement Program. The program would start with an energy audit to determine if there is enough savings to proceed with improvements. The improvements would not be done unless it is determined that the improvements would save money. The initial audit is free. There could be grants available to help with the secondary audit. If a project is done, there is a guaranteed savings. Dennis Arnold will submit an application for the initial audit.

The Clerk and Commission discussed issues with the Prescott Fire Station. Vicki Leonard believes that we could save money by building a 2 bay station on the east side of the tracks. Mike Page discussed the history of this project. The Clerk and Commission also discussed other changes that could lower the levy including transferring \$25,000.00 to Road Special Equipment instead of budgeting \$85,000.00 for a dump truck next year. The Commission also discussed cutting more from the Sheriff's budget with the Sheriff. The Commission discussed the Rural Fire budget with Board Member Tom Kemper. The Commission also discussed decreasing the County Attorney budget. The reductions suggested by departments and the reduction to the Road & Bridge budget would change the increase to 2.028 mills.

After discussion, Mike Page moved to publish the budget as presented today, with a 2.496 mill levy increase. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission is planning on discussing additional decreases before the budget is approved.

At 1:29 PM the Chairman asked for public comment. Jean Vaughn asked about several expenditures listed in various departments.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, August 3, 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

August 3, 2009

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

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

Mike Page moved to approve the following add/abate/refund orders: 2008-168 thru 2008-174. Vicki Leonard seconded the motion. The motion passed 3-0.

Dan Morris presented a permit to bury telephone cable requested by Peoples Telecom located at 22622 E 2000 Road. Vicki Leonard moved to approve the permit to bury telephone cable as requested. Herb Pemberton seconded the motion. The motion passed 3-0.

John Black presented a permit to bury telephone cable requested by Embarq located at 17760 950 Road. Mike Page moved to approve the permit to bury telephone cable as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

At 9:15 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and John Black attended the executive session.

At 9:25 AM the executive session ended. No action taken.

At 9:25 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, John Black, John Byington, and Larry Robinson attended the executive session.

At 9:45 AM the executive session ended. No action taken at this time.

Cara Hendricks from Taylor Design Group explained the proposal for the landfill. Taylor Design Group gave a not to exceed cost of \$18,400.00 for tasks 1A thru 1D. Taylor Design Group also prepared a separate proposal for the other tasks that need to be done in the future that includes a not to exceed cost. Vicki Leonard moved to approve the Taylor Design Group proposal for tasks 1A thru 1D with a not to exceed cost of \$18,400.00. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard discussed scales for the landfill. Leonard has prices for the scales from J & S Scale Fabricators, Inc. and Salina Scale Sales & Service, Inc. Leonard is still checking on additional options with other companies.

Larry Robinson presented CUP #0509336 requested by Shirley Chambers for a Bed & Breakfast in the Agricultural Zone. The Planning Commission recommended approval by a 6-0 vote with the following findings: A) That the proposed use fits the character of the neighborhood since the area contains a mix of rural residential uses and some commercial development, B) Is zoned agricultural and used as agricultural and residential. Nearby properties range from dense single family residential dwellings and commercial development to highway retail, C) The subject property is suited to its present use for agricultural purposes and is suited for the bed & breakfast home occupation because of the spacious residence and surrounding grounds, D) The present zoning will remain unchanged so there will be no detrimental effect on nearby property, E) The subject property is not vacant, F) The landowner would provide a service for the public by offering a bed and breakfast in an area that is currently realizing commercial growth and a lack of housing accommodations, G) Staff recommends approval, and H) The use conforms to the C.L.U.M.P. map, the future land use map, and conforms to the Linn County Comprehensive Plan; and the following condition: 1) Property to be used as proposed in the submitted plans and materials for a period of 5 years. After reviewing and discussing the findings and conditions, Vicki Leonard moved to adopt the findings of the Planning

Commission, approve CUP #0509336, and adopt Resolution #09-18. Mike Page seconded the motion. The motion passed 3-0.

Larry Robinson also presented CUP #0509337 for a cell phone tower requested by US Cellular. The Planning Commission recommended approval by a 6-0 vote with the following findings: A) That the proposed use fits the character of the neighborhood since the area contains a mix of agricultural, rural residential, cemetery, and municipal uses, B) Is zoned agricultural and used as agricultural property. Nearby properties range from agricultural to municipal utility services to cemetery lots, C) The subject property is suited to its present use for agricultural purposes and is suited for the telecommunications tower because of the way nearby properties are being used to serve the public, D) The present zoning will remain unchanged so there will be no detrimental effect on nearby property, E) The subject property is not vacant, F) The tower would provide a relative gain to the public health, safety, and welfare of citizens in Linn County through improved coverage capability to handoff telecommunications signals for several public service agencies and the general public, G) Staff recommends approval with the following conditions: 1) Tower shall meet all federal and state requirements for towers, 2) If tower fails to be used for a period of one (1) year, it shall be removed and the site restored to its previous condition, and 3) Allow for co-location of a minimum of three telecommunications carriers, and H) The use conforms to the C.L.U.M.P. map, the future land use map, and conforms to the Linn County Comprehensive Plan. The following conditions were included in the resolution: 1) Tower shall meet all federal and state requirements for towers, 2) If tower fails to be used for a period of one (1) year, it shall be removed and the site restored to its previous condition, and 3) Allow for co-location of a minimum of three telecommunications carriers including a spot for Linn County to co-locate on the tower if desired, 4) It shall be landscaped as shown on the plan, and 5) That shields be on the tower for the deflection of the lights. After reviewing and discussing the findings and conditions, Mike Page moved to adopt the findings of the Planning Commission, approve CUP #0509337, and adopt Resolution #09-19. Vicki Leonard seconded the motion. The motion passed 3-0. Following are copies of Resolution #09-19 and Resolution #09-19:



Larry Robinson presented a Final Plat for Moore Estates 2<sup>nd</sup> Plat (a replat of Lot 3 and Agricultural Tract in SD 09-02). Vicki Leonard moved to approve the replat of SD 09-02. Mike Page seconded the motion. The motion passed 3-0.

Larry Robinson then gave a presentation on signage for US 69 Highway. Robinson is working with KDOT on the signage issues.

Gary Thompson gave a history on the Hemlock Road project. Originally the County and City had worked on an agreement for work on the road, but the agreement was never signed by the City because it did not include a maximum cost for the City. The County did do some prep. work on the City portion of the road. Mound City Mayor Bob Meyer contacted Gary Thompson stating that the road should be the County's responsibility because he believes that it is a connecting link. Gary Thompson stated that it is not a connecting link according to statute because it does not connect parts of the County Highway System. Gary Thompson explained the types of roads in

the County Highway and County Road Systems. Bob Meyer suggested an agreement with the County that would allow the City to pay material costs and the County would do the work. John Byington estimates that it would cost \$18,000.00 for the City's material costs. The Commission agreed to meet with the City Council on Wednesday night at 6:30 PM at Mound City City Hall. Herb Pemberton moved to schedule a special meeting with Mound City on Aug. 5<sup>th</sup> at 6:30 PM to discuss Hemlock Street and take action concerning Hemlock Street. Mike Page seconded the motion. The motion passed 3-0.

Sheriff Walker stated that he has researched used vehicles from the Highway Patrol. We could purchase an administrator's car from the Highway Patrol that didn't have as much or as hard of use as the patrol cars. Sheriff Walker also discussed billing from Mercy Hospital. He is working with Mercy to correct some billing errors that could save us some money.

Gary Thompson presented a proposed new policy for Sheriff's Dept. overtime that will allow payment of overtime for hours worked over 171 hours in a 28 day period, in compliance with FLSA. Mike Page moved to adopt the policy as presented. Vicki Leonard seconded the motion. The motion passed 3-0.

Sheriff Walker reported on the weekend's activities at the fairgrounds. Walker also reported on a search warrant and arrest warrant that was served in Pleasanton last week.

At 11:27 AM Vicki Leonard moved to take a 10 minute break. Herb Pemberton seconded the motion. The motion passed 3-0.

At 11:49 AM the Chairman asked for public comment. Jean Vaughn asked about public use of Critzer Lake. (It will be open to the public when the fish are big enough.) Rosalea DeMott stated that she heard IPC was closing. (The Commission had not heard that. Mike Page stated that IPC is preparing to work on some new jobs.)

The Commission instructed Larry Robinson to prepare a Notice of Hearing to Vacate Road (Kelly Lane) for the request received last week from Gerald Dean Carter.

Gary Thompson informed the Commission that we have reached an agreement with the City of Pleasanton to pay 1/2 of the cost of Tanner Ogden's training since he is still working for the City. Vicki Leonard moved to reimburse the City of Pleasanton for 1/2 of Ogden's training. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$405,631.33: General, \$234,020.45; Employee Benefit, \$70,947.83; Appraiser, \$8,590.05; Rural Fire, \$11,980.61; Road and Bridge, \$58,953.56; 911 Telephone Tax, \$2,474.39; Spl. Fire Equip. Replacement, \$1,095.00; County Health Department, \$6,431.64; Crime Victim Assistance, \$954.53; Elderly, \$5,166.60; Zoning LEPP, \$216.67; and Special Park & Recreation, \$4,800.00. Mike Page seconded the motion. The motion passed 3-0.

The Commission discussed the landfill and purchasing scales. The Commission is continuing to look at options.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 6:30 PM Wednesday, August 5, 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

August 5, 2009

The Board of Linn County Commission met in special session with the Mound City City Council at 6:15 PM at the Mound City City Hall, 112 S. 2<sup>nd</sup>, Mound City, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; David Lamb, County Clerk; and Gary Thompson, County Counselor. Following is a copy of the Notice of Special Meeting:



Mike Page stated that John Byington estimated that it would cost \$18,000.00 for materials to finish the Hemlock Street/1<sup>st</sup> Street project. The County has already spent \$16,000.00 to \$17,000.00 on the County part of the road. The County is offering to lay down the materials on the City streets if the City will buy the materials. The County is willing to forgive the cost of the work that has already been done on the project. The Mound City Council voted to purchase the materials for \$18,000.00 and have the County surface the streets. Herb Pemberton moved to furnish the labor if the City will purchase the materials for the project. Mike Page seconded the motion. The motion passed 2-0.

With nothing further on the agenda, Herb Pemberton moved to adjourn until 9:00 AM Monday, August 10, 2009. Mike Page seconded the motion. The motion passed 2-0.

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Commission Chair

Attest:

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County Clerk

August 10, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting and the August 5<sup>th</sup> Special meeting as printed. Mike Page seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for July 2009.

Vicki Leonard moved to approve the following pays/special pays, totaling \$395,780.96: General, \$80,158.95; Appraiser, \$980.20; Rural Fire, \$3,763.48; Road and Bridge, \$294,794.33; 911 Telephone Tax, \$832.53; DARE, \$44.69; County Health Department, \$1,165.55; and Elderly, \$14,041.23. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented amendments to agreements with Martin Tractor that will allow our service contracts to be assigned to Foley Equipment. The Commission will have the Counselor look over the agreements.

Joe Maloney informed the Commission that Larry Smith is planning on starting to haul trash from his Linn County routes to the transfer station. Vicki Leonard discussed information on scales for the landfill from WH Scale Co., Inc.

Vicki Leonard moved to approve the amendment to the lease agreements with Martin Tractor. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve and allow the Chairman to sign the agreement with the City of Mound City for surfacing 1<sup>st</sup> Street and Hemlock Street in Mound City. Vicki Leonard seconded the motion. The motion passed 3-0.

Gary Thompson discussed the need for a hearing officer for sanitation violations. After discussion, the Commission suggested appointing someone from the Planning Commission. Larry Robinson will check with Planning Commission members.

Dennis Arnold discussed recovery funds that are available. The money can be used for infrastructure but not for buying land. The City of Pleasanton is interested in using some of the bond money. Tim Staton informed the Commission that Pleasanton would like to use up to \$300,000.00 of this bond money for a street project.

At 10:46 AM Mike Page moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:58 AM the Chairman asked for public comment. Steve Riley stated that 1700 Road still needs some work. Rosalea DeMott thanked the Commission for taking time to read everything before they sign it. Jean Vaughn stated that she was offended when she heard that some towns were not informed of the bond money. Roberta Childers suggested striping 1095 instead of blacktopping 1850 Road. Mary Wilson presented information from AFP.

At 11:05 AM the Chairman opened the budget hearing for the 2010 County and Rural Fire budgets. The Chairman announced that we will have a 3 minute time limit for each person's comments. Evan Bechtel thanked the Commission for considering the 1850 Road project. Bernita Robbins stated that we need to cut more from the Rural Fire and Emergency Preparedness budgets. Jean Vaughn stated that it is hard to see what has been cut by looking at the budget publication. Vaughn also asked why the County Attorney needs \$13,000.00 for Capital Outlay and asked about Commodities expenditures for the Park. Tommy Tuggle asked how much we are spending for the Prescott Fire Station. At 11:30 AM the Chairman closed the budget hearing. Vicki Leonard stated that we started with an 8.5 mill increase, currently we are at 2.496 mills. Vicki Leonard discussed cuts that have been made. The Commission discussed cuts that were suggested that would cut the increase to 2.028 mills. The Commission also discussed other possible cuts from Sheriff's budget (another car or a used car instead of new). The Commission then discussed cutting County Attorney budget for magazine subscriptions and computer related purchases.

At 12:01 PM Mike Page moved to recess for lunch for 30 minutes. Vicki Leonard seconded the motion. The motion passed 3-0.

Charles Heath, USDA presented information and forms to the Commission concerning the USDA \$90,000.00 grant. The

Clerk read the following list of forms that need to be approved and signed: SF 424, Application for Federal Assistance; RD 1942-46, Letter of intent to Meet Conditions; RD 1940-2, Request for Obligation of Funds with attachment; RD 3570-3, Community Facility Grant Agreement; RD 442-7, Operating Budget; RD 400-1, Equal Opportunity Agreement; and RD 400-4, Assurance Agreement. Mike Page moved to approve and allow Chairman and Clerk to sign the required forms. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

Mike Page moved to adopt Resolution #09-20, A Resolution Regarding Protection of Important Land Resources and Mitigation Measures for Linn County, Kansas. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no. Following is a copy of Resolution #09-20:



At 1:15 PM Vicki Leonard moved to recess from the Board of Commission meeting until 1:30 PM to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Counselor, and Doug Barlet attended the executive session.

At 1:30 PM the executive session ended.

At 1:30 PM Mike Page moved to extend the above listed executive session until 1:45 PM. Herb Pemberton seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 1:45 PM the executive session ended. No action taken.

Herb Pemberton discussed applying calcium chloride to the road in Boicourt.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, August 17, 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

Attest:

\_\_\_\_\_  
Commission Chair

\_\_\_\_\_  
County Clerk

August 17, 2009

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

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

Vicki Leonard moved to approve the Sheriff's Monthly Fee Report for July 2009. Mike Page seconded the motion. The motion passed 3-0.

Gary Thompson presented the Architect Agreement for the fire station. Vicki Leonard asked Gary Thompson questions about the grant agreement. Mike Page moved to allow the Chairman to sign the "Standard Form of Agreement Between Owner and Architect" for the new fire station. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

Joe Maloney and the Commission discussed trash hauling to our transfer station and the requirements of Resolution #04-05 and #05-04. Maloney also presented a sketch of where the scales should be located at the transfer site.

Treasurer Carmen Self gave the 2<sup>nd</sup> Quarter 2009 Interest Report and Delinquent Tax Report. Interest for the 2<sup>nd</sup> quarter was \$40,214.09 (down from \$59,075.79 last year), YTD interest was \$74,749.98. Delinquent Real Estate Taxes as of June 30, 2009 were \$434,452.22 and Delinquent Personal Property Taxes as of June 30, 2009 were \$67,827.19.

The Commission and Tim Staton discussed the bonds for the City of Pleasanton. Vicki Leonard also suggested applying for the rest of the funds for County projects. Mike Page moved to pass Resolution #09-21, Designating a Recovery Zone, and Resolution #09-22, allocating \$300,000.00 of Recovery Zone Economic Development Bonds the City of Pleasanton. Vicki Leonard seconded the motion. The motion passed 3-0. Following are copies of Resolution #09-21 and Resolution #09-22:

RESOLUTION NO. 09-21

A RESOLUTION DESIGNATING A RECOVERY ZONE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE PURPOSE OF ISSUING RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS AND RECOVERY ZONE FACILITY BONDS.

WHEREAS, Linn County, Kansas (the "County") has received an allocation of the national Recovery Zone Economic Development Bonds limitation in the amount of \$523,000 and an allocation of the national Recovery Zone Facility Bonds limitation in the amount of \$183,000 pursuant to the American Recovery and Reinvestment Tax Act of 2009, codified as Title IV of the United States Code and Internal Revenue Service, Notice 2009-59, issued on June 2, 2009 (collectively, the "Allocations"); and

WHEREAS, the County understands that the Allocations are to be used for the issuance of Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds pursuant to Section 1091D-2 and 1091D-3, respectively, of the Internal Revenue Code of 1986, as amended (the "Code"), such bonds referred to collectively as "Recovery Zone Bonds"; and

WHEREAS, the County understands that Recovery Zone Bonds are to be issued with respect to or to finance certain expenditures incurred in or attributable to an area within the jurisdiction of the County that the County determines has a significant level of one or more of the following factors: poverty, unemployment, home foreclosures, or general distress (such factors referred to herein as the "Distress Factors"); and

WHEREAS, the County has determined that the Distress Factors have been caused by the "Underlying Condition of Distress" described in Section 3 hereof; and

WHEREAS, the County desires to designate the area described in Section 3 as a "Recovery Zone" to provide for the possible issuance of Recovery Zone Bonds (such area being referred to herein as the "Recovery Zone");

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LINN COUNTY, KANSAS, AS FOLLOWS:

Section 1. **Underlying Condition of Distress.** The Board of County Commissioners of the County (the "Governing Body") hereby finds and determines that the Recovery Zone identified in Section 3 suffers from the following condition (as "Underlying Condition of Distress"): The Recovery Zone has experienced significant increases in unemployment during for calendar years 2008 and 2009.

Section 2. **Distress Factors.** The Governing Body hereby finds and determines that, as a result of the Underlying Condition of Distress, the Recovery Zone has experienced a significant level of one or more of the following factors (i.e. poverty, unemployment, home foreclosures, or general distress):

Section 3. **Designation of Recovery Zone.** Based upon the findings and determinations of the Underlying Condition of Distress and the resulting Distress Factors, the Governing Body hereby designates the area(s) within the jurisdictional boundaries of the County as the "Recovery Zone" (as hereinafter defined).

Section 4. **Further Action.** The appropriate staff and officers of the County are authorized and directed to take all necessary steps to identify appropriate projects for which the issuance of bonds will further the goals established for Recovery Zone Bonds in order to cure the Distress Factors within the Recovery Zone; to identify other economic development incentives and programs which may be available under Federal or State laws for such projects which will further the goals established for Recovery Zone Bonds; and to work with the Kansas Department of Commerce to plan for the issuance of Recovery Zone Bonds for identified projects.

ADOPTED by the Board of County Commissioners of Linn County, Kansas this 17<sup>th</sup> day of August, 2009.

LINN COUNTY, KANSAS

*Herb Pemberton*  
Chairman

*Mike Page*  
Commissioner

*Vicki Leonard*  
Commissioner



ATTEST  
*David Lamb*  
Clerk

**A RESOLUTION ALLOCATING \$300,000 OF RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS TO THE CITY OF PLEASANTON, KANSAS PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE PURPOSE OF FACILITATING A CERTAIN PROJECT WITHIN THE COUNTY.**

WHEREAS, Linn County, Kansas (the "County") has received an allocation of the national Recovery Zone Economic Development Bonds limitation in the amount of \$523,000 and an allocation of the national Recovery Zone Facility Bonds limitation in the amount of \$785,000 pursuant to the American Recovery and Reinvestment Tax Act of 2009, codified in Title 26 of the United States Code and Internal Revenue Service, Notice 2009-59, issued on June 12, 2009 (collectively, the "Allocations"); and

WHEREAS, the County understands that the Allocations are to be used for the issuance of Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds pursuant to Sections 14001.2 and 14001.3, respectively, of the Internal Revenue Code of 1986, as amended (the "Code"), such bonds referred to collectively as "Recovery Zone Bonds"; and

WHEREAS, the County understands that Recovery Zone Bonds are to be issued with respect to or to finance certain expenditures located in or amenable to an area within the jurisdiction of the County that the County determines has a significant level of one or more of the following factors: poverty, unemployment, home foreclosures, or general distress (such factors referred to herein as the "Distress Factors"); and

WHEREAS, pursuant to Resolution No. 69-21, adopted on August 17, 2009, the County has previously designated the entire area within the jurisdictional boundaries of the County as the "Recovery Zone"; and

WHEREAS, the County has not issued, relicensed or waived any portion of its Allocations; and

WHEREAS, the County desires to allocate Recovery Zone Economic Development Bonds to the City of Pleasanton, Kansas (the "City"), in the amount of \$300,000 to be used to finance the costs of implementation of a lease or street serving the City and its inhabitants (the "Project");

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LINN COUNTY, KANSAS, AS FOLLOWS:**

**Section 1. Allocation to the City of Pleasanton, Kansas.** The governing body hereby allocate Recovery Zone Economic Development Bonds to the City, in the amount of \$300,000 to be used to finance the costs of the Project.

**Section 2. Further Action.** The appropriate staff and officers of the County are authorized and directed to take all necessary steps to work with the City and the Kansas Department of Commerce to facilitate the City's issuance of Recovery Zone Economic Development Bonds for the Project.

**Section 3. Effective Date.** This Resolution shall take effect and be in full force from and after its adoption by the governing body of the County.

LINN COUNTY, KANSAS

*Herb Pemberton*  
Chairman

*Mike Page*  
Commissioner

*Vicki Leonard*  
Commissioner



(Seal)  
ATTEST:  
*D. Hoff*  
Clerk

Bryan Barthol addressed the Commission concerning a response to his drainage issues. Gary Thompson presented a letter for the Commission to approve in response to the issue. The Commission suggested that Barthol contact the NRCS office for assistance.

At 10:53 AM Herb Pemberton moved to take a 10 minute break. Mike Page seconded the motion. The motion passed 3-0.

At 11:06 AM the Chairman asked for public comment. Bernita Robbins asked the Counselor if he made a statement about the bonds for Pleasanton. Gary Thompson didn't remember if he made the statement, but said that it was true. Robbins stated that she thinks it is a conflict of interest for Gary Thompson to be the Counselor for Linn County and for Pleasanton. Jean Vaughn asked about what the Chairman signed for the fire station grant.

Larry Robinson asked if we are going to reappoint Charlene Sims to the Planning Commission. Mike Page moved to reappoint Charlene Sims to the Planning Commission. Herb Pemberton seconded the motion. The motion passed 3-0.

Larry Robinson also informed the Commission that Chuck Simpson, Charlene Sims, and Dave Berglund all stated that they would be willing to be a hearing officer.

Dennis Arnold stated that the City of Parker has applied for a \$1,500.00 sidewalk grant and the Pleasanton Chamber of Commerce has applied for a \$3,500.00 community improvement grant. Mike Page moved to award a \$1,500.00 Sidewalk Grant to the City of Parker. Vicki Leonard seconded the motion. The motion passed 3-0. Steve Ellis and Stew Baker presented information on the proposed project by the Pleasanton Chamber of Commerce. Vicki Leonard moved to award a \$3,500.00 Community Improvement Grant to the Pleasanton Chamber of Commerce. Mike Page seconded the motion. The motion passed 3-0.

Dennis Arnold also presented copies of the new Business Directory to the Commission.

Doug Barlet informed the Commission that our deadline to accept the contractor's bid for the fire station is August 21, 2009. Mike Page moved to accept the bid from Wes Ogle in the amount of \$301,381.00 and sign the Notice of Award. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

Mike Page moved to sign the Applicant/Recipient Disclosure/Update Report with KDOC for the Prescott Fire Station. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

The Commission discussed the issue of charging for CD at the landfill. Gary Thompson will prepare a resolution for next week's meeting concerning charging for CD and/or solid waste.

At 12:23 PM Vicki Leonard moved to take a break for lunch until 12:45 PM. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$241,942.95: General, \$126,531.07; Employee Benefit, \$33,658.95; Appraiser, \$8,102.28; Rural Fire, \$1,657.26; Road and Bridge, \$63,524.37; County Health Department, \$5,415.79; Crime Victim Assistance, \$954.53; Elderly, \$1,882.03; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

The Clerk and Commission discussed the budget. Herb Pemberton stated that the Fire Board does not want to cut a grass truck. (Cutting one grass truck would save .200 mills.) The Clerk suggested developing a capital outlay plan for future years that would include an inventory of all equipment with a plan for replacement of the equipment. Vicki Leonard stated she is willing to cut 1 grass truck from the Rural Fire budget. The Commission also discussed the Dist. #2 dump truck and suggestions from departments. Mike Page stated that he would agree to cutting 1 grass truck from next year's budget, since we are building a new station and buying a new tanker and a grass truck. The Commission agreed to cut one grass truck from next year's budget and cut \$85,000.00 from Dist. #2 for a dump truck, but transfer \$25,000.00 to Special Machinery. The Commission also agreed to cut \$500.00 from the Clerk budget, \$500.00 from the Economic Development budget, \$2,400.00 from the GIS/Mapping budget, and \$2,500.00 from the Planning & Zoning budget. Vicki Leonard moved to approve the 2010 County and Rural Fire budgets with the changes agreed on today. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to purchase the property in Prescott for the new fire station for up to \$22,000.00. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, August 24, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

August 24, 2009

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

Vicki Leonard moved to approve the minutes of the last regular meeting as printed. Mike Page seconded the motion. The motion passed 2-0.

At 9:07 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 2-0. The Commission, Clerk, and Counselor attended the executive session.

At 9:27 AM ended. As a result of the executive session, Vicki Leonard moved to appoint Mike Page to represent the County tomorrow in the Continental Coal lawsuit proceedings. Mike Page seconded the motion. The motion passed 2-0.

Dennis Arnold informed the Commission that we are sending out the request for bids for work on the Courthouse. Arnold also stated that the individual that will perform the energy audit on the Courthouse wants to meet with us on Sept. 1<sup>st</sup> or 2<sup>nd</sup>. Arnold will set up the meeting on Sept. 2<sup>nd</sup> at 11:00 AM. Mike Page, Dennis Arnold, and Jerry Bedgood will attend the meeting.

The Commission and Road Foremen discussed a request from Karl Karrow about mowing on the wildlife area. The Road Foremen are not in favor of using the boom mower on State property. Mike Page will meet with Karrow this week.

Gary Thompson presented a preliminary draft resolution for fees at the landfill. The Commission discussed how much we should charge for loads of debris, until we can get scales and start charging by the ton.

At 10:24 AM Vicki Leonard moved to take a 15 minute break. Mike Page seconded the motion. The motion passed 2-0.

At 10:48 AM the Vice Chairman asked for public comment. Rosalea DeMott stated that she would like to see the Cities pay for CD that they haul to the landfill.

The Commission, Joe Maloney, Mel Bolling, and Jeff Whitley discussed issues for the landfill. After discussion, the Commission agreed to the following fee schedule for CD waste: Minimum Charge, \$10.00; Pickup and/or Trailers, Small-\$10.00, Medium-\$20.00, Large-\$30.00; Single Axle Trucks, \$100.00; Tandem Axle Trucks, \$150.00; and End Dump and/or Semi-Trucks, \$250.00. Clean loads of rubble will be accepted at 1/2 of the above listed prices. The fee schedule take effect on Sept. 8, 2009. The Counselor will prepare a resolution for next week's meeting. Mike Page moved to advertise the above listed fees. Vicki Leonard seconded the motion. The motion passed 2-0.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, August 31, 2009. Vicki Leonard seconded the motion. The motion passed 2-0.

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Commission Chair

Attest:

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County Clerk

August 31, 2009

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

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

Doug Barlet informed the Commission that we need to get our annual vehicle inspections done for \$7,500.00. Herb Pemberton moved to approve the vehicle inspections from Apparatus Services for the Fire Dept. for up to \$7,500.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet then informed the Commission that our SCBA bottles need to be hydro-tested and our SCBA compressors need to be serviced. Mike Page moved to approve up to \$5,715.00 to hydro-test our SCBA bottles and service our compressors. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet also informed the Commission that Roger Madl has completed his 6 month probation. Mike Page moved to remove Madl from probationary status and hire him as a part-time Firefighter for Station 910. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard asked Barlet about an ad that was in the Linn County News concerning the new fire station. If anyone contacts Barlet, he needs to forward the information to Wes Ogle Construction.

Dan Morris presented a permit to bury telephone cable requested by Peoples Telecom located a K152 & K7. Vicki Leonard moved to approve the permit to bury telephone cable as requested. Herb Pemberton seconded the motion. The motion passed 3-0.

Sheriff Walker reported on a theft case that was solved last week and other recent items.

John Black asked for permission to advertise for a vacant position in District #2. The Commission agreed to advertise the position. Black also asked to purchase used tubes from Richard Morgan for \$3,030.00 for District #2 and District #3. Vicki Leonard moved to allow the purchase as requested. Mike Page seconded the motion. The motion passed 3-0. Black also has a large amount of sand he needs to get rid of. Mike Page will check into options for disposing of the sand.

Eldred Whitley addressed the Commission concerning the mill levy for the trash service. (The Solid Waste Dept. is funded by taxes.) Whitley also stated that the cardboard container at Pleasanton has been full for two weeks. (We are starting to move the cardboard again because prices are up.)

Herb Pemberton read a letter concerning drains for the Senior Center kitchens. We will have to modify our drains at the Senior Centers.

Donna Thomas presented the Public Health Emergency Preparedness Grant that needs to be signed. Mike Page moved to allow the Chairman to sign the grant application. Vicki Leonard seconded the motion. The motion passed 3-0.

Jerry Bedgood presented bids for repairing the ambulance building in La Cygne and for re-staining the Annex. Bids received for the ambulance building were: L&E Enterprises, \$7,492.52; and Daniel Purinton, \$11,727.00. (L&E Enterprises bid 23 squares of shingles, Daniel Purinton bid 29 squares of shingles.) The Commission wants the contractors to check the measurements on the building and bid architectural laminated shingles. Bids received for re-staining the annex were: L&E Enterprises, \$1,325.00; Daniel Purinton, \$1,219.50. (The County will provide the stain.) Mike Page moved to approve the bid from Daniel Purinton in the amount of \$1,219.50, if the minor repairs are included in the price. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:48 AM Vicki Leonard moved to take a 10 minute break. Mike Page seconded the motion. The motion passed 3-0.

Travis Allen, SEK-CAP, presented information on funding that SEK-CAP has received through the American Recovery and Reinvestment Act. Allen asked the Commission to submit ideas for projects to him.

Gary Thompson discussed the request for a road vacation that was received recently. Larry Robinson suggests vacating the whole mile of existing road.

At 11:31 AM the Chairman asked for public comment. None was given.

Mike Page moved to approve the following add/abate/refund orders: 2008-175. Vicki Leonard seconded the motion. The motion passed 3-0.

Jerry Bedgood informed the Commission that L&E Enterprises re-measured the ambulance building and can do the project for \$7,923.46 with architectural laminated shingles. Daniel Purinton could reduce his price by \$1,510.00 due to the smaller size of the roof. Vicki Leonard moved to approve bid from L&E Enterprises in the amount of \$7,923.46. Herb Pemberton seconded the motion. The motion passed 3-0.

The Commission and Bedgood also discussed the request for bids for the Courthouse repairs.

The Commission and Counselor discussed landfill issues. The Counselor presented a proposed resolution to establish the rate schedule for the landfill. The Clerk asked the Commission if they wanted to continue renting open top containers? Mike Page moved to discontinue renting roll-off containers effective immediately, and stated that we will honor any reservations for containers that have already been received. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission and Counselor discussed the proposed resolution concerning C&D Landfill fees. The Commission stated that the Counselor needed to add trailers to Section 4 of the resolution and needed to define the sorting fees in Section 5 of the resolution. Vicki Leonard moved to approve Resolution #09-23 with changes that were discussed. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-23:

RESOLUTION NO. 09-23

A RESOLUTION ESTABLISHING LICENSING AND FEES FOR COMMERCIAL TRASH HAULERS IN LINN COUNTY, KANSAS, AND ESTABLISHING FEES FOR THE DUMPING OF CONSTRUCTION/DEMOLITION WASTE IN THE LINN COUNTY LANDFILL.

IT IS HEREBY RESOLVED BY THE GOVERNING BODY OF LINN COUNTY, KANSAS:

1. No commercial trash hauler shall deposit solid waste in any county compactor site at the Linn County Transfer Station unless that hauler is currently licensed as a commercial trash hauler within Linn County. Procedures for said licensing shall be established by Solid Waste staff and shall be made available to all interested parties. Licenses shall be issued to applicants upon their complying with requirements found herein and with procedures established by the Solid Waste staff and licenses shall expire on January 30 of each calendar year. A yearly license processing fee of Ten Dollars (\$10.00) shall be assessed all applicants for such license.
2. Failure to comply with this Resolution shall be punishable by a fine of up to \$500 per violation.
3. Commercial trash haulers dumping trash at Linn County compactor sites or at the Linn County Transfer Station shall be charged per load on the following scale:

Automobile	\$40.00
Pickup Truck	80.00
Single axle truck	120.00
tandem axle truck	400.00
4. Any person or entity dumping construction/demolition waste at the Linn County Construction/Demolition Landfill shall be charged per load on the following scale:

Minimum	\$10.00
Pickup Truck or Trailer	\$10.00
Small load	\$10.00
Medium load	\$20.00
Large load	\$30.00
Single axle truck	\$100.00
Tandem axle truck	\$150.00
Truck dump or Semi	\$250.00

Details of Clean Billie will be accepted at 1/3 price. Determination of Landfill Staff as to Least viable soil type is final.

Any commercial trash hauler dumping in any county compactor site or at the county Transfer Station any construction/demolition debris, hazardous waste or any other type of debris or trash not legally or properly disposable through the normal solid waste system shall incur, in addition to the fee for the time used by the solid waste staff to sort and transportable material from the solid waste material. Said fee shall be assessed at a rate established by a vote of the Commission from time to time and recorded in their minutes and shall be billed to the hauler pursuant to Section 8 of this Resolution. Haulers clearing such mixed loads shall give the Solid Waste staff 48 hours notice prior to allowing such mixed loads so that Solid Waste staff may have appropriate staffing available to do said sorting.

All fees pursuant to this Resolution shall be paid at the time of dumping, unless the hauler has established an account with the County for monthly payment.

Cities and other municipalities within Linn County may be exempted from fees assessed in Section 4 for construction/demolition waste upon application to Solid Waste Staff when it is determined that the construction/demolition waste is being hauled at the City's (or other municipality's) direction and that the City (or other municipality) will bear the cost of the disposal of said material.

Individuals licensed pursuant to Section 1 of this ordinance who are legal residents of Linn County shall be exempted from Section 3 hereof upon the filing with the County of a sworn affidavit to the effect that all solid waste they deposit in Linn County compactors and at the Linn County Transfer Station was collected in Linn County from Linn County residents.

For the purpose of this Section, an individual shall be presumed to be a legal resident of Linn County if all of the following conditions are met: (a) the individual has a physical residence established in Linn County; (b) the individual has utility service in his/her name at Linn County; (c) the vehicle the individual uses to operate in Linn County are tagged and licensed in Linn County.

Entities licensed pursuant to Section 1 of this ordinance which have their primary place of business located in Linn County, as evidenced by a sworn affidavit executed by a duly authorized officer thereof, shall be exempted from Section 3 hereof upon the filing with the County of a sworn affidavit to the effect that all solid waste they deposit in Linn County compactors and at the Linn County Transfer Station was collected in Linn County from Linn County residents.

For the purpose of this Section, an entity shall be presumed to have its primary place of business located in Linn County if all of the following conditions are met: (a) the entity has its mailing address in Linn County; (b) the entity pays property tax in Linn County; and (c) the vehicle the entity uses to operate in Linn County are tagged and licensed in Linn County.

Any individual covered by Sections 8 or by entities covered by Section 9 which is determined to contain trash collected outside of Linn County or from non-residents of Linn County shall be subject to the fees indicated in Section 3.



Herb Pemberton moved to establish the sorting fees as mentioned in Section 5 of Resolution #09-23 for the landfill at a rate of \$50.00 per man hour with a \$50.00 minimum charge. Vicki Leonard seconded the motion. The motion passed 3-0.

At 12:27 PM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 12:47 PM the executive session ended.

At 12:48 PM Vicki Leonard moved to extend the above listed executive session for 15 minutes. Mike Page seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 1:03 PM the executive session ended. No action taken.

Mike Page moved to reschedule the September 7<sup>th</sup> regular meeting to Tuesday, September 8<sup>th</sup> at 9:00 AM due to the Labor Day Holiday. Vicki Leonard seconded the motion. The motion passed 3-0.

After discussion, Mike Page moved to authorize the Chairman and the Clerk to sign all necessary documents at the pre-construction meeting for the Prescott Fire Station. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

The Clerk presented the agreement with Mid-America Nutrition Program, Inc. for the 12 months beginning October 1, 2009. The price for the year is \$49,500.00. (No change from last year.) Vicki Leonard moved to approve paying \$49,500.00 for the services of Mid-America Nutrition Program and enter into agreement as presented. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following pays/special pays, totaling \$22,000.00: General, \$22,000.00. Herb Pemberton seconded the motion. The motion passed 2-1. Vicki Leonard voted no.

Vicki Leonard moved to approve the following pays/special pays, totaling \$352,914.51: General, \$172,677.22; Employee Benefit, \$51,743.84; Appraiser, \$9,515.99; Rural Fire, \$8,560.94; Road and Bridge, \$93,301.44; 911 Telephone Tax, \$2,850.45; Spl. Fire Equip. Replacement, \$5,100.48; County Health Department, \$4,801.70; Crime Victim Assistance, \$954.54; Elderly, \$3,191.24; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The

motion passed 3-0.

The Commission discussed the scales needed for the landfill and possible lease-purchase agreements. The Commission also discussed the accounting that will be used to manage the payments for dumping at the landfill.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Tuesday, September 8, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

September 8, 2009

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

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

Harvey Taylor asked the Commission about having the Night Out Against Crime. Since the Sheriff's office is not sponsoring the program this year, the Crimestoppers organization has decided to sponsor the Night Out Against Crime. Taylor asked if the Commission would donate some money to help with the event. Herb Pemberton moved to donate \$2,000.00 to help with the Night Out Against Crime. Vicki Leonard seconded the motion. The motion passed 3-0.

Dennis Arnold discussed available grants. Arnold also stated that Wes Coffel informed him that the Mound City Medical Facility (Linn County Community Foundation) received \$215,200.00 in tax credits to help with raising funds for their building project.

John Black asked to hire Ronald Porter to fill the vacant position in Road Dist. #2. Vicki Leonard moved to hire Ronald Porter for Road Dist. #2 at \$10.81 per hour. Herb Pemberton seconded the motion. The motion passed 3-0. Porter will take a pre-employment physical/drug test and will be on standard 6 month probation.

Harry Wisdom presented 2 permits to bury telephone cable requested by Embarq located along W 500 Road and at 18246 E 950 Road. Mike Page moved to approve both permits to bury telephone cable as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet informed the Commission that Brian Turpen has resigned at Station 950 and the Fire Board recommends hiring Billy Smith to replace Turpen. Mike Page moved to hire Smith as a probationary Firefighter at Station 950. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet then informed the Commission that Truck 942 has transmission problems. The keypad for the transmission will cost approximately \$1,800.00 but the Board is not sure that the keypad will fix the problem. The Commission agreed that the truck should be taken to a repair shop and be diagnosed before purchasing the part.

Barlet asked to purchase 600' of high pressure hose for \$1,394.00 (we will receive 50% reimbursement). Mike Page moved to allow the purchase of 600' feet of hose for \$1,394.00 from Orvil Tompkins Industries. Vicki Leonard seconded the motion. The motion passed 3-0. Barlet also asked to purchase a smartboard and accessories from Electronic Video Systems for \$2,372.00 from the Emergency Management budget. Vicki Leonard moved to approve the purchase as requested. Mike Page seconded the motion. The motion passed 3-0.

Barlet then presented an agreement with the Northeast Kansas Regional Homeland Security Council for IRIS Software at a cost of \$5.00 for six years. Mike Page moved to approve the agreement, pay the \$5.00, appoint Doug Barlet as the Designated Agency Representative, and allow Barlet to sign the agreement. Vicki Leonard seconded the motion. The motion passed 3-0.

Sheriff Walker addressed the Night Out Against Crime. Walker stated that it has been ineffective and has not been managed properly. Walker doesn't think Mr. Taylor should be in charge of Night Out Against Crime. Walker discussed the number of prisoners in custody.

Sheriff Walker also requested executive sessions for legal issues and personnel issues. At 10:01 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Sheriff Walker attended the executive session.

At 10:06 AM the executive session ended. No action taken.

At 10:07 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Sheriff Walker attended the executive session.

At 10:17 AM the executive session ended. No action taken.

Bruce Holt addressed the Commission concerning pest control for the cabins at the Park. Holt has received several complaints about bugs in the cabins. (The contract for pest control has expired.) The Commission agreed to take bids for pest control. The Clerk will prepare an advertisement.

At 10:39 AM Mike Page moved to take a break until 10:50 AM. Vicki Leonard seconded the motion. The motion passed 3-0.

Donna Thomas asked the Commission for an executive session for personnel issues. At 10:54 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission and Thomas attended the executive session.

At 11:00 AM The Clerk and Counselor entered the executive session.

At 11:09 AM the executive session ended. As a result of the executive session, Donna Thomas asked the Commission to hire Michelle West as a full time (31 to 40 hrs per week) RN/BSN @ \$19.00 per hour. Vicki Leonard moved to hire West as requested. Mike Page seconded the motion. The motion passed 3-0. West will take a pre-employment physical/drug test and will be on standard 6 month probation.

Thomas also asked to temporarily increase Judy Patterson's hours to up to 40 hrs per week. Mike Page moved to temporarily increase Judy Patterson's hours to up to 40 hrs per week for up to six months. Vicki Leonard seconded the motion. The motion passed 3-0.

Jerry Bedgood informed the Commission that contractors are not able to get their bids in for the Courthouse project on time. Bedgood would like to extend the bid deadline for 2 weeks. The Commission agreed to extend the deadline for bids until September 25<sup>th</sup>. Bedgood and the Commission also discussed possible needed repairs to the sinks at the Senior Centers. The Commission also discussed performance bonds for the Courthouse project. The Commission also discussed the Recovery Funds Bonds that are available to the County.

At 11:51 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and Doug Barlet attended the executive session.

At 12:01 PM the executive session ended. No action taken.

At 12:05 PM Mike Page moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss trade secrets of a corporation. Vicki Leonard seconded the motion. The motion passed 2-0. The Commission, Counselor, and Dennis Arnold attended the executive session.

At 12:15 PM the executive session ended. No action taken.

Herb Pemberton moved to earmark the \$785,000.00 Bond Fund for Facilities and the \$223,000.00 Recovery & Relief Bonds for use in Linn County and to authorize Dennis Arnold to be the representative to sign for the County. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to advertise for bids for the installation of transfer switches for the Senior Centers. Vicki Leonard seconded the motion. The motion passed 3-0.

Joe Maloney addressed the Commission concerning issues at the landfill. Carmen Self is setting up a bank account to deposit funds from the landfill. Maloney also presented a well testing report. The report shows that levels of lead, barium, arsenic, and selenium are high, but Aquaterra recommends taking no action at this time. Maloney also discussed recycling. Currently, the employees are having trouble keeping up with sorting mixed loads.

Vicki Leonard moved to approve the following pays/special pays, totaling \$455,540.28: General, \$59,797.65; Appraiser, \$290.56; Rural Fire, \$21,232.21; Road and Bridge, \$355,392.25; Spl. Fire Equip. Replacement, \$15,471.80; County Health Department, \$175.45; and Elderly, \$3,180.36. Mike Page seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for August 2009.

Vicki Leonard met with WH Scale last Friday at the landfill. Leonard stated that we will be receiving more information from WH Scale soon, but it looks like they will be much cheaper than previous bids.

The Clerk asked the Commission about allowing a High School Art Show in the Courthouse again this year. Mike Page moved to allow the Linn County Student Art Show in the Courthouse on Sept. 22<sup>nd</sup>. Vicki Leonard seconded the motion. The motion passed 3-0.

At 1:06 PM Mike Page moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

At 1:26 PM the executive session ended. No action taken.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, September 14, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

September 14, 2009

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

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

Mike Page moved to approve the following add/abate/refund orders: 2008-176. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to allow the Chairman to sign the Work For Hire Agreement with L&E Enterprises for repairing the La Cygne Ambulance Building in the amount of \$7,923.46. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to allow the Chairman to sign the Work For Hire Agreement with Daniel Purinton for re-staining the Annex in the amount of \$1,219.50. Vicki Leonard seconded the motion. The motion passed 3-0.

Larry Robinson informed the Commission that KDOT audited our bridge inspections. We will receive a report from KDOT soon. Robinson stated that we have 13 bridges that need to be inspected every year. Robinson also stated that the Federal government may cut funding for bridge inspections. Robinson will be out of town for a meeting Thursday concerning FEMA flood inspections of structures.

Sheriff Walker informed the Commission that we have been awarded a grant for a full time officer for a year. Walker has moved Ty Davis to full time for that grant position. The Superintendents and Principals from all three schools have asked Walker to bring the drug dog into all the schools. Walker is planning on ordering a new car and a used car in January instead of two new cars.

At 9:32 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and Sheriff attended the executive session.

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

At 9:45 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session until 10:00 AM to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and Steve Thompson attended the executive session.

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

At 10:01 AM Herb Pemberton moved to extend the above executive session for 15 minutes. Vicki Leonard seconded the motion. The motion passed 2-0. The Commission and Clerk attended this portion of the executive session.

At 10:14 AM Harry Wisdom entered the executive session.

At 10:16 AM the executive session ended. No action taken.

Doug Barlet presented information on the Hazard Mitigation Plan. Dennis Hayword from E-Fm Consulting was present to answer questions from the Commission. Vicki Leonard asked about eminent domain in the plan. Hayword stated that the plan does not address eminent domain. Mike Page stated that the land purchases discussed in the plan are voluntary and do not involve eminent domain. The Commission reviewed a list of questions that was submitted with Hayword. The County must have an approved mitigation plan in order to file for future FEMA assistance. Doug Barlet requested permission to submit the plan to the State for review. Mike Page moved to allow Doug Barlet to submit the Hazard Mitigation Plan for State approval. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to allow Barlet to have the transmission keypad and reverse switch repaired on Truck #942 for up to

\$1,500.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet will be gone this week to the Kansas Emergency Management Conference.

Les Morse commented on the Sheriff's Dept. Morse stated that his alarm went off at his business early yesterday morning and no one was available from the Sheriff's office, no one was on duty. Morse stated that the County should provide 24 hour service to protect the residents of Linn County. The Commission will discuss the issue with the Sheriff.

At 11:23 AM the Commission took a 5 minute break.

At 11:34 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, and John Byington attended the executive session.

At 11:44 AM the executive session ended. No action taken.

At 11:58 AM the Chairman asked for public comment. Mary Grosshart discussed officers being on call. Donna Spencer commended the Commission on handling issues in executive session to protect individual's reputations.

Larry Robinson asked if the Commission wants someone to attend the Marais des Cygne Basin Advisory meetings. Robinson does not feel that there is any benefit to the County. The Commission stated that he did not have to attend.

At 12:05 PM Mike Page moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, and John Maloney attended the executive session.

At 12:10 PM the executive session ended. No action taken.

Vicki Leonard moved to approve the following pays/special pays, totaling \$322,980.55: General, \$185,943.17; Employee Benefit, \$40,208.46; Appraiser, \$7,758.79; Rural Fire, \$3,335.78; Road and Bridge, \$76,857.94; 911 Telephone Tax, \$1,208.58; County Health Department, \$4,029.79; Crime Victim Assistance, \$977.23; Elderly, \$2,444.15; and Zoning LEPP, \$216.67. Herb Pemberton seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the Credit Application for John Black, dba Black & Sons for the C&D Landfill. Mike Page seconded the motion. The motion passed 3-0.

The Clerk presented the proposed specs. for Pest Control. Herb Pemberton stated that the current pest control contractor did spray when he was supposed to, but we need to change the specs. and have the cabins sprayed every month. The Clerk will adjust the specs. and have them ready for contractors this week.

Vicki Leonard presented quotes for scales for the C&D Landfill. Quotes received were: J&S Scales, \$65,027.00; Salina Scale Co., \$59,817.00; and WH Scales, \$43,023.00. Mike Page stated that he is concerned about the placement of the scales. Mike Page would like to have the representative from WH Scale come to next week's meeting to discuss options.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, September 21, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

September 21, 2009

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

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

Mike Page moved to approve the Sheriff's Monthly Fee Report for August 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve the Credit Application for Kathryn Hester, dba Hester Transportation LLC for the C&D Landfill. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to allow Mike Page to discuss installing light fixtures at the 4-H Building with Dave Berglund. Vicki Leonard seconded the motion. The motion passed 3-0.

Pam Cannon informed the Commission that she and Ann Brown need to attend a meeting next week in Wichita. The Commission agreed to allow Cannon and Brown to attend the meeting.

At 9:24 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission and Clerk attended the executive session.

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

At 9:39 AM the Chairman asked for public comment. Mary Grosshart commented on the rest area at US 69 & K 52. KDOT already held the grand opening but the building is not staffed or open to the public yet. Grosshart asked if the Commission would consider asking KDOT when it will be open to the public.

Mike Page discussed signage and seeding grass at the Critzer Lake. We need to complete those items to receive our grant reimbursement.

Maxine Goucher, Silver Haired Legislator, informed the Commission that she will be attending meetings in Topeka for proposed legislation, Goucher will be on the Rural Transportation Committee. Goucher reported on the Senior Spelling Bee, and she is preparing for the Senior Health Fair on October 22<sup>nd</sup>. Goucher is also working with the Area Agency on Aging to set up a program to assist seniors with applying for Medicare Part D. Goucher asked if the County would make a donation of \$100.00 to help cover her costs for the Silver Haired Legislature. (Last year the County donated \$250.00 to the Silver Haired Legislature.) Vicki Leonard moved to donate \$100.00 to Maxine Goucher for food and fuel expenses. Mike Page seconded the motion. The motion passed 3-0.

At 10:33 AM Herb Pemberton moved to take a 15 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:53 AM the Chairman opened public comment again. Melvin Nation asked to use the Courthouse lawn (or the parking area if it is wet) for a car show on October 10<sup>th</sup> after the Arts & Crafts parade. The Commission agreed to allow Nation's group to use the Courthouse lawn for the car show. Maxine Goucher stated that the plastic recycling container at Pleasanton is always full. Goucher also stated that someone dumped a truck load of cardboard into the compactor last week.

Mike Page stated that someone asked him about the Sheriff's radio frequency changing. The Commission would like to talk to the Sheriff about the issue. Mike Page is checking on getting some road material from Koss Construction.

The Commission asked Sheriff Walker about a new frequency being used by the Sheriff's office. Sheriff Walker stated that he has made no changes on his frequencies. The Commission and Sheriff also discussed response to automated alarms.

At 11:36 AM Mike Page moved to recess until 1:00 PM and then reconvene at the Solid Waste Transfer Station, 4067 Vernon Road, Prescott to meet with a representative from WH Scale Co. Vicki Leonard seconded the motion. The motion passed 3-0.

At 1:00 PM the Board of Commission meeting reconvened at the Solid Waste Transfer Station. The Commission met with two representatives from WH Scale Co. and discussed various issues including location for scales, site prep., financing, types of scales, etc. No action was taken during this part of the Commission meeting.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, September 28, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

September 28, 2009

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

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

Vicki Leonard moved to approve the following pays/special pays, totaling \$314,469.36: General, \$119,926.18; Employee Benefit, \$50,295.36; Appraiser, \$12,678.12; Rural Fire, \$7,386.16; Road and Bridge, \$113,224.93; Law Enforcement Trust, \$600.00; 911 Telephone Tax, \$783.61; County Health Department, \$5,919.82; Crime Victim Assistance, \$977.22; Elderly, \$2,461.29; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the Step Grant for the "Click It or Ticket" program and allow the Chairman to sign the grant paperwork. Mike Page seconded the motion. The motion passed 3-0.

Sheriff Walker informed the Commission that he would like to purchase 3 new cars on a 3 year lease purchase. The Sheriff would also like to purchase 3 new cars in each of the next 2 years, the cost would be \$24,000.00 the first year, \$48,000.00 the second year, and \$72,000.00 the third year. The Sheriff would then like to continue purchasing 3 cars every year, for approximately \$72,000.00 per year.

The Sheriff also reported on events that occurred in the last week.

John Black presented a permit to bury phone cable requested by Embarq located at 18246 E. 950 Rd. Vicki Leonard moved to approve the permit to bury telephone cable as requested. Mike Page seconded the motion. The motion passed 3-0.

At 9:25 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss trade secrets of a corporation. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, John Black, and John Byington attended the executive session.

At 9:35 AM the executive session ended. As a result of the executive session, Mike Page moved to purchase asphalt millings from Koss Construction for multiple projects around the County for \$20,000.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to schedule a special meeting at Noon Friday, Oct. 2 at the District #2 Road Shop for Edward Umphenour's retirement reception. Mike Page seconded the motion. The motion passed 3-0. (No action will be taken at this special meeting.)

Doug Barlet presented a job application for Robert Maloney for Fire Station 910. The Fire Board recommends rehiring Maloney and waiving his probation. Vicki Leonard moved to hire Maloney as a Firefighter at Station 910. Mike Page seconded the motion. The motion passed 3-0.

Barlet and the Commission discussed the Hazard Mitigation Plan. Herb Pemberton asked about the mapping for flood plain areas. Pemberton believes the flood plain areas are incorrect.

Barlet informed the Commission that he is still having problems with his computer. The Fire Board is willing to pay for half of the cost for a new computer. Barlet has an estimate of \$1,200.00 to replace the computer. Vicki Leonard moved to purchase a computer for Fire & Emergency Management, not to exceed \$1,200.00. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to waive the probation for Robert Maloney for the Fire Dept. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:10 AM the Commission discussed bids for transfer switches for the Senior Centers. The only bid received was from Page Electrical Contracting. Doug Barlet stated that one contractor had asked for an extension for submitting bids. Herb Pemberton moved to extend the deadline for transfer switch bids until Oct. 5<sup>th</sup>. Vicki Leonard seconded the motion. The motion passed 2-0. Mike Page abstained.

At 10:12 AM the Commission opened bids for the Courthouse repairs. Bids were received from: L&E Enterprises, Dan Purinton, Midwest Diversified, Double K Construction, and Mid States Restoration. The Clerk, Jerry Bedgood, Dennis Arnold, and Mike Page will review the bids.

Bedgood also presented quotes for tuck-pointing on the Health Dept. building. Quotes received were from L&E Enterprises, \$3,524.26 and Owenby Masonry & Construction, \$3,588.00. (The L&E Enterprises bid did not include waterproofing.) Vicki Leonard moved to hire Owenby Masonry & Construction to tuck-point and waterproof the Health Dept. building for \$3,588.00. Mike Page seconded the motion. The motion passed 3-0.

At 10:29 AM Mike Page moved to take a break until 10:45 AM. Vicki Leonard seconded the motion. The motion passed 3-0.

Joe Maloney asked to hire Sheri Felix to work at the Centerville compactor to fill in when George Kellerman is unable to work. Mike Page moved to hire Felix as a substitute compactor operator. Vicki Leonard seconded the motion. The motion passed 3-0.

Maloney also asked about disposing of trailer houses at the landfill. Mike Page stated that a trailer he disposed of recently for Parker filled two 40 yard containers. The Commission agreed that we should charge \$500.00 per trailer. (The cost for two end dump or semi-truck loads is \$500.00.)

Maloney also asked about the bids for scales. The Commission is waiting on an email from WH Scale Co. and will discuss the bids after the email is received.

Bill Van Kirk presented the 2009 Community Corrections Year End Outcome Report. Mike Page moved to approve and allow the Chairman to sign the 2009 Community Corrections Year End Outcome Report. Vicki Leonard seconded the motion. The motion passed 3-0.

After the Clerk received the email from WH Scale Co., the Commission reviewed the bid from WH Scale Co., Inc. for the scales and installation at the landfill. The Commission discussed additional work that we need to do to prepare the site. Vicki Leonard moved to approve the bid from WH Scale Co., Inc. in the amount of \$43,023.00. Mike Page seconded the motion. The motion passed 3-0. The County will have some additional concrete work that will have to be done.

Herb Pemberton stated that he was approached by 2 people who are interested in leasing our landfill. They would like to meet with the Commission next week.

At 11:52 AM the Chairman asked for public comment. Steve Riley commented on the landfill scales and a hole in 1700 Road.

Vicki Leonard moved to sign the proposed release to enable the settlement of the lawsuit against Deputy Filla. Mike Page seconded the motion. The motion passed 3-0.

Herb Pemberton moved to authorize Carmen Self, County Treasurer and David Lamb, County Clerk to open a bank account for the deposit and expenditure of CDBG and USDA grant funds for the Prescott Fire Station at Farmers & Merchants Bank, Mound City, and to authorize Self and Lamb to sign checks for the expenditure of funds from that account. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve a \$250.00 donation to the Kansas Silver Haired Legislature. Herb Pemberton seconded the motion. The motion passed 3-0.

The Clerk presented a request to vacate a portion of 200 Road, at the intersection of Paine Road, submitted by Larry Johnson. Larry Robinson explained details about the road. The Commission wants to talk to Gary Thompson before taking any action.

Mike Page read a letter from the Linn County Fair Association thanking the Commission for their support for this year's fair.

With nothing further on the agenda, Vicki Leonard moved to adjourn until Noon Friday, October 2, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

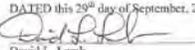
Attest:

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County Clerk

October 2, 2009

The Board of Linn County Commission met in special session at Noon in the District #2 Road Shop, Pleasanton, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; Vicki Leonard, Member; and David Lamb, County Clerk. Following is a copy of the Notice of Special Meeting:

LINN COUNTY, KANSAS P.O. Box 350, 315 Main Mound City, KS 66056-0350 913-795-2565 Fax: 913-795-2889		COUNTY COMMISSIONERS First District Herb Pemberton Second District Vicki Leonard Third District Mike Page
<p style="text-align: center;"><b>NOTICE OF SPECIAL MEETING</b> <b>BOARD OF LINN COUNTY COMMISSIONERS</b></p>		
<p>You are hereby notified that a special meeting of the Board of Linn County Commissioners has been called and will be held at Noon on Friday, October 2, 2009 in the District #2 Road Shop, Pleasanton, KS 66075. This special meeting has been called for the Commissioners to attend a retirement reception for Edward Umphenour. No action will be taken at this special meeting.</p>		
DATED this 29 <sup>th</sup> day of September, 2009.  David L. Lamb Linn County Clerk		
David L. Lamb, County Clerk Dorothy Sill, County Treasurer John Spilliers, County Attorney Betsy Walker, Sheriff	Filthy Schmitz, Register of Deeds Gary Thompson, County Courser Beverly Thompson, County Appraiser Marilyn Augur, Transportation	John Maloney, Noxious Weed Dorinda Arnold, Economic Development Doug Baker, Rural Fire Emerg. Mgt. Larry Robinson, Zoning & Sanitation

The Commissioners presented a plaque to Umphenour for his 26 years of service to Linn County. No action was taken at this special meeting.

With nothing further on the agenda the Board of Commissioners adjourned until 9:00 AM Monday, October 5, 2009.

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Attest:

Commission Chair

\_\_\_\_\_  
County Clerk

October 5, 2009

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

Donna Thomas presented a contract for funding for the H1N1 vaccine. Thomas also reported on the number of H1N1 vaccine doses that we will receive. Vicki Leonard moved to approve and sign the KDHE contract for H1N1 vaccine funding. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the minutes of the last regular meeting and the October 2<sup>nd</sup> special meeting as printed. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following add/abate/refund orders: 2008-178. Vicki Leonard seconded the motion. The motion passed 3-0.

Dan Morris presented a permit to bury water line requested by RWD #3 located at 9132 W. 1800 Road. Vicki Leonard moved to approve the permit to bury water line as requested. Herb Pemberton seconded the motion. The motion passed 2-0. (Mike Page abstained.)

Harry Wisdom reported that someone dumped some rock that blocked one of our culverts. Wisdom also reported on tires that have been dumped in our right of way.

Wisdom also needs to buy some culverts. Mike Page moved to approve purchasing 5-12" culverts for \$204.90 each and 5-15" culverts for \$252.30 each for a total of \$2,286.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Sheriff Walker reported that his office confiscated 436 marijuana plants this past week, valued at around \$500,000.00. Walker also presented information on his vehicles.

Pam Cannon and the Commission discussed problems with flood plain maps. Herb Pemberton stated that several Counties are trying to work together to change the flood plains. Doug Barlet reported that Bourbon County is working on this issue also. Finney County has a lawsuit pending against FEMA. Cannon also presented a map that she prepared showing areas of interest in Linn County. Cannon worked with Dennis Arnold on items to include on the map. Cannon thanked the Commission for allowing her and Ann to attend the KAM Conference and thanked the Clerk's Office for setting up a way for her to log into the computer system while she was out of town. Cannon read the press release from the conference. Cannon also informed the Commission that she received the Kansas Association of Mapper's "Prestigious Cartographer" Award for 2009.

At 10:07 AM the Commission opened bids for transfer switches for the Senior Centers. Mike Page recused himself from the discussion. Bids received were: Page Electrical Contracting, \$5,950.00; L&E Enterprises, \$17,208.51; and Woellhof Electrical, \$9,600.00. Vicki Leonard moved to approve the bid from Page Electrical Contracting in the amount of \$5,950.00. Herb Pemberton seconded the motion. The motion passed 2-0. (Mike Page abstained.)

At 10:15 AM the Commission opened bids for Pest Control. Bids received were: Purinton Pest Control, \$3,984.00; Coryell Termite & Pest Control, \$7,290.00; Tri-County Termite & Pest Control Co., \$11,850.00. Vicki Leonard moved to approve the bid from Purinton Pest Control in the amount of \$3,984.00. Mike Page seconded the motion. The motion passed 3-0.

Doug Barlet presented a 1<sup>st</sup> request for payment from Wes Ogle Construction on the Prescott Fire Station in the amount of \$11,700.00 (after a 10% retainage) for the Bonding and Insurance. The Commission stated that the document needs to be corrected showing the work that has been completed. Vicki Leonard moved to allow the Chairman to sign the corrected document. Mike Page seconded the motion. The motion passed 3-0. Mike Page moved to sign the request for CDBG Funds in the amount of \$7,020.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Dennis Arnold reported on the meeting for the energy audit. We would need to rewire the attic before it could be insulated. Replacing the boiler could also save us some money. Arnold also discussed websites and social networking for promotion of

the County and other projects he is working on.

The Commission discussed relocating the 2<sup>nd</sup> floor employees while work is being done to the Courthouse. Marilyn Augur discussed events that are scheduled in Bunker Hill.

At 11:09 AM Mike Page moved to take a break until 11:25 AM. Vicki Leonard seconded the motion. The motion passed 3-0.

Jerry Bedgood presented bids for roof repairs for the Blue Mound and Centerville Fire Stations. Bids received were:

	Blue Mound	Centerville
Midwest Diversified – Conklin Roofing System	\$8,618.00	\$6,480.00
Boone Brothers Roofing – Repair existing roof surface	\$3,285.00	\$4,984.00

Vicki Leonard moved to approve the bid from Boone Brothers in the amount \$8,269.00 for the Centerville & Blue Mound Fire Stations. Mike Page seconded the motion. The motion passed 3-0.

The Commission discussed the bids for Courthouse repairs. (Mike Page, David Lamb, Jerry Bedgood, and Dennis Arnold reviewed the bids.) The base bids ranged from \$77,000.00 to \$126,778.00. Bids with alternates ranged from \$79,013.00 to \$126,778.00. Mike Page stated that the committee that reviewed the bids agreed to recommend accepting the bid from Mid-State Restoration. Mike Page moved to accept the bid, with alternates, from Mid-State Restoration in the amount of \$79,013.00. Vicki Leonard seconded the motion. The motion passed 3-0.

At 12:11 PM the Chairman asked for public comment. None was given.

Herb Pemberton moved to reschedule the October 12<sup>th</sup> regular meeting to Tuesday, October 13<sup>th</sup> at 9:00 AM due to the Columbus Day Holiday. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to appoint Herb Pemberton as the Voting Delegate and Vicki Leonard as the Alternate Voting Delegate for the annual KCAMP meeting. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet stated that the roof above his office has mold above the insulation. We had bids for the project last year but no action has been taken.

At 12:27 PM Mike Page moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Doug Barlet attended the executive session.

At 12:37 PM Doug Barlet left the executive session.

At 12:42 PM the executive session ended. No action taken.

Mike Page moved to send a letter to Steve Johnson concerning the drainage issue at 400 & Paine Road. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission and Clerk discussed payment options for the landfill scales.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Tuesday, October 13, 2009. Herb Pemberton seconded the motion. The motion passed 3-0.

\_\_\_\_\_  
Commission Chair

Attest:

\_\_\_\_\_  
County Clerk

October 13, 2009

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

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

Sheriff Walker presented information on the price of new patrol cars and lease purchase options. The Commission asked the Sheriff to have the Counselor review the proposed lease agreement. Vicki Leonard moved to allow the Sheriff to order 3 new vehicles from Cox Motor Co. with a 3 year lease purchase agreement. Mike Page seconded the motion. The motion passed 3-0.

Judge Smith addressed the Commission concerning electronic digital recording equipment and video equipment for District Court. It would cost \$19,275.00 for the entire system. Judge Smith would like to have a decision by next Monday.

Joe Maloney informed the Commission that the company that used to take our paper recycling is no longer accepting paper. Maloney is looking into other options.

John Black asked to hire a temporary full-time mechanic. Vicki Leonard moved to allow Black to advertise for the position. Mike Page seconded the motion. The motion passed 3-0.

Bill Van Kirk presented information on carryover reimbursement for the Sixth Judicial District Community Services. Mike Page moved to allow the Chairman to sign the FY2010 Carryover Reimbursement Plan. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton discussed the heaters at the La Cygne Fire Station, possibly changing to natural gas heaters. Barlet will come to next week's meeting with recommendations.

Steve Thompson asked the Commission about the timing of the repairs for the Courthouse. Thompson would rather wait until spring to be moved out of his offices. Herb Pemberton stated that he would rather keep all the offices in one building.

At 10:47 AM Herb Pemberton moved to take a 10 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

Larry Robinson presented copies of information concerning a waterway at 2100 & Devlin Road. Mike Page explained the issue and stated that no action is needed from the Commission at this time. The Commission also discussed the drainage issue on Bryan Barthol's property.

Vicki Leonard moved to allow the Chairman to sign a request for payment of CDBG funds for the Prescott Fire Station project for the SEK Regional Planning Commission in the amount of \$3,450.00. Mike Page seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for September 2009.

Vicki Leonard moved to allow the Chairman to sign the Work For Hire agreement with Owenby Masonry & Construction for the Health Dept. building tuck-pointing. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to appoint Herb Pemberton as the Voting Delegate, Mike Page as the 1<sup>st</sup> Alternate, and Vicki Leonard as the 2<sup>nd</sup> Alternate for the annual KAC meeting. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard read a letter from the Mound City Medical Facility thanking Dennis Arnold for his help with grants

for the new Medical Facility.

Vicki Leonard moved to approve the following pays/special pays, totaling \$331,785.62: General, \$129,999.18; Appraiser, \$797.88; Rural Fire, \$8,413.37; Road and Bridge, \$165,445.54; 911 Telephone Tax, \$2,522.70; Spl. Fire Equip. Replacement, \$3,582.79; DARE, \$99.19; County Health Department, \$5,541.35; and Elderly, \$15,383.62. Mike Page seconded the motion. The motion passed 3-0.

At 11:30 AM the Chairman asked for public comment. Jean Vaughn stated that the County did a very good job with mowing this year on 300 Road around Paine Road. Fred Kautt stated that many people were happy to see the resurfaced road at the fairgrounds.

At 11:35 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 11:50 AM the executive session ended. No action taken.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, October 19, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

October 19, 2009

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

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

Vicki Leonard moved to approve the following pays/special pays, totaling \$15,150.00: General, \$15,150.00. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$214,095.75: General, \$102,616.01; Employee Benefit, \$57,637.41; Appraiser, \$8,134.89; Rural Fire, \$1,657.26; Road and Bridge, \$35,035.19; County Health Department, \$5,859.74; Crime Victim Assistance, \$977.22; Elderly, \$1,961.36; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

Sheriff Walker requested a resolution to make it illegal to possess a portable police scanner. The Counselor will review the proposal.

Harry Wisdom presented information on a new bridge that was recently installed. Wisdom also presented a request to bury water line requested by the City of Prescott located at Kansas Highway 239 & Ungehueur Road. Vicki Leonard moved to approve the request to bury water line as presented. Herb Pemberton seconded the motion. The motion passed 3-0. Vicki Leonard moved to allow Mike Page to withdraw his vote and abstain from this vote due to that fact that Page's company is working on this project. Herb Pemberton seconded the motion. The motion passed 2-0.

Dan Morris presented two permits to bury water lines requested by RWD #3 located at County Road 530 & Hedge St. Herb Pemberton moved to approve the requests to bury water lines as presented. Vicki Leonard seconded the motion. The motion passed 2-0. Mike Page abstained.

Doug Barlet presented applications for 3 new Firefighters: Dan Purinton, II, Station 910; Phillip Gratton, Jr., Station 920; and Justin Brockway, Station 940. The Fire Board recommends hiring all 3 of the applicants. Mike Page moved to hire Purinton, Gratton, and Brockway as Firefighters. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet informed the Commission that he needs to attend a class in Pittsburg next week. The Commission agreed to allow Barlet to attend the class.

Barlet also presented a proposed contract with PWWSD #13 for installing fire dept. connections on their water lines. Vicki Leonard moved to approve the contract as presented. Mike Page seconded the motion. The motion passed 3-0.

Barlet stated that the Fire Board recommends installing the 270 volt heating elements in the La Cygne Fire Station. The Commission agreed to allow the installation of the heating elements.

Dennis Arnold updated the Commission on IPC. IPC is planning on hiring another 20 to 50 employees very soon.

Donna Thomas presented the Phase 3 grant application for Public Health Emergency Response for H1N1. Vicki Leonard moved to allow the Chairman sign the grant application. Mike Page seconded the motion. The motion passed 3-0.

Sharon Geiss presented the Mid-America Nutrition Quarterly and Annual Reports. Geiss also asked about purchasing a new delivery van. We have budgeted for a van early next year.

Dan Morris informed the Commission that he has termite damage in his Road Shop. The Commission asked Morris to get an estimate from Purinton Pest Control.

At 10:20 AM Vicki Leonard moved to recess from the Board of Commission meeting until 10:35 AM to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Doug Barlet attended the executive session.

At 10:35 AM the executive session ended.

At 10:35 AM Vicki Leonard moved to extend the executive session for 10 minutes. Mike Page seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, Doug Barlet, and Josh Marshall attended this portion of the executive session.

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

At 10:45 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss trade secrets of a corporation. Mike Page seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Doug Barlet attended the executive session.

At 10:55 AM the executive session ended. As a result of the executive session, Vicki Leonard moved to authorize Doug Barlet to bid on vehicles for the Fire Dept. with the limit discussed in the executive session. Barlet will come back to Commission for ratification of the purchase. Mike Page seconded the motion. The motion passed 3-0.

At 11:04 AM the Chairman asked for public comment. Rosalie DeMott commented on hiring Firefighters without a background check. (Firefighters take a physical & drug test after approval by the Commission. We are working on a background check policy.) Jackie Taylor stated that she is concerned about the proposed policy on mobile scanners, that it could violate 1<sup>st</sup> Amendment rights.

Prescott Mayor John Copple addressed the Commission concerning 4<sup>th</sup> Street in front of the new Fire Station in Prescott. 4<sup>th</sup> Street is a narrow, chip & seal street. Copple also discussed trucks driving through the alley. The alley has some rock but is mainly a dirt alley. Doug Barlet stated that if we get approval from the grant agencies, work on the street could count toward our in-kind contribution for the grants.

The Clerk presented a letter of resignation from Josh Marshall from his full time position with the County. (Marshall wants to remain on the Fire Dept.) Mike Page moved to accept the letter of resignation, effective immediately. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to allow the Chairman to sign the contract with Page Electrical Contracting for the transfer switches for the Senior Centers. Herb Pemberton seconded the motion. The motion passed 2-0. Mike Page abstained.

The Clerk and Commission discussed the proposed contract with Mid-State Restoration. The Clerk stated that the contractor could be done with the exterior work by November 30<sup>th</sup> if he could start by November 1<sup>st</sup>. The inside work should take 2 to 3 weeks. Mike Page stated that the contractor is willing to work with us on moving employees out of the offices while the work is being done, but it would be easiest for him if all the employees could be moved out for the entire project. Mike Page also stated that there may be some other work such as wiring and woodwork trim that needs to be done that we will be able to see when we get everyone out of the offices. The Counselor stated that he can revise the contract with Mid-State Restoration and separate the exterior and interior portions into separate jobs within the contract. There could be some delays on the interior work due to moving personnel and equipment. Additional work that needs to be done could be handled through change orders to the contract. The contractor would be responsible for proposing change orders for additional work that needs to be done as it is discovered. Mike Page moved to approve the contract with the revisions that have been discussed. Vicki Leonard seconded the motion. The motion passed 3-0. The Counselor will prepare a new contract and forward it to the Clerk. The Commission also wants to discuss bids for the attic cleanup next week.

The Clerk asked the Commission if they want to take any bids for County Insurance. Two insurance agents have

contacted the Clerk, asking if we are going to take bids. The Commission stated that it could be difficult to change companies right now with everything that we have pending. The Clerk will talk to the agents to see what they would need to quote our insurance and discuss the issue with the Commission next week.

Herb Pemberton asked the Clerk to get bids for water fountains for the Courthouse and Annex.

At Noon, Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss the acquisition of real estate and for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 12:15 PM the executive session ended. No action taken.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, October 26, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

October 26, 2009

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

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

Mike Page moved to approve the Sheriff's Monthly Fee Report for September 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to authorize the Chairman to sign the "Work For Hire Agreement" with Mid-State Restoration for the repairs on the Courthouse. Mike Page seconded the motion. The motion passed 3-0.

Sheriff Walker discussed his request last week about portable scanners. Walker stated that his department is going to try using push to talk cell phones instead of making scanners illegal. Walker also discussed hospital bills for inmates and the discounts that we are receiving. Walker then discussed ambulance bills for taking inmates to the hospital. Walker stated that he believes that the County should receive a discount since the County subsidizes AMR.

The Clerk presented quotes from Purinton Pest Control for treating termites in the Concern Building and in the Road District #1 Shop. The Commission will have the Counselor review the quotes before making a decision.

The Clerk read a thank you letter from William Dean, Silver Haired Legislature Treasurer, for the donation to the Silver Haired Legislature.

District Court Clerk Ann Ware addressed the Commission concerning the recording equipment for District Court. Vicki Leonard moved to approve purchasing the visual/audio/recording system for the courtroom in the amount of \$19,275.00. Mike Page seconded the motion. The motion passed 3-0.

At 9:34 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and John Maloney attended the executive session.

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

Vicki Leonard moved to approve the quotes for termite control from Purinton Pest Control in the amounts of \$1,100.00 for the Concern building and \$1,225.00 for the Dist. #1 Road Shop. Mike Page seconded the motion. The motion passed 3-0.

Treasurer Carmen Self presented information on tax bills that were turned over to the Sheriff for collection and then the uncollected amounts that were turned over to District Court. The total turned over to District Court including interest as of Oct. 1<sup>st</sup> was \$16,345.24. Self also presented the Reconciliation of 2008 Taxes. Self then presented the 3<sup>rd</sup> Quarter and YTD Interest Report and the Delinquent Tax Report. 2009 3<sup>rd</sup> quarter interest was \$33,117.46. YTD interest was \$107,907.26. Delinquent Real Estate Taxes as of 9-30-09 were \$406,121.36 and Delinquent Personal Property Taxes as of 9-30-09 were \$71,337.34.

Harry Wisdom presented a permit to bury water line requested by Anderson Co. RWD located 14768 Flint Road. Mike Page moved to approve the permit to bury water line as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Joe Maloney informed the Commission that KDHE inspected the old landfill cover and we passed inspection. Maloney discussed a letter from Aquaterra concerning greenhouse gases from our old landfill. Maloney also

discussed the fencing at the landfill. Maloney will get a bid from Dillard Ungeheuer for new fencing. Maloney then discussed recycling. Deffenbaugh is interested in taking all our recycling.

Dennis Arnold presented information that needs to be added to our contract for the repair of the Courthouse. Gary Thompson will prepare an addendum to the contract. Jerry Bedgood and the Commission discussed bids for the cleanup of the attic. Bedgood stated that all three bidders could do the work while employees are working in the Courthouse. Gary Thompson still recommends that we move employees out while the work is being done. Mike Page would like to talk to the low bidder before making a decision.

At 10:37 AM Herb Pemberton moved to take a 15 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page stated that the contractor for the attic cleanup would be willing to work on a 3 day weekend and come back the following weekend to finish the work so we would not have to move anyone out of the Courthouse. Dennis Arnold will contact the grant administrator to get approval for the work. Bids received were: Kingston Environmental Companies, \$24,186.00; Chavez Restoration & Cleaning, \$4,500 to 5,600 per day, 5 to 6 days; and B&R Environmental Services & Demolition, Inc., \$9,690.00. Mike Page moved to accept the bid from B&R Environmental Services in the amount of \$9,690.00, with up to an additional \$1,000.00 for extra mobilization costs. Vicki Leonard seconded the motion. The motion passed 3-0.

At 11:11 AM the Chairman asked for public comment. No public comment was given. The Commission thanked Bernita Robbins for the cookies. Herb Pemberton discussed a report he watched on Medicare fraud.

The Clerk gave the Commission an updated job description for the Deputy Fire Chief/Assistant Emergency Management Coordinator that was prepared by Doug Barlet. The position will need to be opened to the public since no full time employees applied.

The Clerk discussed the insurance package that the County has with KCAMP and taking bids on insurance. The Commission agreed to wait until next year to bid the insurance.

At 11:37 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss legal issues (attorney/client privilege) with the County Counselor concerning the processing of a health insurance claim that contains individually identifiable health information that is protected under HIPAA. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 11:52 AM the executive session ended. As a result of the executive session, Vicki Leonard moved to instruct Blue Cross and Blue Shield of Kansas to pay the outstanding balance of a claim (\$12,874.56), less any negotiated discounts, as a plan exception. Mike Page seconded the motion. The motion passed 3-0.

At 11:54 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

At 12:02 PM Dennis Arnold entered the executive session.

At 12:04 PM the executive session ended. No action taken.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, November 2, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Attest:

Commission Chair

\_\_\_\_\_  
County Clerk

November 2, 2009

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

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

Herb Pemberton moved to approve the following pays/special pays, totaling \$417,261.79: General, \$209,623.22; Employee Benefit, \$61,051.29; Appraiser, \$13,601.63; Rural Fire, \$13,108.80; Road and Bridge, \$64,610.84; 911 Telephone Tax, \$2,474.06; Spl. Fire Equipment Replacement, \$42,011.33; County Health Department, \$6,644.00; Crime Victim Assistance, \$977.22; Elderly, \$2,942.73; and Zoning LEPP, \$216.67. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton stated that Mid-America Nutrition found a grant for \$15,000.00 for a meal delivery van, but Mid-America would own the van. They would like the County to pay an additional \$3,000.00 for the van. Gary Thompson stated that we would need to amend our contract with Mid-America Nutrition. Vicki Leonard will contact Mid-America Nutrition for more information.

The Commission discussed the landfill scales. The piers and approaches have been poured and the scale should be delivered this week. Joe Maloney stated that he has an estimate from Dillard Ungeheuer for the new fencing/gate: \$2,655.00 installed, (\$3,500.00 for galvanized metal), or \$1,750.00 if we do the installation. Mike Page stated that the remaining costs of the project including the scale house should be around \$10,000.00. Joe Maloney asked the Commission for authorization to spend up to \$5,000.00 for concrete work for the project (included in the \$10,000.00 estimate for the rest of the project). Vicki Leonard moved to authorize up to \$5,000.00 for the concrete work. Mike Page seconded the motion. The motion passed 3-0.

Joe Maloney presented information from KDHE concerning one of the wells on the landfill property. KDHE has decided to go back to the regular schedule for monitoring the wells.

Mike Page moved to hire Dillard Ungeheuer to build and install the new gate for \$2,655.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission discussed the vehicle policy concerning employees that are ticketed for drug or alcohol related offences. Herb Pemberton moved to adopt Resolution #09-24, amending the Vehicle and Equipment Policy. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-24:



Doug Barlet presented an estimate from Apparatus Services for brake repairs on Rescue 5 in an amount up to \$3,800.00 plus shipping. Mike Page moved to allow up to \$3,800.00 for brake repairs for Rescue 5. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission discussed bids for the old clinic building in La Cygne. Mike Page stated that the Sheriff might

have a use for the building. The Commission will wait to make a decision until they can talk to the Sheriff.

The Commission and Larry Robinson discussed items being displayed for sale on another person's property that violate our zoning regulations. Robinson also discussed other CUP issues.

At 10:25 Herb Pemberton moved to take a 15 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:47 AM the Chairman asked for public comment. The Commission explained the zoning requirements about advertising on someone else's property. The Commission also discussed sanitation regulations.

John Black presented a permit to bury telephone cable requested by Craw-Kan Telephone Coop. located at 1200 Rd. & Quinn Rd. Vicki Leonard moved to approve the request to bury telephone cable. Mike Page seconded the motion. The motion passed 3-0.

The Clerk asked the Commission about Health Insurance bids. The Commission does want to request proposals for the Health Insurance for next year.

The Commission discussed the work that is being done on the Courthouse.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, November 9, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Attest:

Commission Chair

\_\_\_\_\_  
County Clerk

November 9, 2009

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

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

Sheriff Walker informed the Commission of the savings on this month's hospital bills. Walker also discussed ambulance bills. Our ambulance service is much higher than a bill he received from another County. Walker discussed using the old medical building at La Cygne for additional offices and evidence storage. Mike Page asked the Sheriff to put an estimate together on what it would cost to renovate the building.

Jerry Bedgood discussed an estimate for additional work on the Courthouse roof. Bedgood explained that our insurance company would pay for the replacement cost of the rolled roofing. Bedgood and the Clerk agreed that they would rather use the metal roof option. We are also checking with the Historical Society about the repairs.

Doug Barlet presented an application from Tanner Ogden for Station 920. Vicki Leonard moved to hire Tanner Ogden as a Firefighter at Station 920. Mike Page seconded the motion. The motion passed 3-0.

Barlet also discussed a meeting in Frontenac tomorrow at 1:00 PM concerning Flood Plain management and the Flood Plain maps.

The Commission and John Black discussed the Temporary Mechanic position. Our Full Time Mechanic pay range is \$11.72 to \$15.19. The Temporary Mechanic's pay will depend on experience.

Dan Morris discussed 1850 Road. The culverts have been replaced. The Commission stated that they are planning on hard surfacing 1850 Road next year. The Commission will talk to John Byington about next year's projects before making a definite decision.

Larry Robinson presented Lot Split #09-240 and the accompanying grant of road easement requested by William Wolfinger located on County Road 1095. Vicki Leonard moved to approve Lot Split #09-240 and accept the accompanying grant of road easement as requested. Mike Page seconded the motion. The motion passed 3-0.

Dennis Arnold informed the Commission that either option for repairing the roof is acceptable with the Historical Society. Vicki Leonard moved to approve the "Addwork Proposal" from Mid-State Restoration in the amount of \$7,560.00, with KCAMP paying a portion of the project, and authorizing repair work to the sheeting and structural member as needed at the rates listed on the proposal, subject to the approval of the Commission or the Commission's designee. Mike Page seconded the motion. The motion passed 3-0.

Steve Thompson presented a proposal for installing new Christmas lights on the front of the Courthouse while Mid-State Restoration has the lift onsite. Vicki Leonard moved to authorize Steve Thompson to order the Christmas lights for the Courthouse. Mike Page seconded the motion. The motion passed 3-0.

At 10:17 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

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

Jerry Bedgood presented an additional proposal from Mid-State Restoration for cleaning and repairing all the Courthouse windows for \$8,979.00. Mike Page moved to approve up to \$8,979.00 for the project. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to reschedule the next regular meeting to Wednesday, November 18<sup>th</sup> at 9:00 AM. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for October 2009.

Vicki Leonard moved to allow the Chairman to sign the "Work For Hire Agreement" with Boone Brothers Roofing for the Blue Mound and Centerville Fire Stations. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to allow the Chairman to sign the "Work For Hire Agreement" with Purinton Pest Control for termite treatment for the Road Dist. #1 Shop and the Concern Building. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to allow the Chairman to sign a revised "Work For Hire Agreement" with Mid-State Restoration for Courthouse repairs. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to adopt Resolution #09-25 confirming the establishment of the regional economic development organization. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to adopt Resolution #09-26 confirming support for the qualifying regional strategic plan. Mike Page seconded the motion. The motion passed 3-0. Following are copies of Resolutions #09-25 and 09-26:

APPENDIX C  
RESOLUTION # 09-25

A RESOLUTION confirming that a regional economic development organization has been established as required by the 74-50-116(c), for the purpose of qualifying the County of Linn as a designated nonmetropolitan business region.

WHEREAS, A regional economic development organization, known as the Southeast Kansas Regional Planning Commission, has been established; and

WHEREAS, the Southeast Kansas Regional Planning Commission was established in 1989 and recognized by the State of Kansas in 1971 and registered in the County of Neosho; and

WHEREAS, the Southeast Kansas Regional Planning Commission has a membership representative of all geographic areas of the Counties of Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson, and Woodson; and

WHEREAS, the Southeast Kansas Regional Planning Commission has a membership representative of all types of businesses and industry resident in the County of Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson, and Woodson; and

WHEREAS, The Board of County Commissioners of the County of Linn, is represented on the Board of Directors of the Southeast Kansas Regional Planning Commission

NOW, THEREFORE, BE IT RESOLVED BY THE Board of County Commissioners of the County of Linn, That the Southeast Kansas Regional Planning Commission meets the requirements of K.S.A. 74-50-116(c)(1), and

BE IT FURTHER RESOLVED: That the Kansas Secretary of Commerce is hereby requested to acknowledge the Southeast Kansas Regional Planning Commission as a qualifying regional economic development organization for the purpose of approving the County of Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson, and Woodson as a designated nonmetropolitan business region.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LINN, ON THIS 21st DAY OF November, 2009.

COUNTY SEAL

Herb Pemberton  
Chairman (Typed)

*[Signature]*  
Chairman Signature

David Lamb  
County Clerk (Typed)

*[Signature]*  
County Clerk Signature

APPENDIX D  
RESOLUTION # 09-26

County Support of Regional Strategic Plan and Regional Incentives

A RESOLUTION confirming support for the qualifying regional strategic plan and requesting that the Secretary of Commerce approve the County of Linn as a Kansas Enterprise Zone designated nonmetropolitan business region.

WHEREAS, A regional strategic plan, required by K.S.A. 74-50-116(c)(2), has been adopted by the County Commissioners of the County of Linn on March 21, 2005 and

WHEREAS, Regional business incentive(s) of low interest loans will be offered to all qualified businesses in the County; and

WHEREAS, Additional countywide business incentive(s) of low interest loans and technical assistance will be offered to all qualified businesses in the County; and

WHEREAS, All qualified businesses in the County will be notified of the availability of the business incentive(s) indicated above by inclusion on the Linn County Economic Development website; and

WHEREAS, The County Commissioners of the County of Linn chooses to participate with Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Montgomery, Neosho, Wilson, and Woodson, as part of a Kansas Enterprise Zone designated nonmetropolitan business region as provided by K.S.A. 74-50, 116; and

WHEREAS, The County Commissioners of the County of Linn has received an Opinion Letter from the County Attorney finding compliance with the Kansas Enterprise Zone Act, K.S.A. 74-50, 113 et seq., as amended.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the County Commissioners of the County of Linn: That the Kansas Secretary of Commerce is hereby requested to approve the County of Linn as a designated nonmetropolitan business region pursuant to the Kansas Enterprise Zone Act.

ADOPTED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF LINN ON THIS 21st DAY OF November, 2009.

COUNTY SEAL

Herb Pemberton  
Chairman (Typed)

*[Signature]*  
Chairman Signature

David Lamb  
County Clerk (Typed)

*[Signature]*  
County Clerk Signature

Vicki Leonard moved to approve the following pays/special pays, totaling \$95,597.11: General, \$52,581.18; Appraiser, \$174.85; Rural Fire, \$4,269.24; Road and Bridge, \$33,244.05; 911 Telephone Tax, \$832.53; County Health Department, \$663.61; and Elderly, \$3,831.65. Mike Page seconded the motion. The motion passed 3-0.

At 11:10 AM the Chairman asked for public comment. Roberta Childers stated that she thinks we should blacktop 1850 Road east of County Road 1095 to the water tower.

Vicki Leonard moved to reappoint Virginia McGee to the Tri-Ko, Inc. Board of Directors. Mike Page seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Wednesday, November 18, 2009. Mike Page seconded the motion. The motion passed 3-0.

\_\_\_\_\_  
Commission Chair

Attest:

\_\_\_\_\_  
County Clerk

November 18, 2009

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

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

Vicki Leonard moved to sign a letter supporting Coordinated Transit District #10 in their grant application to KDOT. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve the Sheriff's Monthly Fee Report for October 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

John Black asked the Commission to hire Jeremy Willard as a Temporary Full-Time Mechanic for Dist. #2. Vicki Leonard moved to hire Jeremy Willard as a Temporary, Full-Time Mechanic for Road Dist. #2 at \$12.50 per hour. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays, totaling \$241,520.01: General, \$107,438.79; Employee Benefit, \$55,728.84; Appraiser, \$8,276.66; Rural Fire, \$5,592.75; Road and Bridge, \$53,839.19; 911 Telephone Tax, \$376.05; County Health Department, \$7,115.31; Crime Victim Assistance, \$977.22; Elderly, \$1,958.53; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

Fire Board Chairman Rob Dent asked the Commission to establish an interview panel for the Deputy Fire Chief/Assistant Emergency Manager position consisting of 1 Commissioner, 2 Fire Board Members, the Clerk, and Doug Barlet. Mike Page volunteered to be on the panel. Vicki Leonard moved to establish the panel as requested. Mike Page seconded the motion. The motion passed 3-0.

Dent also stated that the Fire Dept. budget is looking good and they should have enough money to purchase a grass truck this year. Mike Page suggested getting prices and then waiting to see how the budget looks at the end of the year.

Gary Stone stated that the Sheriff's Office is still looking for a building they could use for additional offices and storage. The old clinic in La Cygne is not going to work for them.

Jerry Bedgood gave the Commission an update on the repairs to the Courthouse. Bedgood also informed the Commission that he received the bills from Boone Brothers Roofing on the Centerville and Blue Mound Fire Station roofs. The bills came in \$3,914.00 lower than the estimates.

At 9:51 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, and John Maloney attended the executive session.

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

At 10:03 AM the Chairman asked for public comment. Bernita Robbins asked who takes care of Nickel Road south of 1050 Road. Robbins stated that the road has some big potholes. Vicki Leonard stated that she will talk to John Black about the road.

The Clerk gave the Commission copies of the new information pamphlet on the Courthouse.

The Clerk discussed his budget and a Human Resources program that is available from Manatron/Infinitec. The program would cost \$2,285.00 plus approximately \$400.00 for installation and training. The Clerk's budget can afford to purchase the program this year. The Commission agreed that the Clerk should purchase the HR program.

Mike Page stated that WH Scale is going to wait until we have our scale house set before they install the scales.

Dennis Arnold discussed the energy audit on the Courthouse and the costs for the audit from two companies. The Commission will discuss this issue next Monday.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, November 23, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

November 23, 2009

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

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

Doug Barlet addressed the Commission concerning FEMA documents that need to be signed. Vicki Leonard moved to authorize Doug Barlet to sign the required forms for FEMA for Disaster Declaration #1849. Mike Page seconded the motion. The motion passed 3-0.

Barlet also stated that the Hazard Mitigation Plan has been approved by FEMA. The Commission needs to approve a resolution adopting the Hazard Mitigation Plan. Herb Pemberton moved to adopt Resolution #09-27. Vicki Leonard seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-27:



Barlet then presented bids for grass trucks. The Fire Board recommends purchasing 2 grass trucks this year and 1 out of next year's budget. Fire Board Chairman Rob Dent stated that the prices will go up by approximately \$1,500.00 if we order after this Friday because we would have to order 2011 models. Bids have been received from Shawnee Mission Ford and Cox Motor Company and will be opened after 10:00 AM today. Beckman Motors stated that they did not have time to submit a bid.

At 9:31 AM the Chairman asked for public comment. Steve Riley discussed the roads at the Fairgrounds. (John Byington is planning on discussing the project today.) Riley asked why the hole on 1700 Road hasn't been patched. Byington will take a look at the hole. Bernita Robbins stated that the Fire budget must have been too high if they have saved this much money.

John Byington discussed proposed road projects for 2010. Byington proposals were: CR552 (Tiger Road), 2 miles of 2" hot mix, \$135,000.00; 1850 Road west of CR1095, 1.2 miles of chip & seal, \$74,647.00; and 1850 Road east of CR1095, .2 miles of chip & seal, \$12,578.00. The Commission agreed to proceed with the projects that were proposed by Byington. Byington also discussed work that has been done at the Fairgrounds, using the millings that were purchased from Koss Construction. Byington is planning on chip & sealing the roads in the Fairgrounds in June. Byington also discussed working on the streets in Prescott.

Joe Maloney presented credit applications for Brandon Johnson and Tower Metals. Vicki Leonard moved to allow Brandon Johnson and Tower Metals to establish credit accounts for dumping at the C&D Landfill. Mike Page seconded the motion. The motion passed 3-0.

Maloney also presented a proposal from KDH&E concerning monitoring the gases released from the C&D Landfill. The County will have an opportunity to comment on the proposal. The Commission will discuss the issue next week.

At 10:04 AM the Commission opened bids for the Fire Dept. grass trucks. Bids received were:

	Shawnee Mission Ford	Cox Motor Company
2010 Ford F350, single rear wheels, 10000# GVWR	\$21,894.00	\$22,275.00
2010 Ford F350, dual rear wheels, 13000# GVWR	\$22,721.00	\$22,825.00
2010 Ford F350, dual rear wheels, 12000# GVWR, no bed	\$21,829.00	

2010 Ford F450, dual rear wheels, 16500# GVWR	\$27,767.00	\$27,875.00
2011 Ford F350, single rear wheels, 10400# GVWR	\$23,249.00	
2011 Ford F350, dual rear wheels, 13000# GVWR	\$23,976.00	
2011 Ford F350, dual rear wheels, 12200# GVWR, no bed	\$23,184.00	
2011 Ford F450, dual rear wheels, 16500# GVWR	\$29,622.00	

Doug Barlet recommends buying 2010 models with dual rear wheels. Barlet will review the bids while the Commission takes a break.

At 10:27 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor, and then take 10 minute break before reconvening the Board of Commission meeting. Herb Pemberton seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jim Schmitz attended the executive session.

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

Doug Barlet stated that he has reviewed the bids for grass trucks and recommends purchasing 3 trucks from Cox Motor Company for \$68,475.00 (\$22,825.00 each), 2 from the 2009 budget, and 1 from the 2010 budget. Vicki Leonard moved to approve the purchase as recommended by Barlet. Mike Page seconded the motion. The motion passed 3-0.

Dan Morris stated that he has a 12H Motorgrader that is leaking oil. Caterpillar (Foley Tractor) recommends a "Mid-Life Service" on the grader for a total cost of \$7,132.00. Herb Pemberton moved to have the motorgrader serviced by Foley Tractor for \$7,132.00. Vicki Leonard seconded the motion. The motion passed 3-0.

At 11:03 AM Mike Page moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and Doug Barlet attended the executive session.

At 11:13 AM the executive session ended. No action taken.

Dennis Arnold stated that the Historical Society would rather not remove the chimneys on the Courthouse, but they would like to see pictures before making a decision. Mike Page will contact Brandon McGinnis and look at the chimneys and get a price for repairs.

Arnold also asked the Commission about the energy audit proposals. The companies will make presentations to the Commission if the Commission wants them to. The Commission would like to have the companies make presentations on their services.

The Clerk informed the Commission that he is waiting on the signed copy of the contract with B&R Environmental for the attic cleanup.

The Commission agreed that Mike Page will be the Chairman next year and Vicki Leonard will be the Vice-Chair.

Herb Pemberton presented price quotes for water coolers for the Courthouse and Annex. Quotes received were: Star Valley Water, \$10.00 per month rental, \$5.50 per 3 gallon bottle, no deposit, no delivery fees; and Hinkley (DS Water), \$6.99 per month rental, \$7.99 per 5 gallon bottle, \$6.00 per bottle deposit, \$1.99 per month fuel surcharge. We could also purchase coolers from Star Valley Water, \$120.00 for cold and room temperature or \$180.00 for cold and hot water. Pemberton suggests renting the coolers as opposed to buying them. Vicki Leonard moved to rent coolers from Star Valley Water for \$10.00 per cooler and \$5.50 per bottle. Mike Page seconded the motion. The motion passed 3-0.

At 11:50 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session until Noon to discuss legal issues (attorney/client privilege) with the County Counselor. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At Noon the executive session ended. No action taken.

Mike Page gave an update on the scale project at the landfill. We are trying to get the project done by the end of the month.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, November 30, 2009. Mike Page seconded the motion. The motion passed 3-0.

\_\_\_\_\_  
Commission Chair

Attest:

\_\_\_\_\_  
County Clerk

November 25, 2009

At approximately 11:00 AM, after notifying Charlene Sims, Osawatomie Graphic, and Jackie Taylor, Linn County News, the Clerk contacted all three Commissioners concerning a proposal for repairing the chimneys on the Courthouse. Following is a copy of the proposal:



All three Commissioners agreed to proceed with Item #1 in the amount of \$5,561.00 and Option 2 of Item #2 in the amount of \$4,610.00. The Clerk then notified Charlene Sims and Jackie Taylor of the decision by email.

\_\_\_\_\_  
Commission Chair

Attest:

\_\_\_\_\_  
County Clerk

November 30, 2009

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

Jerry Bedgood stated that Mid-State Restoration plans on being done working outside this week so they can start inside. Bedgood will talk to B&R Environmental to coordinate work with Mid-State Restoration.

Vicki Leonard moved to approve the minutes of the last regular meeting and the November 25, 2009 telephone meeting as printed. Mike Page seconded the motion. The motion passed 3-0.

The Clerk reminded the Commission that he and the Deputy Clerk will be out of town next Monday. Mel Bolling will record the minutes of next week's meeting.

Mike Page moved to allow the Chairman to sign the "Work For Hire Agreement" with B&R Environmental Services and Demolition, Inc. for the Courthouse attic cleanup. Vicki Leonard seconded the motion. The motion passed 3-0.

Sheriff Walker reported on an arrest that was made this weekend. The Sheriff also reported that he is trying to collect from the City of Parker for a prisoner that was arrested on a City charge. The Sheriff also discussed seized vehicles.

At 9:25 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Counselor, and Sheriff attended the executive session.

At 9:30 AM the executive session ended. No action taken.

Joe Maloney presented a proposal from Aquaterra for "Green House Gas Rule Compliance Assistance." The Commission and Maloney also discussed the scale project at the landfill. The scales should be set in place tomorrow.

Larry Robinson presented CUP #1009338 requested by Xpress Fuel, LLC. The Planning Commission approved the CUP by a 7-0 vote with the following findings: 1) The use fits with the character of the neighborhood since the area contains a mix of rural residential uses and some commercial development, 2) The property is zoned ag-residential and has previously been used for a gas station/convenience store commercial business and nearby properties range from dense single family residential dwellings and commercial development to highway retail, 3) The subject property is suited to its present use for commercial purposes if a sanitation system is provided that meets County & State requirements for commercial use, 4) The present zoning will remain unchanged so there will be no detrimental effect on nearby property, 5) The subject property is not vacant, 6) The landowner would provide a service for the public by offering a business & commodity the community needs, 7) Staff recommends approval, and 8) The use conforms to the C.L.U.M.P. map, the future land use map, and conforms to the Linn County Comprehensive Plan; and the following conditions: 1) A conceptual plan be submitted before it is approved by the Board of County Commissioners, 2) Signage does not change without a sign permit, and 3) The RV/boat storage area shall be secured and maintained weed free. After reviewing the findings and conditions, Vicki Leonard moved to adopt the findings of the Planning Commission, approve CUP #1009338, and approve Resolution #09-28. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-28:

Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 2009-017  
A RESOLUTION APPROVING CONDITIONAL USE  
PERMIT #1009338 (Xpress Fuel, LLC) TO PERMIT THE OPERATION OF A GAS STATION/CONVENIENCE  
STORE & AN RV/BOAT STORAGE FACILITY IN AN AG - AGRICULTURAL ZONE

WHEREAS, Linn County, Kansas is a county municipal government with the authority to adopt zoning regulations and create zoning district boundaries as provided in K.S. A. 12-753; and

WHEREAS, Linn County did adopt countywide zoning regulations on June 22, 1981; and,

WHEREAS, the Linn County Planning Commission did, on October 21st, 2009, publish a notice of a public hearing to consider Conditional Use Permit #1009338 pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on November 10<sup>th</sup>, 2009 to consider said Conditional Use Permit for the proposed facilities in the AG - Agricultural Zone on property described in Section 1; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimonies did, by 4-0 vote, recommend approval of said Conditional Use Permit based on the following findings and subject to the conditions as listed in Section 2;

- 1) The use fits with the character of the neighborhood since the area contains a mix of rural residential uses and some commercial development.
- 2) The property is zoned ag-residential and has previously been used for a gas station/convenience store commercial business and nearby properties range from dense single family residential dwellings and commercial developments to highway retail.
- 3) The subject property is suited to its present use for commercial purposes if a sanitation system is provided that meets county & state requirements for commercial use.
- 4) The present zoning will remain unchanged so there will be no detrimental effect on nearby property.
- 5) The subject property is not vacant.
- 6) The landowner would provide a service for the public by offering a business & commodity the community needs.
- 7) Staff recommends approval.
- 8) The use conforms to the C.L.U.M.P. map, the future land use map, and conforms to the Linn County Comprehensive Plan.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment filed to issue said Conditional Use Permit as follows:

SECTION 1: Conditional Use Permit #1009338 is hereby issued on the following described property:

The south 267 ft of the west 816 ft of the N 1/4 of the SW 1/4 of the NW 1/4 of Section 5, Township 20 South, Range 25 East of the 6<sup>th</sup> P.M., in Linn County, Kansas.

SECTION 2: Conditional Use Permit #1009338 (Xpress Fuel, LLC) is issued for the property to be used subject to the following conditions:

- 1) A conceptual plan be submitted before it is approved by the Board of County Commissioners.
- 2) Signage does not change without a sign permit.
- 3) The RV/boat storage area shall be secured and maintained weed free.

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 30<sup>th</sup> day of November, 2009.

  
Chairman   
Vice-Chairman   
Member   
Attest:   
David Lamb - Clerk

Mel Bolling addressed the Commission concerning billing software for the Centerville Sewer District. The software, including setup & travel, would cost \$4,280.00 plus \$973.00 annual maintenance from Infinitec. Bolling stated that the Planning & Zoning Dept. has enough budget left to make the purchase. Vicki Leonard moved to approve the software purchase as requested. Mike Page seconded the motion. The motion passed 3-0.

Bolling informed the Commission that the Road Dept. is having problems with the Verizon cell service. She would like to switch back to US Cellular. The Commission instructed Bolling to negotiate with US Cellular.

Mike Page moved to approve the following pays/special pays, totaling \$383,814.96: General, \$247,227.51; Employee Benefit, \$50,450.28; Appraiser, \$9,473.79; Rural Fire, \$15,729.11; Road and Bridge, \$39,065.08; County Health Department, \$7,403.61; Special Alcohol, \$9,000.00; Crime Victim Assistance, \$977.23; Elderly, \$4,271.67; and Zoning LEPP, \$216.67. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to allow the Chairman to sign the Partial Payment Estimate for Wes Ogle Construction LLC in the amount of \$88,806.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission discussed selling the old clinic building in La Cygne. We have only received one written offer from Dennis Arnold in the amount of \$5,100.00. The Commission and Arnold discussed the condition of the building. Vicki Leonard moved to accept the offer from Dennis Arnold in the amount of \$5,100.00. Mike Page seconded the motion. The motion passed 3-0. Gary Thompson will prepare a warranty deed.

At 10:24 AM the Chairman asked for public comment. None was given.

At 10:25 AM Herb Pemberton moved to take a 15 minute break. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to authorize the Chairman to sign a memo to employees concerning cell phone use. Vicki Leonard seconded the motion. The motion passed 3-0.

Ken Keller and Shawn Biggs from AMR addressed the Commission concerning their service. Mr. Keller plans on coming to our Commission meetings about once a month. Mr. Keller suggested an addendum to our contract stating that they will not charge the Sheriff for prisoner transports. The Commission also asked about the call outs for the Fire Dept. Keller also stated that he is planning on reviewing the number of air ambulance transports.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, December 7, 2009. Mike Page seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

December 7, 2009

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

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

Vicki Leonard moved to approve the following pays/special pays, totaling \$147,215.72: General, \$42,302.06; Employee Benefit, \$51,781.91; Appraiser, \$934.03; Rural Fire, \$18,800.93; Road and Bridge, \$28,345.67; 911 Telephone Tax, \$3,296.48; and Elderly, \$1,754.64. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following add/abate/refund orders: 2009-1 thru 2009-3, and 2009-5 thru 2009-97. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to allow the Chairman to sign the "Request for Payment of CDBG Funds" in the amount of \$56,734.00. Mike Page seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for November 2009. Herb Pemberton stated the roof on the marina was leaking and Boone Brother's Roofing is coming back to fix it.

Sheriff Walker discussed ambulance charges that he met with Kenny Keller about. There is a possibility of no charge up to the same rates that Medicare uses.

Walker also discussed the phones for inmates that are not currently working. Walker is looking to a Kansas based firm to move the service to.

Sheriff Walker also stated he is interested at looking at the Mound City Medical Clinic building when it becomes available.

Doug Barlet stated that he has a 2:00 PM webinar with the National Weather Service today to discuss the storm. It appears the storm will be mostly north of the Kansas City area.

Barlet also stated that the Fireboard discussed assignment of the grass units. Because the Prescott trucks issues are currently fixed they feel the grass trucks should go to Centerville, Blue Mound, and Mound City. Three bids have been received for light bars, \$9000.00, \$8565.00, and \$5643.00. Barlet also needs to purchase 18 tires which through Goodyear should cost approximately \$3420.00. Barlet would also like to purchase 3 radios to replace older ones. By 2013 all the radios must be broadband. One bid has been received for \$1345.00. Also, to install transfer switches in all the stations will cost \$2421.00 (\$4500.00 was budgeted).

Mike Page moved to the purchase of three light bars and switches from Ka-Comm for \$5643.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to purchase three radios at no more than \$1345.00. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to purchase transfer switches for \$2421.00. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to purchase 18 tires at a cost not to exceed \$3420.00. Vicki Leonard seconded the motion. The motion passed 3-0.

Joe Maloney stated that the landfill is waiting on the billboard for the scales and then WH Scales will do the training. Maloney stated that Dillard's Fencing will be out to install the sliding gate. Maloney presented the

September, October, November income from the landfill as \$16,123.36. This figure includes CD material, tires and recycling.

At 9:38 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Counselor, and Doug Barlet attended the executive session.

At 9:53 AM the executive session ended. No action taken.

Joe Maloney presented an invoice from Thoele Foundation for \$7018.43 for the concrete work for the scale at the landfill.

Vicki Leonard moved to approve payment of \$7018.43 to Thoele Foundation. Mike Page seconded the motion. The motion passed 3-0.

Maloney also stated that he had the Freightliner truck fixed from when the bolts came out of the motor. They also fixed an oil leak, air brakes, water pump, oil filter housing and air dryer for \$3232.89.

Vicki Leonard moved to approve payment of \$3232.89 to Kansas City Freightliner. Mike Page seconded the motion. The motion passed 3-0.

Maloney informs the Commission that the Sterling truck is currently in the shop for a brake update. The PTO is also leaking. Also, the 1997 Truck needs an overhead run on it as it has excessive smoking. Mike Page suggests trying to find someone local to do that work.

Maloney also informed the Commission that the Household Hazardous Waste needs to be removed. One bid from Clean Harbors was received for \$1876.35.

Mike Page moves to allow Clean Harbors to remove the HHW for \$1876.35. Vicki Leonard seconded the motion. The motion passed 3-0.

At 10:19 AM Mike Page moved to take a break until 10:30 AM. Vicki Leonard seconded the motion. The motion passed 3-0.

Larry Robinson presented Lot Split #09-241 and a Grant of Road Easement and Rezoning requested by John and Anita Rowe. Vicki Leonard moved to approve Lot Split #09-241 and accept the accompanying Grant of Road Easement as requested. Mike Page seconded the motion. Motion passed 3-0. Vicki Leonard moved to approve Rezoning Resolution #09-29. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-29:

RESOLUTION 09-29

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS  
A RESOLUTION AMENDING ZONING ON SPECIFIC PROPERTY AND AMENDING THE OFFICIAL  
ZONING MAP

WHEREAS, pursuant to K.S.A. 12-756, the Linn County Planning Commission did on November 10<sup>th</sup>, 2009, hold a public hearing on Case 2009197 (Howe), said case being duly published on October 21<sup>st</sup>, 2009 in the Official County Newspaper, and after consideration of the application and the adopted Linn County Comprehensive Land Use Plan, recommended approval of the application to the Linn County Commissioners by a vote of 7-0, finding that:

1. The proposed use for rural residential use fits with the character of the neighborhood and a use with acceptable land uses of the County Future Land Use Map on the Linn County Comprehensive Plan.
2. Within a 1 mile radius of this property, there are 3 lots already zoned "AR" and at least a full acre small acreage tracts zoned "A" with the principal use being one tract for a home site.
3. The parcel itself appears to be about 50% wooded and 50% grassland. The use for this property appears to be mostly wooded & not suitable for crop production.
4. Removing the Agricultural restriction will not detrimentally affect nearby property since many of them are also being used as rural residential home sites.
5. The property is not in use as agricultural property.
6. It isn't anticipated that there would be any increase or decrease in value of property other than the value to taxes and value to the tax base by having another residence in the area.
7. Staff recommends approval of this application.
8. The resolution brings conformity to the master or zoning plan for Linn County in that it upholds the existing character of the neighborhood, and by being sandwiched between the Corporate Limits of the Mound Day site and the transitional Ag area surrounding Crown Lake identified on the Future Land Use Map on the Linn County Comp Plan, the rezoning would be warranted.

WHEREAS, on the 7<sup>th</sup> day of December, 2009, Case 2009197 (Howe) was heard before the Board of County Commissioners, Linn County, Kansas, proposed for property case particularly described below:

WHEREAS, said case was heard before a duly called, qualified, and sitting quorum of said Board of County Commissioners, and

WHEREAS, after due consideration of the findings of the Planning Commission, the issues presented and the Comprehensive Land Use Plan of Linn County, Kansas, it is the desire of the Commissioners of Linn County, Kansas, to affirm the findings of the Linn County Planning Commission and to change, amend and modify the zoning classification of the real estate more fully described below, and to amend the zoning map to reflect said change.

THEREFORE, be it resolved by the Board of County Commissioners of Linn County, Kansas, that the zoning classification of the following described real estate:

A tract of land in the Southeast ¼ of Section 17, Township 23, Range 25, Linn County, Kansas, beginning at the NW corner of the SE ¼ of said section, thence along the East line of said SE ¼ to the South of 21° 42' East 225.87 feet; thence South 87° 32' 42" West 200.25 feet; thence North 71° 02' 40" East 220.25 feet to the North line of said SE ¼; thence South 87° 32' 42" East 277.08 feet to the point of beginning. (Overlaid 2.70 acres and subject to that part on the South being used for County Road R.V. and subject to all other easements and encumbrances of record, if any.

Shall be and is hereby changed to the classification of "AR" - Ag-Residential.

This resolution was passed and approved by the Board of County Commissioners of Linn County, Kansas, by a majority vote of seven on the 7<sup>th</sup> day of December, 2009, and shall become effective upon publication in the Official County Newspaper.

BOARD OF COUNTY COMMISSIONERS  
Linn County, Kansas  
*[Signature]*  
Chairman  
*[Signature]*  
Vice Chairman  
*[Signature]*  
Member  
ATTEST:  
*[Signature]*  
David Lamb, County Clerk

At 10:42 AM the Chairman asked for public comment. No comments were given.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, December 14, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

December 14, 2009

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

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

Mike Page moved to approve the following add/abate/refund orders: 2009-98 thru 2009-121, and 2009-123 thru 2009-125. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet presented an application for Jary Harp as a Firefighter for Station 970. Mike Page moved to hire Jary Harp as a Firefighter for Station 970. Vicki Leonard seconded the motion. The motion passed 3-0.

Barlet informed the Commission that Tom Kemper and Rodney Benson's terms on the Fire Board expire on Dec. 31<sup>st</sup>. Kemper and Benson both are willing to accept another term. Barlet also stated that he would like to purchase 100 Motorola radio batteries in the amount of \$3,750.00. (\$5,000.00 was budgeted for the purchase.) Vicki Leonard moved to allow Barlet to purchase 100 batteries for \$3,750.00. Mike Page seconded the motion. The motion passed 3-0.

At 9:10 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Doug Barlet attended the executive session.

At 9:20 AM the executive session ended.

At 9:21 AM Mike Page moved to extend the above listed executive session for 10 minutes. Vicki Leonard seconded the motion. The motion passed 2-0. The same people attended this portion of the executive session.

At 9:29 AM Doug Barlet left the executive session.

At 9:31 AM the executive session ended. As a result of the executive session, Mike Page moved to hire Timothy J. Martin, Sr. as the Deputy Fire Chief/Assistant Emergency Management Director at \$39,000.00 per year. This is an exempt position and no overtime will be paid. Vicki Leonard seconded the motion. The motion passed 3-0. Martin will take a pre-employment physical/drug test and will be on standard 6 month probation.

At 9:37 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss trade secrets of a corporation. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Counselor, and Dennis Arnold attended the executive session.

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

Mike Wilson, Energy Systems Group, addressed the Commission concerning his company and the proposed energy audit on the Courthouse. If the company does not find any projects that need to be done, there would be no cost. If the company does propose projects and we choose not to proceed, the cost would be \$7,500.00. If we do the suggested projects with ESG, the cost would be built into the projects.

Jerry Bedgood updated the Commission on the Courthouse work. Mid-State will start working inside today. Vicki Leonard moved to allow the Chairman to sign an amendment to the "Work for Hire Agreement" with Mid-State Restoration for the chimneys in the amount of \$10,171.00. Mike Page seconded the motion. The motion passed 3-0.

John Copple, Prescott Mayor, addressed the Commission concerning the proposed road projects in Prescott. Copple thanked the Commission for the help he received from John Byington. Copple stated that he has some drainage

issues that need to be addressed before resurfacing streets. Prescott will probably be ready to work on the streets in two years.

At 10:40 AM Vicki Leonard moved to take a break until 10:50 AM. Mike Page seconded the motion. The motion passed 3-0.

Bruce Holt asked the Commission to purchase order \$9,912.00 for road oil from Vance Brothers and \$1,870.00 for chips from Wade Quarries for chip & sealing roads in the park. The Clerk suggested decreasing the oil PO by 100 gallons. Vicki Leonard moved to approve purchase orders in the amounts of \$9,735.00 for road oil from Vance Brothers and \$1,870.00 for chips from Wade Quarries. Mike Page seconded the motion. The motion passed 3-0.

Claude Warren, Parker Municipal Judge, addressed the Commission concerning a bill that the City of Parker received from the Sheriff for housing a prisoner on City charges. Warren does not believe the City should be charged since the residents of the City already pay County taxes. Gary Thompson explained the statute (KSA 19-930) that requires payment from the City. Sheriff Walker read County Resolution #94-31 that sets fees for City prisoners. Gary Thompson will review the statutes and AG opinions and report to the Commission next week.

Harry Wisdom presented a permit to bury water line requested by Mark Schulenberg, RWD #4 located at 600 & Harkness Road. Mike Page moved to approve the permit to bury water line as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Mel Bolling asked the Commission for permission to apply for a grant for a Transportation Van for 2011. The Commission agreed to allow Bolling to apply for the grant.

Vicki Leonard moved to approve the following pays/special pays, totaling \$357,096.19: General, \$226,976.34; Employee Benefit, \$30,846.80; Appraiser, \$17,526.45; Rural Fire, \$8,984.60; Road and Bridge, \$60,101.42; 911 Telephone Tax, \$376.05; DARE, \$127.34; County Health Department, \$7,803.28; Crime Victim Assistance, \$977.23; Elderly, \$3,160.01; and Zoning LEPP, \$216.67. Herb Pemberton seconded the motion. The motion passed 3-0.

The Clerk explained that we need to publish a Budget Amendment for the Health Dept. No other funds appear to need amendments this year. The Commission agreed to publish the notice of hearing for the budget amendment.

Vicki Leonard moved to approve additional work by Mid-State Restoration in the amount of \$1440.00 for painting the interior side of 20 windows. Mike Page seconded the motion. The motion passed 3-0.

The Clerk and Commission discussed the Christmas holiday. Vicki Leonard moved to close County Offices on Christmas Eve. Mike Page seconded the motion. The motion passed 3-0.

The Commission discussed the income and expenses of the Solid Waste Dept. Once the scales are in use we will need to pass a resolution to establish fees by weight.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, December 21, 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

December 21, 2009

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

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

Herb Pemberton moved to approve the following add/abate/refund orders: 2009-126 thru 2009-128, 2009-130, 2009-131, and 2009-142 thru 2009-152. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk stated that several employees asked him to thank the Commission for allowing the employees to have Christmas Eve off work.

A group of residents that live on E 1650 Road asked the Commission to blacktop the road. The Commission and Larry Robinson discussed the road and State/Federal funding. The Commission agreed that they could look into the project in the future.

Harry Wisdom presented two permits to bury telephone line requested by Embarq located on Cassida Road and at 4888 Ellington Road. Vicki Leonard moved to approve the permits to bury as requested. Mike Page seconded the motion. The motion passed 3-0.

John Black asked the Commission for permission to purchase 4-road grader tires for \$1,116.82 each and 6-1100 22.5 tires for \$2,092.64. Vicki Leonard moved to allow purchase for a total of \$6,559.92. Mike Page seconded the motion. The motion passed 3-0.

Sheriff Walker reported on his department. (prisoner housing, arrests, etc.) The Sheriff also asked about the bill for the City of Parker. The Clerk gave the Commission Gary Thompson's written opinion on billing Cities for prisoners. After reviewing the opinion of the Counselor, the Commission agreed that if this prisoner was booked on a City charge, we are required to bill the City.

Doug Barlet presented a training schedule for County COOP Training for disaster situations. Barlet also presented information on the heating system for Station 950. The City of La Cygne approved \$1,200.00 to help pay for a gas heating system for the station. The Fire Board recommends installing a gas heating system. Barlet would like to transfer money to Special Equipment to pay for the truck that was in next year's budget, and use the truck money to purchase the heating system.

Jerry Bedgood presented bids to replace the insulation and to eliminate the mold in Station 900.

Barlet also presented 3 purchase order requests. Herb Pemberton moved to approve Purchase Order #2009-03 from the General Fund Emergency Management in the amount of \$5,950.00 to Page Electrical for installing transfer switches. Vicki Leonard seconded the motion. The motion passed 2-0. Mike Page abstained. Vicki Leonard moved to approve Purchase Order #2009-04 from the Rural Fire Fund in the amount of \$45,650.00 to Cox Motor Company for 2 F350 pickups. Herb Pemberton seconded the motion. The motion passed 3-0. Mike Page moved to approve Purchase Order #2009-05 from the Rural Fire Fund in the amount of \$5,643.00 to Ka-Comm, Inc. for 3 light bars and switches. Vicki Leonard seconded the motion. The motion passed 3-0.

Kevin Ward, Trane Co. presented information on the proposed energy audit for the Courthouse. Mr. Ward mainly discussed windows and heating & cooling.

At 10:58 AM Herb Pemberton moved to take a 10 minute break. Mike Page seconded the motion. The motion passed 3-0.

Jerry Bedgood stated that the attic will be done tonight.

Pam Cannon asked the Commission to transfer \$2,500.00 into the Special Equipment Fund for the future purchase of a plotter. Mike Page moved to allow transfer as requested. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet discussed mapping software that he would like to help purchase for the GIS/Mapping Dept. Barlet would like to purchase \$3,200.00 of software from the Emergency Management budget. Vicki Leonard moved to allow the purchase the ESRI software from the Emergency Management budget. Mike Page seconded the motion. The motion passed 3-0.

Mel Bolling presented requests for transfers and purchase orders for the Road, Noxious Weed, Planning & Zoning, and Transportation/Elderly depts. The Clerk will review available funds and the Commission will act on the requests at next Monday's meeting. The Commission, Bolling, and Joe Maloney also discussed the scales at the landfill.

Joe Maloney presented a credit application for Beachner Grain, Inc. for the C&D Landfill. Vicki Leonard moved to approve the credit application. Mike Page seconded the motion. The motion passed 3-0.

Maloney stated that Dillard's Fencing has the new gate installed at the Landfill. Maloney also stated that the landfill will be open the day after Christmas until Noon.

At 11:40 AM Vicki Leonard moved to recess from the Board of Commission meeting into executive session until 11:50 AM to discuss personnel issues related to non-elected personnel. Mike Page seconded the motion. The motion passed 3-0. The Commission and Joe Maloney attended the executive session.

At 11:50 AM the executive session ended. No action taken.

Mike Page moved to sign the "Second Amendment to Work for Hire Agreement" with Mid-State Restoration for work on the windows in the amount of \$10,419.00. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk presented 4 purchase order requests for District Court. Vicki Leonard moved to approve Purchase Order #2009-06 from the General Fund District Court in the amount of \$10,500.00 to John Domoney for contract attorney fees, Purchase Order #2009-07 from the General Fund District Court in the amount of \$10,500.00 to Richard Fisher for contract attorney fees, Purchase Order #2009-08 from the General Fund District Court in the amount of \$10,500.00 to Gilbert Gregory for contract attorney fees, and Purchase Order #2009-09 from the General Fund District Court in the amount of \$10,500.00 to Jesse Randall for contract attorney fees,. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to allow the Chairman to sign the "Bylaws and Interlocal Cooperation Agreement for the Kansas County Association Multiline Pool" and to adopt Resolution #09-30. Mike Page seconded the motion. The motion passed 3-0. Following is a copy of Resolution #09-30:



The Clerk informed the Commission that Purinton Pest Control found termites in the Blue Mound Road Shop. Mike Page will look at the building before the Commission makes a decision.

The Clerk informed the Commission that he just received notice from the Secretary of State's office about purchasing software and training for elections. The Clerk had planned on spending \$11,000.00 to \$12,000.00 for the purchase, but the HAVA Endowment Funds from the Federal and State governments are going to pay for most of the purchase. The County will only be responsible for \$1,450.00. This will allow more money to be carried over in the General Fund.

With nothing further on the agenda, Vicki Leonard moved to adjourn until 9:00 AM Monday, December 28, 2009. Mike Page seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

December 28, 2009

The Board of Linn County Commission met in regular session at 9:10 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; David Lamb, County Clerk; and Gary Thompson, County Counselor. Mike Page led the Pledge of Allegiance.

Harry Wisdom informed the Commission that he needs to buy some motor grader chains. The Commission told Wisdom to call and get prices for chains.

Mike Page moved to approve Resolution #09-31 declaring a State of Local Disaster Emergency because of the December 24<sup>th</sup> snow and ice storm in the County. Herb Pemberton seconded the motion. The motion passed 2-0. Following is a copy of Resolution #09-31:



Vicki Leonard arrived at 9:30 AM.

Doug Barlet asked the Commission to transfer \$106,000.00 from Rural Fire to Special Fire Equipment. Mike Page moved to transfer \$106,000.00 from the Rural Fire Fund to the Special Fire Equipment Fund for the purchase of fire equipment. Vicki Leonard seconded the motion. The motion passed 3-0.

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

Mike Page moved to approve the following add/abate/refund orders: 2009-153 thru 2009-159. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve the Sheriff's Monthly Fee Report for November 2009. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve a Cereal Malt Beverage License renewal (License #2010-1) for PDQ, Inc., Theresa Nall, Resident Agent, located at 21356 KS Highway 239, Prescott, KS 66767. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve the following pays/special pays, totaling \$160,255.72: General, \$88,667.83; Appraiser, \$508.30; Rural Fire, \$16,433.14; Road and Bridge, \$31,418.82; Special Machinery, \$18,910.22; 911 Telephone Tax, \$794.44; DARE, \$1,600.00; County Health Department, \$802.55; and Elderly, \$1,120.42. Vicki Leonard seconded the motion. The motion passed 3-0.

The Commission and Clerk discussed carryover and budgets.

At 10:00 AM the Chairman opened the public hearing for amending the 2009 County Health Dept. Budget. The Chairman asked for public comment. None was given. Vicki Leonard moved to approve the 2009 County Health Dept. Amended Budget as presented. Mike Page seconded the motion. The motion passed 3-0.

Doug Barlet asked the Commission to transfer \$15,000.00 from Emergency Management to the Contingency line item in the General Fund. Vicki Leonard moved to create a line item in the Contingency Budget for Emergency Management and put \$15,000.00 in that line item. Mike Page seconded the motion. The motion passed 3-0.

The Commission and Barlet discussed the insulation and mold issue at Barlet's office. Vicki Leonard moved to accept the bid from BC Construction Co. for Station 900 in the amount of \$6,797.00. Mike Page seconded the motion. The motion passed 3-0.

At 10:50 AM Mike Page moved to take a 10 minute break. Herb Pemberton seconded the motion. The motion passed 3-0.

Mike Page moved to reappoint Tom Kemper to the Fire Board to represent Dist. #3. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page stated that the deduction on the bill from WH Scale is more than enough to pay for the additional work that we hired local contractors to do. Mike Page asked Mel Bolling to check on another item on the bill from WH Scale.

At 11:15 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission, Clerk, and County Counselor attended the executive session.

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

The Commission discussed landfill fees and options for recovering costs. The Commission is planning on setting up a committee to study the issue.

Mike Page moved to approve Purchase Order #2009-10 from the Road & Bridge Fund in the amount of \$181,445.00 to Heckert Construction for hot mix, Purchase Order #2009-11 from the Road & Bridge Fund in the amount of \$18,000.00 to Lybarger Oil for diesel fuel, Purchase Order #2009-12 from the Road & Bridge Fund in the amount of \$18,000.00 to TNK Fuel Services for diesel fuel, Purchase Order #2009-13 from the Road & Bridge Fund in the amount of \$5,000.00 to Advanced Drainage Systems for culverts, Purchase Order #2009-14 from the Road & Bridge Fund in the amount of \$17,000.00 to Wade Quarries for road rock, and Purchase Order #2009-15 from the Road & Bridge Fund in the amount of \$18,000.00 to Lybarger Oil for diesel fuel. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to transfer \$48,000.00 from the Road & Bridge Fund to the Special Machinery Fund for the purchase of a road grader, and \$35,000.00 from the Road & Bridge Fund to the Special Machinery Fund for the purchase of a dump truck. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to transfer \$16,000.00 from the General Fund, Noxious Weed Budget to the Noxious Weed Eradication Fund for the purchase of noxious weed supplies. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve Purchase Order #2009-16 from the General Fund, Planning & Zoning Budget in the amount of \$6,226.00 to Manatron for software. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to transfer \$3,000.00 from the General Fund, Planning & Zoning Budget to the Equipment Reserve Fund for the purchase of sanitation equipment for the Centerville Sewer District. Vicki Leonard seconded the motion. The motion passed 3-0.

Herb Pemberton moved to approve Purchase Order #2009-17 from the Elderly Fund in the amount of \$11,000.00 to the East Central Kansas Area Agency on Aging for annual fees, and Purchase Order #2009-18 from the Elderly Fund in the amount of \$11,000.00 to KCPL for utilities. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to transfer \$20,300.00 from the Elderly Fund to the Equipment Reserve Fund for the purchase of 2 vans. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to transfer \$2,500.00 from the General Fund, GIS/Mapping Budget to the Equipment Reserve Fund for the purchase of a plotter. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve Purchase Order #2009-19 from the Employee Benefit Fund in the amount of \$150,000.00 to Linn County Treasurer's Benefit Trust for health insurance claims. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve Purchase Order #2009-20 from the General Fund, Election Budget in the amount of \$2,000.00 to Lockwood Supply Company for election supplies, and Purchase Order #2009-21 from the General Fund, Election Budget in the amount of \$1,000.00 to the United States Postal Service for postage. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to transfer \$20,000.00 from the County Health Dept. Fund to the Health Capital Outlay Fund for the purchase of capital outlay items. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve Purchase Order #2009-22 from the General Fund, Register of Deeds Budget in the amount of \$1,000.00 to the United States Postal Service for postage, and Purchase Order #2009-23 from the General Fund, Treasurer Budget in the amount of \$5,000.00 to the United States Postal Service for postage. Mike Page seconded the motion. The motion passed 3-0.

Mike Page moved to approve Purchase Order #2009-24 from the General Fund, Solid Waste Budget in the amount of \$20,000.00 to WCA for waste disposal, and Purchase Order #2009-25 from the General Fund, Solid Waste Budget in the amount of \$1,876.00 to Clean Harbors Environmental Services for HHW disposal. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to transfer \$30,000.00 from the General Fund, Solid Waste Budget to the Equipment Reserve Fund for the purchase of a truck. Vicki Leonard seconded the motion. The motion passed 3-0.

Mike Page moved to approve Purchase Order #2009-26 from the General Fund, Emergency Management Budget in the amount of \$6,797.00 to BC Construction Co. for removal and installation of insulation for Station 900. Vicki Leonard seconded the motion. The motion passed 3-0.

The Clerk asked the Commission about removing the radiators in the offices while the floors and walls are being refinished. It would cost around \$3,500.00 to remove and replace radiators and system would be shut down for a few days. Mike Page suggested installing some type of heat reflective panel behind the radiators instead of removing and reinstalling them. The Clerk also asked about refinishing the trim in the offices that are being repainted. The Clerk will ask Mid-State Restoration for an estimate for refinishing the trim.

Vicki Leonard moved to schedule a special meeting for Thursday, December 31, 2009 at 9:00 AM to approve year end bills, purchase orders, and transfers, appoint Fire Board members, and to approve Cereal Malt Beverage License renewals. Mike Page seconded the motion. The motion passed 3-0.

With nothing further on the agenda Vicki Leonard moved to adjourn until 9:00 AM Thursday, December 31, 2009. Mike Page seconded the motion. The motion passed 3-0.

\_\_\_\_\_  
Commission Chair

Attest:

\_\_\_\_\_  
County Clerk

December 31, 2009

The Board of Linn County Commission met in special session at 9:10 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Herb Pemberton, Chairman; Mike Page, Vice Chairman; Vicki Leonard, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Herb Pemberton led the Pledge of Allegiance.

Following is a copy of the Notice of Special Meeting:

LINN COUNTY, KANSAS  
P.O. Box 185, 215 Main  
Mound City, KS 66860-0185  
913-795-2508  
Fax: 913-795-4888



COUNTY COMMISSIONERS  
Herb Pemberton  
Vicki Leonard  
Mike Page

NOTICE OF SPECIAL MEETING  
BOARD OF LINN COUNTY COMMISSIONERS

You are hereby notified that a special meeting of the Board of Linn County Commissioners has been called and will be held at 9:00 AM on Thursday, December 31, 2009 in the Commissioners Room, Courthouse Annex. This special meeting has been called for the Commissioners to approve year end bills, purchase orders, and transfers; appoint Fire Board members, approve Cereal Malt Beverage License renewals, adopt year end resolutions, and to discuss overtime policies and take any necessary action concerning these items.

DATED this 30<sup>th</sup> day of December, 2009.

David L. Lamb  
Linn County Clerk



DAVID L. LAMB, County Clerk  
DERRAN BERT, County Treasurer  
JERRY WALKER, County Attorney  
BARRY WALKER, Sheriff

JERRY THOMPSON, Register of Deeds  
GARY THOMPSON, County Counselor  
ROBERT THOMPSON, County Representative  
VICTORIA ALPHEA, Transportation

JOHN MATHIAS, Treasurer/Board  
DANIEL ARNOLD, Executive Commissioner  
DANIEL BAKER, State Road Engineer  
LARRY RICHARDS, Zoning & Sanitation

The Commission discussed a purchase order for the equipment to hook up a V blade on the motorgrader. Harry Wisdom found a used set of equipment for \$3,250.00. Mike Page moved to approve Purchase Order #2009-27 from the Road & Bridge Fund in the amount of \$3,250.00 to Dean Machinery Co. for a Balderson Lift Grp. Vicki Leonard seconded the motion. The motion passed 3-0.

Doug Barlet introduced the new Deputy Fire Chief Tim Martin. Barlet asked about transferring \$8,000.00 into the Equipment Reserve Fund. (The year end transfers have already been made.) Gary Thompson asked if it would be possible to cut a purchase order to the Equipment Reserve Fund. The Clerk stated that we would need to check with the auditor.

At 9:28 AM Herb Pemberton moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss legal issues (attorney/client privilege) with the County Counselor. Vicki Leonard seconded the motion. The motion passed 3-0. The Commission Clerk, and County Counselor attended the executive session.

At 9:33 AM the executive session ended. Mike Page moved to approve a Cereal Malt Beverage License renewal (License #2010-2) for Jamie Chambers dba Crossroads Café & Convenience. Vicki Leonard seconded the motion. The motion passed 3-0.

Vicki Leonard moved to approve the following pays/special pays totaling \$724,681.51: General, \$342,941.02; Employee Benefit, \$68,404.43; Appraiser, \$8,665.04; Rural Fire, \$114,807.05; Road and Bridge, \$119,644.12; 911 Telephone Tax, \$1,690.38; Health Dept., \$29,897.66; Crime Victim Assist., \$2,039.97; Elderly, \$36,375.17; and Zoning LEPP, \$216.67. Mike Page seconded the motion. The motion passed 3-0.

Vicki Leonard moved to adopt Resolution #09-32, cancelling County warrants over two years old. Mike Page seconded the motion. The motion passed 3-0. Vicki Leonard moved to adopt Resolution #09-33, designating Official Depositories for County funds. Herb Pemberton seconded the motion. The motion passed 3-0. Vicki Leonard moved to adopt Resolution

#09-34, adopting the Official Holidays for 2010. Mike Page seconded the motion. The motion passed 3-0. Vicki Leonard moved to adopt Resolution #09-35, adopting the Schedule of Pay Dates for 2010. Mike Page seconded the motion. The motion passed 3-0. Vicki Leonard moved to adopt Resolution #09-36, 2010 GAAP Waiver. Mike Page seconded the motion. The motion passed 3-0. Vicki Leonard moved to adopt Resolution #09-37, designating the Linn County News as the Official County Newspaper for 2010. Mike Page seconded the motion. The motion passed 3-0. Vicki Leonard moved to adopt Resolution #09-38, 2010 Wage Schedule. Mike Page seconded the motion. The motion passed 3-0. Following are copies of Resolutions #09-32 thru #09-38:

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LINN COUNTY, KANSAS  
RESOLUTION #09-32

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LINN COUNTY, KANSAS:

That the Board of County Commissioners, being the governing body of Linn County, Kansas, hereby declares, pursuant to K.S.A. 17-1117 that all the County warrants listed below are hereby amended and shall expire after the term of the County. Said warrants shall show the date of cancellation and shall state that such warrant is subject to cancellation for reasons of this resolution.

The County Warrants to be cancelled are:

WARRANT NUMBER	GENERAL FUND	DATE	AMOUNT
07420007	07420	1/16/10	\$ 27.22
07420008	07420	1/16/10	\$ 31.74
07420009	07420	1/16/10	\$ 22.48
07420010	07420	1/16/10	\$ 209.00
07420011	07420	1/16/10	\$ 17.22
07420012	07420	1/16/10	\$ 223.94
07420013	07420	1/16/10	\$ 4.00
07420014	07420	1/16/10	\$ 42.00
07420015	07420	1/16/10	\$ 44.00

EMPLOYEE WARRANTS:

WARRANT NUMBER	PERSONNEL/GENERAL FUND	DATE	AMOUNT
07420016	07420	1/16/10	\$ 8.12
07420017	07420	1/16/10	\$ 28.00

ROAD & BRIDGE WARRANTS:

WARRANT NUMBER	ROAD & BRIDGE	DATE	AMOUNT
07420018	07420	1/16/10	\$ 674.00
07420019	07420	1/16/10	\$ 82.18

UTILITY TELEPHONE FUND WARRANTS:

WARRANT NUMBER	UTILITY TELEPHONE FUND	DATE	AMOUNT
07420020	07420	1/16/10	\$ 40.52
07420021	07420	1/16/10	\$ 12.47
07420022	07420	1/16/10	\$ 128.41
07420023	07420	1/16/10	\$ 208.46

APPROVED AND ADOPTED THE 27<sup>TH</sup> DAY OF DECEMBER, 2009

ATTEST:  *[Signature]*  
Shirley L. Lamb, County Clerk

*[Signature]*  
Vicki Leonard, Member

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LINN COUNTY, KANSAS

BE IT RESOLVED: That effective January 1, 2010 the following funds are designated as the Official Newspapers for the County and shall show and maintain funds for official for the County Treasurer for each County deposit until this Resolution is rescinded.

FARMERS & MERCHANTS BANK  
FARMERS STATE BANK  
CITIZENS BANK  
INDUSTRIAL STATE BANK

BE IT ENDED YET ALSO: That the Farmers & Merchants Bank of Maize, City, Kansas be designated as the depository for the deposits of the County.

APPROVED AND ADOPTED THE 17<sup>TH</sup> DAY OF DECEMBER, 2009 for the year 2010

BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

*[Signature]*  
Mike Page, Vice Chairman

*[Signature]*  
Vicki Leonard, Member

ATTEST:  *[Signature]*  
Shirley L. Lamb, County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LINN COUNTY, KANSAS

BE IT RESOLVED: That the following schedule be adopted as the official holidays for the year 2010:

DATE	HOLIDAY
January 1, Friday	New Year's Day
January 18, Monday	Martin Luther King, Jr. Day
February 19, Monday	Presidents Day
April 12, Monday	Good Friday
July 3, Thursday	Independence Day
September 6, Saturday	Labor Day
October 11, Monday	Reformation Day
November 11, Thursday	Veterans Day
November 21 & 22, Thursday & Friday	Thanksgiving Day
December 24, Friday	Christmas Day

APPROVED AND ADOPTED THE 17<sup>TH</sup> DAY OF DECEMBER, 2009 for the year 2010

BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

*[Signature]*  
Mike Page, Vice Chairman

*[Signature]*  
Vicki Leonard, Member

ATTEST:  *[Signature]*  
Shirley L. Lamb, County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LINN COUNTY, KANSAS

BE IT RESOLVED: That the following schedule be adopted as the official pay dates for the year 2010:

PAYROLL	WARRANT NUMBER	MONTH	WARRANT NUMBER	EXPIRES
January 15	January 8	January	January 29	February 9
January 22	January 15	January	January 29	February 9
February 12	February 5	February	February 23	March 5
February 19	February 12	February	February 23	March 5
March 12	March 5	March	March 23	April 2
March 19	March 12	March	March 23	April 2
April 19	April 12	April	April 29	May 12
April 26	April 19	April	April 29	May 12
May 14	May 7	May	May 24	June 11
May 21	May 14	May	May 24	June 11
June 11	June 4	June	June 21	July 2
June 18	June 11	June	June 21	July 2
July 16	July 9	July	July 23	August 6
July 23	July 16	July	July 23	August 6
August 13	August 6	August	August 23	September 11
August 20	August 13	August	August 23	September 11
September 10	September 3	September	September 23	October 11
September 17	September 10	September	September 23	October 11
October 15	October 8	October	October 29	November 8
October 22	October 15	October	October 29	November 8
November 12	November 5	November	November 23	December 6
November 19	November 12	November	November 23	December 6
December 14	December 7	December	December 23	December 27
December 21	December 14	December	December 23	December 27

APPROVED AND ADOPTED THE 17<sup>TH</sup> DAY OF DECEMBER, 2009 for the year 2010

BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

*[Signature]*  
Mike Page, Vice Chairman

*[Signature]*  
Vicki Leonard, Member

ATTEST:  *[Signature]*  
Shirley L. Lamb, County Clerk

RESOLUTION 2009-10

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

WHEREAS, The Board of Commissioners, Linn County, Kansas has authorized the Finance Department and reports for the year ending December 31, 2009 to be prepared in conformity with the requirements of K.S.A. 75-1120(a) and also for the requirements of the audit laws and budget laws of this State and any other applicable laws to the Board of Commissioners or the members of the general public of Linn County and;

WHEREAS, There are no current bond indentures or other obligations or liabilities of said municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120(a) for the year ended;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Linn County, Kansas to prepare and report for the year ending December 31, 2009 that the Board of Commissioners, Linn County, Kansas request the Director of Accounts and Reports to make the requirements K.S.A. 75-1120(a) and any other applicable laws to the year ending December 31, 2009.

BE IT FURTHER RESOLVED that the Board of Commissioners shall cause the financial statements and financial reports of the Board of Commissioners of Linn County to be prepared for the year ending December 31, 2009 that the Board of Commissioners, Linn County, Kansas request the Director of Accounts and Reports to make the requirements K.S.A. 75-1120(a) and any other applicable laws to the year ending December 31, 2009.

THEREFORE, on this 17<sup>th</sup> day of December, 2009 the County Clerk is hereby authorized to cause reports to the Director of Accounts and Reports to be prepared in conformity with the laws and budget laws of this State.

BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

Herb Pemberton, Chairman  
Mike Page, Vice Chairman  
Vicki Leonard, Member



ATTEST:  
David L. Lamb, County Clerk

Table with 3 columns: Department Name, 2009 Budget, 2010 Budget. Includes categories like UNDERSECRET, COUNTY CLERK, JAIL, etc.

Table with 3 columns: Department Name, 2009 Budget, 2010 Budget. Includes categories like PART-TIME EMPLOYEES, MAIL ROOM, etc.

2009 Year-end: \$1,171,100  
2010 Year-end: \$1,171,100

ATTEST:  
David L. Lamb, County Clerk

\*County Treasurer makes available \$100,000 investment office shares for use as 2010 State Vehicle Allowance

RESOLUTION 2009-11

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

BE IT RESOLVED That effective January 1, 2010 the "Linn County Area" is designated as the official County newspaper for year 2010.

APPROVED AND ADOPTED this 17<sup>th</sup> day of December, 2009 by the Board of Commissioners of Linn County, Kansas.

BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

Herb Pemberton, Chairman  
Mike Page, Vice Chairman  
Vicki Leonard, Member



ATTEST:  
David L. Lamb, County Clerk

RESOLUTION 2009-12

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

Made this 17<sup>th</sup> day of December, 2009

BE IT RESOLVED that the following salary schedule be adopted for the year 2010:

Table with 2 columns: Job Title, Monthly Salary. Lists various positions like COUNTY COMMISSIONER, COUNTY CLERK, COUNTY ENGINEER, etc.

The Clerk and Commission discussed possible conflicting language in the Employee Handbook concerning overtime pay and County holidays. After discussion, Mike Page moved to amend the handbook and remove the following sentence from leave section (page 31) of the handbook, "Employees required to work on holidays will be paid regular time for the holiday plus regular time for the hours they work on the holiday.", retroactive to 12/1/09. Vicki Leonard seconded the motion. The motion passed 3-0. Gary Thompson will prepare an amendment to the handbook.

The Commission discussed the request from Doug Barlet about transferring funds. Gary Thompson will try to contact Terry Sercer to ask about the purchase order.

At 9:59 AM Mike Page moved to take a 10 minute break. Herb Pemberton seconded the motion. The motion passed 3-0.

Herb Pemberton moved to reappoint Rod Benson to the Fire Board. Mike Page seconded the motion. The motion passed 3-0.

Gary Thompson stated that Terry Sercer was not in the office today. The Commission agreed to inform Doug Barlet that since they were not able to make the transfer he requested this year, they would consider amending his 2010 Emergency Management budget or allowing him to go over budget by \$8,000.00 next year if the need arises.

With nothing further on the agenda, Mike Page moved to adjourn until 9:00 AM Monday, January 4, 2010. Vicki Leonard seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk