

January 5, 1998

The Board of Linn County Commission met in a regular session. Those present were Harold Mooney Jr., chairman; Marty Read, vice chairman; Charles Trask, member; Jennie Carbon, deputy county clerk.

Marty Read motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: Employee Benefit, \$111.54.

William Edwards, county counselor arrived at the meeting.

Charles Trask made a motion to approve a Cereal Malt Beverage license for Smok's Double Stacks in Lincoln Township. Harold Mooney Jr. seconded the motion. The motion carried 2-1.

Harold Mooney Jr. made a motion to approve sending a Notice to Lincoln Township on a cereal malt beverage license renewal for Linn Valley Lakes Clubhouse and Pro Shop. Charles Trask seconded the motion. The motion carried 2-1.

Richard Long, county engineer, presented a permit for sewer line to be bored under old highway 69 by the Linn Valley Lakes entrance. Harold Mooney Jr. motioned to approve the permit to bury sewer line. Charles Trask seconded the motion. The motion carried 3-0.

Dennis Arnold, economic development director discussed an old house on 27 acres, owned by Linn County, by the industrial park at LaCygne.

Charles Trask made a motion for the county counselor to take appropriate legal action to inform landowners' Brownback and Carpenter to move their respective fences from the county right-of-way. Harold Mooney Jr. seconded the motion. The motion carried 3-0.

Charles Trask motioned to recess from the Board of Commission meeting into an executive session for 5 minutes on a personnel matter. Marty Read seconded the motion. The motion carried 3-0. Those attending were the commissioners, William Edwards, and Jennie Carbon. No action taken as a result of the executive session.

Marty Read motioned to adjourn the executive session and reconvene as the Board of County Commission. Harold Mooney Jr. seconded the motion. The motion carried 3-0. No action taken as a result of the executive session.

Andy Mayhugh, zoning administrator, presented conditional use permit #119718 for Continental Coal Company. Bill Moore, co-owner discussed procedures to mine coal on the southern Linn County line southwest of Mantey. Marty Read motioned to allow the CUP with recommendations of the Planning Commission. Harold Mooney Jr. seconded the motion. The motion carried 3-0. Following is a copy of the CUP #119718 and the conditions approved:

Andy Mayhugh presented CUP #119717, Mike McNaull of Pinnacle Properties informed the commission of plans for real estate and housing sales to be located east of Linn Valley Lakes entrance. Marty Read moved to approve the CUP with five conditions proposed by the Planning Commission. Harold Mooney Jr. seconded the motion. The motion carried 3-0. Following is a copy of CUP #119717:

Andy Mayhugh presented possible revisions to zoning regulations article 1.01 clarifying zoning authority. After discussion on the issue the commission decided to wait until Pleasanton presents finalized zoning regulations and subdivision regulations. At that time the issue of a revision may be brought up again.

Andy Mayhugh presented Resolution #98-1 which changes the minimum Ag lot split from 40 acres to 10 acres. Charles Trask made a motion to approve and sign Resolution 98-1. Marty Read seconded the motion. The motion carried 3-0. Following is a copy of resolution 98-1:

Maxine Goucher, Pleasanton, spoke before the commission concerning salvage yards in the county most specifically Northside Auto's Salvage Yard. Andy Mayhugh informed the commission that Northside is not zoned correctly for storage of more than five vehicles. Northside was informed by William Edwards, county counselor that he could store up to 5 cars on his property until a moratorium is lifted. Then the owner would have to file a conditional use permit application with the zoning administrator. After a successful completion process then file for a salvage yard permit with the state.

Whitney Damron, approached the commission to represent Linn County as lobbyist on issues in our behalf. Harold Mooney Jr. moved to hire Whitney Damron for 1998. Marty Read seconded the motion. The motion carried 2-1.

Dan Schulte, Harris Insurance representative presented the commission with a check indicating a dividend on Linn County's workmen's compensation policy in the amount of \$5,828.94. The commission thanked Mr. Schulte.

Meribeth Kehl, District Court Clerk, requested a 10 minute executive session for a personnel matter. Marty Read motioned to recess the Board of Commission meeting for 10 minutes. Harold Mooney Jr. seconded the motion. The motion carried 3-0. Those attending the executive session were the commissioners, Maribeth Kehl, William Edwards, and Jennie Carbon.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission Meeting. Charles Trask seconded the motion. The motion carried 3-0. As a result of the executive session, Marty Read made a motion to hire Kevin Friend as deputy/bailiff at \$1,800.00 starting salary effective January 16, 1998. Harold Mooney Jr. seconded the motion. The motion carried 3-0.

At the request of William Edwards, county counselor, Marty Read motioned to recess from the Board of Commissioners into executive session for five minutes on a legal matter. Charles Trask seconded the motion. The motion carried 3-0. Those attending the executive session were the commissioners, William Edwards, and Jennie Carbon.

Marty Read made a motion to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion carried 3-0. No action taken as a result of the executive session.

Marty Read motioned to adjourn until 9:00 a.m., Monday, January 12, 1998. Harold Mooney Jr. seconded the motion. The motion carried 3-0.

---

County Clerk

---

Chair of Board

January 12, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman, Donald L. Proffitt, county clerk. Commissioner Mooney was absent due to icy roads.

Charles Trask motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

The chairman signed the following add/abate/refund order number: personal property 1669.

Charles Trask motioned to change the January 19th commission meeting to Tuesday, January 20th due to the 19th being a county holiday and all county offices will be closed. Marty Read seconded the motion. The motion passed 2-0.

Commissioner Read stated that he had several comments about how good the courthouse looked through the Christmas holiday season and wanted to pass it onto the maintenance crew, Larry Murray and Bernard Streeter.

Marty Read motioned to approve the senior center quarterly reports for Blue Mound, Prescott, and Pleasanton. Charles Trask seconded the motion. The motion passed 2-0.

County Counselor, William Edwards arrived at the meeting.

Charles Trask motioned to approve Resolution #98-2, a budget waiver request to the Division of Accounts and Reports to wave the requirements of K.S.A. 75-1120A. Marty Read seconded the motion. The motion passed 2-0. Following is a copy of Resolution #98-2:

Ray Miller and County Engineer, Richard Long discussed with the commission the possibility of Franklin County putting in a landfill that could be used on a regional basis. No action taken.

Long reported that three locations the county had approved to bore under black top roads have ran into rock and can't be bored. Long is going to meet with the water districts in the county, and may have to allow them to trench through the blacktop.

Long reported a county truck had slid into a pickup driven by Adam Church. There were no injuries but there was some vehicle damage.

At 10:00 a.m. bids were opened to sell the house and garage and outbuildings on the land the county purchased for an addition to the LaCygne Industrial Park. The only bid received was for the garage only. Marty Read motioned to accept the bid of \$206.00 to sell the garage to Merwin Custom Builders, Amsterdam, Missouri. Charles Trask seconded the motion. The motion passed 2-0.

Charles Trask motioned to approve a road variance for Continental Coal company for their Labortee Creek, mine case #CUP059609. Marty Read seconded the motion. The motion passed 2-0. Following is a copy of the road variance agreement:

Insurance Bid opening was published for 10:00 a.m., due to icy road conditions, the Commission waited for Northwest National Representatives to arrive. At 10:20 a.m., bids were opened for general liability insurance, auto, property, workmans comp. and law enforcement liability insurance for the county. Jim Myers presented the bid for Bollinger Myer's Insurance Company, a total bid of \$127,190.00. Dan Schulte and Mike Edwards presented a bid from Northwestern National Insurance for \$116,878.00. Marty Read motioned to accept the low bid from Northwestern National Insurance. Charles Trask seconded the motion. The motion passed 2-0. Jim Myers stated he felt the bid opening was handled poorly due to waiting until 10:20 to open the bids.

Linn County Treasurer, Ellie Davey presented the commission with a report of interest earned for quarter ending, December 31, 1997. The report shows a total of \$261,867.30 total interest earned for 1997. The commission had budgeted \$250,000.00 interest for 1997.

At the request of Andy Mayhugh, Zoning Administrator, Marty Read motioned to recess from the Board of Commission meeting into an executive session for 20 minutes to discuss a legal matter. Charles Trask seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and Mayhugh attended the executive session.

The commission extended the executive session for 5 minutes. Those present during this 5 minute extension were the commission, clerk, and county counselor.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 2-0. No action taken.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Tuesday, January 20th. Marty Read seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

January 20, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chair; Charles Trask, vice chair; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; and William Edwards, county counselor.

Charles Trask motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$15,333.30; Appraiser, \$142.93; Rural Fire, \$2547.25; Road & Bridge, \$2,550.90; Community Corrections, \$420.75; Elderly, \$2050.33.

The commission reviewed the year ending inventories from the Clerks and Register of Deeds Offices. Commissioner Trask asked that all departments furnish him a copy of last year's inventory also.

L. R. Oaki Mount from Ash Grove Ag met with the commission to discuss the possibility of Ash Grove sponsoring a road grader operator work shop and wanted to see if Linn County would be interested in attending the work shop put on by the Missouri Department of Transportation in Butler, Missouri. The commission feels that the county would be interested.

Also Mount discussed the availability of rock for use in Linn County and reported there maybe an increase in price in the next few months.

After review Harold Mooney Jr. motioned to approve the following Township reports and Cemetery District reports #3, #4, and #5 and Mound City Cemetery District and Mound City, Potosi, Scott and Valley Township reports. Marty Read seconded the motion. The motion passed 3-0.

Linn County Engineer, Richard Long discussed the county's drug policy. Long wanted to know if any county employee driving a county vehicle and having an accident needs to have a drug and alcohol test. After discussion the commission asked the county counselor to review the policy and get back to them with a recommendation.

Long reported that north of the Linn County Park, Rural Water District #1 is wanting to trench the county blacktop road to bury a water line due to the fact there is too much rock and it can't be bored under the road. Long presented a list of new procedures he would like to see used if they are allowed to trench the road. The county counselor will review the proposal and get back to the commission.

Long reported that there is a road grader in District #3 that he feels needs replaced. After discussion Marty Read motioned to purchase a Caterpillar Model 140 that has been a rental unit with 700 hours and trade in Unit #323 with a net trade difference of \$105,338.00 from Martin Tractor Company, Topeka, Kansas. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The Commission approved for Long to attend an annual meeting of engineers in South Dakota in April.

At the request of the county counselor, Marty Read motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a legal issue. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, county counselor, and clerk attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Marty Read motioned to sign a petition to the City of LaCygne to ask that the newly acquired industrial park property be annexed by the City of LaCygne. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Arnold also reported that Midwest Woodworking has inquired about an additional 100' of property that adjoins their property for potential expansion. The commission agreed to have the county counselor prepare the necessary paper work to give the additional property to Midwest Woodworking.

Arnold also stated that he had spoken to the Federal Economic Development Department and they said Linn County will get a grant from them between \$210,000.00 and \$240,000.00 for developing the industrial parks. It will be a matching fund grant and the county can use in-kind work for the required match.

Arnold also discussed the American One Building and stated plans are to start construction in March and to be in production by late summer or early fall.

At the request of Arnold, Marty Read motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Arnold attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Harold Mooney Jr. motioned to allow Arnold to advertise for temporary part time help in the Economic Development Department. Charles Trask seconded the motion. The motion passed 3-0.

The commission reviewed and approved the Sheriff Monthly Fee Report for December 1997.

Harold Mooney Jr. motioned to approve the quarterly report from Bunker Hill Senior Center. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to approve 1998 Kansas Association of County dues in the amount of \$2,662.04. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve the 1998 Cereal Malt Beverage License for Linn Valley Lakes Property Owners Association. Charles Trask seconded the motion. The motion passed 2-1.

Marty Read motioned to have the county counselor do a feasibility study to determine whether Linn County should try to get out of the Multi County Health Department and to just have a Linn County Health Department. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve a county affirmative action plan for 1998. Charles Trask seconded the motion. The motion passed 3-0. There was no change from last year's plan.

With nothing further on the agenda Marty Read motioned to adjourn until 9:00 a.m. Monday, January 26th. Charles Trask seconded the motion. The motion passed 3-0.

-----  
County Clerk

-----  
Chair of Board

January 26, 1998

The Board of Linn County Commission met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved pays/special pays: General, \$90,595.18; Employee Benefit, \$79,634.11; Community Policing Fund, \$1418.40; Appraiser, \$14055.93; Rural Fire, 4160.51; Road & Bridge, \$55751.07; Community Correction, \$29479.20; DARE Fund, \$1418.40; Elderly, \$10378.87.

The commission chairman signed the following add/abate/refund order numbers: personal property 1670 - 1674.

The commission reviewed the agenda for a January 27th S.E.K. Multi County Health Board Meeting and the minutes of a December 30, 1997 meeting.

The clerk reported it was time to hire a hearing officer to hear appeals of taxpayers in the county. The commission asked the clerk to try and get Calvin Hughes again if possible. If not try and get Cindy Metcalf who is on the approval list with a LaCygne address.

The commission asked the clerk to see if Randall Dawson will accept reappointment as the non-lawyer member of the District Judicial nominating committee.

The commission reviewed an invitation to the Linn County Conservation District 50th Anniversary Annual meeting to be held February 4th at 6:30 p.m.

Charles Trask moved to approve the Township Reports from Liberty, Stanton, and Blue Mound Townships. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

At the request of the clerk, the commission gave approval to replace the light fixtures in the old Courtroom with ceiling fans and lights.

At the request of the clerk, Marty Read motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel matter. Charles Trask seconded the motion. The motion passed 3-0. The commission and clerk attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

County Engineer, Richard Long presented two requests for telephone cable burial. Harold Mooney Jr. motioned to approve two permits to bury telephone cable requests from Sprint United, one located at the east edge of Tanglewood Lake and one located on the east/west county road in Parker, Kansas. Charles Trask seconded the motion. The motion passed 3-0.

Long reported he would like to purchase a portable salt spreader that would fit on the bed of a ½ ton pickup. Long will get prices on a spreader.

County Counselor, William Edwards arrived at the meeting.

At the request of Long, Harold Mooney Jr. motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel matter. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, Long and county counselor attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Bill Braden, resident of Holiday Lakes and Gerry Fisher, Treasurer of the Holiday Lakes Association met with the commission to see if the commission will lower the speed limit on Tiger Road from Cedar Crest to Mine Creek. After discussion Harold Mooney Jr. motioned to install 35 m.p.h. speed limit signs on Tiger Road as requested. Charles Trask seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve a permit to cut through county blacktop for two locations requested by K. C. Construction Company putting in water lines for Rural Water District #1, one located just north of the Linn County Park entrance and one located north of LaCygne on 4th Street. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss a legal issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Gene Bonham Community Correction Director attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Doug Osborn, Blue Mound Ruritan Club met with the commission to see if the commission would agree to letting the Ruritan Club use the Blue Mound Senior Center at no charge for their meeting. Marty Read motioned to allow Linn County non profit community organizations to use the Senior Center free of charge. After discussion and not receiving a second to his motion, Commissioner Read reported the commission would table the issue for some further study.

The county counselor reported that he had tried to contact Ernie Davidson with Multi-County Health Department but had not been able to reach him, but will keep trying.

Andy Mayhugh, Zoning Administrator presented Lot Split #47 requested by Marvin Thomey located north of the Linn County Park entrance. Charles Trask motioned to approve lot split #47 as requested and to accept the road easement. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Also, Mayhugh presented lot split #48 requested by Hilma Ungeheuer located in the NE 1/4 of the NW 1/4 of 28-21S-22E. Marty Read motioned to approve lot split #48 as requested. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Mayhugh gave the commission an update on the number of building permits, sanitation permits and requests for zoning changes for 1997. No action taken by the commission.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m. Monday, February 2nd. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

February 2, 1998

The Board of Linn County Commission met in a regular session. Those present were Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk, William Edwards, county counselor. Commission Chairman Marty Read was absent.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 2-0.

Charles Trask motioned to have county road employees clean brush from the fence around Elk Creek Cemetery located on property owned by Gerald Cox, one mile north of Mantey. After the county cleans the brush, Sheridan Township and Cox will replace the fence. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Charles Trask motioned to reappoint Randall E. Dawson to a 4-year term as the non-lawyer member of the Sixth District Judicial Nominating Committee. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

The Clerk reported that the quarterly S.E.K. County Officials meeting will be held March 19, 1998 in Iola. Both commissioners present reported they plan to attend.

Charles Trask motioned to approve the Paris Township and Lincoln Township reports. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

County Engineer, Richard Long reported that the county has received a grant from Lake Region RC&D in the amount of \$35,000.00 for additions to the transfer station with a 25% match by the county. Harold Mooney Jr. motioned to accept the grant. Charles Trask seconded the motion. The motion passed 2-0.

Darrell Lane, Solid Waste Coordinator reported on household hazardous waste collection in the county. The dates will be April 18, May 16, June 20, July 11 and August 15.

Harold Mooney Jr. motioned to approve four permits to bury water lines requested by Rural Water District #3. Two located 1 mile south of Prairie View School, one located 4 miles south and 1 mile west of Cadmus and one located 4 miles south and 2 miles west of Cadmus. Charles Trask seconded the motion. The motion passed 2-0.

Charles Trask motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county counselor, and county engineer attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Economic Development Director, Dennis Arnold asked for permission to attend an Economic Development Institute April 5th - 10th in Indianapolis, Indiana. Harold Mooney Jr. motioned to approve for Arnold to attend the meeting. Charles Trask seconded the motion. The motion passed 2-0.

Arnold discussed the new homes built in Linn County during 1997. No action taken by the commission.

County Fire Coordinator, Diane Van Kirk discussed the new county emergency operations plan to be submitted to the state for approval. After reviewing the plan, Charles Trask motioned to sign the plan and submit it to the state. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Van Kirk reported that John Sluder has resigned from the Linn County Rural Fire Board. At Van Kirks's request Harold Mooney Jr. motioned to appoint David Lamb, Mound City, to the Fire Board. Charles Trask seconded the motion. The motion passed 2-0.

At the request of Van Kirk, Harold Mooney Jr. motioned to purchase a furnace from Randall Hardware in the amount of \$745.00. Charles Trask seconded the motion. The motion passed 2-0. The furnace will be installed in the Pleasanton Rural Fire Department Office.

The Commission and Van Kirk discussed Fire Department radios. No action taken.

With nothing further on the agenda, Harold Mooney Jr. motioned to adjourn until 9:00 a.m. Monday, February 9th. Charles Trask seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

February 9, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, clerk, William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$149,756.60; Employee Benefit, \$42,362.56; Appraiser, \$3,973.98; County Attorney Bad Check Trust Fund, \$3,763.00; Rural Fire, \$17,044.33; Road & Bridge, \$191,388.33; Special Machinery, \$10,583.24; Community Correction, \$11,690.94; Law Enforcement Trust Fund, \$328.87; DARE, \$616.71; Elderly, \$10,330.97; Zoning L.E.P.P. Grant, \$5,741.25.

The commission chairman signed the following add/abate/refund order numbers: personal property 1675 - 1679.

Charles Trask motioned to move the February 16 regular commission meeting to Tuesday, February 17th due to the fact that the 16th is a county holiday and county offices will be closed. Marty Read seconded the motion. The motion passed 3-0.

At 9:10 a.m. a public hearing was held relating to the proposed issuance of certificate of participation in the amount of \$1,200,000.00 for the American One project. Ray Barnby, Chapman Securities and Dennis Arnold, Linn County Economic Development Director explained the C.O.P.S. proposal and gave a brief overview of American One. There was no one present to oppose. After a brief discussion period, Marty Read motioned to approve the C.O.P.S. for the American One project in the amount of \$1,200,000.00. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to close the public hearing portion of the commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to sign the C.O.P.S. application. Charles Trask seconded the motion. The motion passed 3-0.

After discussing caps on state aid to cities and counties the Commission asked the clerk to prepare a resolution urging the Kansas Legislature to remove the caps on state aid.

Richard Long, County Engineer and the commission discussed the Boicourt Bridge project and some railroad crossings in the county that need some repairs. No action taken by the commission.

Long reported that some signs directing people to the S.E.K. Mental Health Center in Pleasanton are too close to the intersection. Long will have them moved farther back from the corner near the Joe Pointer residence southwest of Pleasanton.

The counties drug testing policy was discussed. Long stated that the Mental Health Consortium recommended that the county does not change the policy for K.D.O.T. covered employees. No action was taken.

Marty Read motioned to approve a permit to bury telephone cable requested by Sprint United for a location just east of Jayhawk Linn High School. Charles Trask seconded the motion. The motion passed 3-0.

Long reported that bids are being taken for E-911 road signs.

At the request of Long, Marty Read motioned to recess the Board of Commissioners meeting into executive session for five minutes to discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commissioners, clerk, county counselor, and Long attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

At the request of Andy Mayhugh, Marty Read motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Mayhugh attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Andy Mayhugh presented C.U.P. application #129719 for a recycling center on Wall Street Road. The first to speak for the C.U.P. was Cliff Cohen, Attorney for Wes Ungeheuer applicant for the C.U.P.. Next Ungeheuer explained his recycling operation. The commission chair asked if there was anyone present opposed to the change and after hearing no opposition stated that he had talked to neighbors and they were all in favor of the change. After further discussion, Harold Mooney Jr. motioned to approve C.U.P. #129719 with noted conditions. Charles Trask seconded the motion. The motion passed 3-0. Following is a copy of C.U.P. #129719:

Mayhugh presented a request for a zoning change on 40 acres Ag to Ag residential and a plat approval requested by Clarence and Linda Martin, Paola. The location of the property is south of Linn Valley Lakes on Old 69 Highway. After discussion Harold Mooney Jr. motioned to approve the zoning change case #Z1297149 from Ag to Ag residential as requested. Marty Read seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve the plat (SB#8) as applied for. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to accept the road easement with the plat. Charles Trask seconded the motion. The motion passed 3-0.

Noxious Weed Director, Ben Fortman presented the commission with the annual Noxious Weed report. Marty Read motioned to approve the Noxious Weed Eradication report. Charles Trask seconded the motion. The motion passed 3-0.

Fortman reported he will be attending the annual Noxious Weed Directors Conference in Hutchinson February 23-26.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue. Charles Trask seconded the motion. The motion passed 3-0. The Commission, Clerk, County Counselor and County Sheriff Marvin Stites attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission Meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session the commission reported that from now on towing services for the county will be split from east and west running along 7 Highway from the south county line running north to 1095 Highway and then north to the Miami County line. The west side of the county will be given to Morse Auto Salvage, and the east side of the county will be on a rotational basis at present between Twilight Tow and Northside Auto. This arrangement will be for the county tows and non preference tows.

Marty Read motioned to approve Sheridan Township Treasurer/Trustee report for 1997. Charles Trask seconded the motion. The motion passed 3-0.

Charles Trask motioned for the county counselor to send a letter to all township and cemetery boards instructing them to go out for bids for mowing cemeteries. Marty Read seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Tuesday, February 17. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

February 17, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman, Donald L. Proffitt, county clerk, William Edwards, county counselor. Harold Mooney Jr. was absent from the meeting.

Charles Trask motioned to approved the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

The commission approved the following pays/special pays: Employee Benefit, \$72.63; Road & Bridge, \$474.72.

The commission chairman signed the following add/abate/refund order numbers: personal property #1680.

Linn County Engineer, Richard Long reported that Champlin Tire Service will begin cutting up tires at the landfill at a cost of .55 cents per tire. A KDHE grant is to pay for all pre law tires that are cut up.

Marty Read motioned to approve a permit to bury telephone cable 1 mile south of Blue Mound requested by Sprint United Telephone. Charles Trask seconded the motion. The motion passed 2-0.

Stacy Furse, Paris Township Treasurer, asked the commission about the request that the township bid out their cemetery mowing. The commission reported that with the high cost of mowing they feel they have to insist on the townships using the bidding procedure.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a legal issue. Charles Trask seconded the motion. The motion passed 2-0. The commission, clerk and county clerk attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the board of commission meeting. Charles Trask seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Charles Trask motioned to approve sending the county counselor to an employment law training in Topeka, March 27th to pay for meeting, motel room, mileage, meals and books.

Marty Read motioned to approve the form of an application for permit for towing services for Linn County. Charles Trask seconded the motion. The motion passed 2-0.

Marty Read motioned to pass resolution #98-03 urging the Kansas Legislature to remove the caps on state aid to counties and cities. Charles Trask seconded the motion. The motion passed 2-0. Following is a copy of resolution #98-03:

Marty Read motioned to approve for Economic Development Director Dennis Arnold to sign documents for E.D.A. Grant. Charles Trask seconded the motion. The motion passed 2-0.

After discussion, Marty Read motioned to direct the Senior Center Boards to allow Linn County non profit community service organizations to use the senior centers for meeting free of charge providing the clean up after each meeting. Charles Trask seconded the motion. The motion passed 2-0.

Charles Trask motioned to have 40 acres in the South Pleasanton Industrial Park no-till drilled at \$16.00 per acre plus seed. Marty Read seconded the motion. The motion passed 2-0.

Charles Trask motioned to raise the cap on short term disability from \$300.00 per week to \$350.00 per week. Marty Read seconded the motion. The motion passed 2-0.

At the request of Nutrition Director, Marilyn Augur, Charles Trask motioned to recess from the board of commission meeting into executive session for 15 minutes to discuss a personnel issue. Marty Read seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and nutrition director attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the board of commission meeting. Charles Trask seconded the motion. The motion passed 2-0.

As a result of the executive session Marty Read motioned to hire Sue Jackson as Prescott site manager. Jackson must have a T.B. test and will be at 90% of pay for 60 days. Charles Trask seconded the motion. The motion passed 2-0.

At the request of zoning administrator Andy Mayhugh, Charles Trask motioned to pass resolution #98-04 designating the future land use map. Marty Read seconded the motion. The motion passed 2-0. Following is a copy of resolution #98-04:

After reviewing amended subdivision plans the commission tabled any decision until next week.

Linn County Fire Coordinator, Diane Van Kirk reported on E-911 that the postal service will not accept an LC between house and street numbers. After discussion the commission approved dividing the county in half between east and west and using a N., E., S., W., between the house and street numbers.

Van Kirk reported Marion Johnson is leaving the rural fire department. Charles Trask motioned to appoint Steve Morris, LaCygne to the Rural Fire Board to replace Johnson. Marty Read seconded the motion. The motion passed 2-0.

At Van Kirk request Marty Read motioned to hire Jason Webber as part time fire fighter at Parker Station and Sean Shoopman as part time fire fighter, Pleasanton Station. Charles Trask seconded the motion. The motion passed 2-0. Both firefighters have worked though the probation period.

Van Kirk reported she had found a 1989 GMC 1 ton 4x4 at Cox Motor Company, Pleasanton that she would like to purchase for Parker Rural Fire for \$10,250.00. After discussion the commission reported the figure seemed high and asked her to do some further checking into prices.

Van Kirk and the commission discussed dispatch guidelines for fires and accidents. Also, the number of calls during 1997.

At the request of Sheriff Marvin Stites, Marty Read motioned to sign a contract with Bourbon County for them to house prisoners for Linn County at \$40.00 per day. Charles Trask seconded the motion. The motion passed 2-0. The amount per day is the same as the previous contract.

Also, Stites presented bids for new hand guns for the sheriff's department. After review Charles Trask motioned to accept the low bid for eight new handguns for the sheriffs' department from Law Enforcement Equipment Company at \$505.00 each. Marty Read seconded the motion. The motion passed 2-0.

At the request of Sheriff Stites, Marty Read motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel matter. Charles Trask seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and Stites attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 2-0. Marty Read motioned to approve \$9,700.00 for the sheriff to purchase shot guns, bullet proof vests and helmets for the Sheriff Department. Stites will look for the best prices available.

Don George, State Biologist met with the commission to discuss public use of the PWWSO #13 Lake that will be located west of Mound City. The commission reported they would be interested in sponsoring recreation at the proposed lake.

Charles Trask motioned to appoint Charles Lindell as a member to the Linn County Planning Commission from District #2, to fill the remainder of Charles Trask term. Marty Read seconded the motion. The motion passed 2-0.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, February 23rd. Charles Trask seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

February 23, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Harold Mooney Jr., member, Donald L. Proffitt, county clerk; and William Edwards, county counselor. Commissioner Trask was absent due to illness.

Marty Read motioned to approve the minutes of the last regular meeting as printed. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

The commission approved the following pays/special pays: General, \$88,966.84; Employee Benefit, \$84,076.88; Community Policing, \$1,577.54; Appraisers, \$14,057.74; Rural Fire, \$7,676.62; Road & Bridge, \$49,757.40; Community Corrections, \$29,832.47; DARE, \$1,358.45; and Elderly, \$11,184.94.

At the request of Mark Schuler, County Extension Agent, Harold Mooney Jr. motioned to let the farmers market use the courthouse parking lot to sell their produce approximately every Wednesday evening through the summer. Marty Read seconded the motion. The motion passed 2-0.

The commission reviewed and approved the Sheriff monthly fee report for January 1998.

Marty Read motioned to approve a \$6,000.00 match for the East Central Kansas Area Agency on Aging. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

The commission reviewed a letter from Jayhawk Linn High School thanking Richard Long, County Engineer for participating in career day at the school.

The commission reviewed the minutes of the January 27th SEK Multi-Co. Health Board Meeting and the agenda of a February 24th meeting.

Harold Mooney Jr. motioned to reappoint Virginia McGee to the Tri-Ko Board. Marty Read seconded the motion. The motion passed 2-0.

The commission chairman signed a participation registration address listing map update program form for the U.S. Department of Commerce for Census 2000.

Ray Miller, representing Lake Region RC&D Committee and Darrell Lane, Linn County Solid Waste Coordinator discussed an upcoming March 3, meeting of the Lake Region RC&D concerning a regional landfill being put in Franklin County. The commission feels the more competition in the area of solid waste the better. The commission by consensus approved the idea of a regional landfill in Franklin County.

Darrell Lane reported that Champlin Tire Company has hauled out approximately 130,000 pounds of tires from the landfill and should be finished hauling tires from the transfer station by this weekend.

R. Long reported that he had put a counter on the road running west of the Mantey school house for a 14-day period. The road averaged 38 cars per day on the west end and 72 cars per day on the east end.

After discussion with Long, Harold Mooney Jr. motioned to provide Hepatitis B shots to the county solid waste employees. Marty Read seconded the motion. The motion passed 2-0.

The commission and Long discussed the revision of the plans for a bridge located two miles south and one mile east of LaCygne. Long reported there will be an additional cost of \$6,336.00 due to the revision. Harold Mooney Jr. motioned to approve the revision by Mid Continent Engineers. Marty Read seconded the motion. The motion passed 2-0.

The Boicourt Bridge and the road over the KCP&L Dam were discussed, with no action taken.

At the request of Richard Long, Marty Read motioned to recess from the Board of Commission meeting for 10 minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and Long attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Marty Read motioned to approve an application for county towing services for Morse Auto Salvage, Centerville and Twilight Towing, Pleasanton. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

John Morse, reported he has complained to the sheriff about people in the county buying and selling more than five cars per year without a dealer tag. The commission advised Morse to talk to the county attorney.

Andy Mayhugh, Zoning Administrator presented the final plat for Deer Trail Subdivision North of LaCygne and the road easements for the subdivision. Harold Mooney Jr. motioned to approve the plat for the Deer Trails subdivision and to accept the prepared road easement. Marty Read seconded the motion. The motion passed 2-0.

Marty Read motioned to approve a subdivision improvement's agreement with Richard E. and Susan R. Thomas for the Deer Trail Subdivision. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Marilyn Augur, Nutrition Director reported that Carolyn Sue Jackson had rejected the offer for the Prescott Nutrition Site Manager job and that she had hired Linda Ham as the site manager at Prescott. Ham will have the T.B. Test and start immediately; her pay will be 90% for 60 days.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a legal issue. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and Sheriff Marvin Stites attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session..

At the request of Avalee Stark, Marty Read motioned to recess from the Board of Commission meeting into an executive session. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and Stark attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Scott Perkins and Jim Kolarik with Western Air Maps Inc. gave an overhead presentation of their proposal to fly Linn County and prepare new Orthos Aerial Maps for the county. No action taken by the commission. The following county employees set in on the presentation: Steve Thompson, Dennis Arnold, Larry Robinson, Diane Van Kirk, Sharon Barnes, Ann Brown, Robin Earnest, Mary Whitley, Pam Cannon, Andy Mayhugh, Tuesdee Stark.

Jesse Secrest, Cox Motor Company met with the commission to discuss the price of a 1989 GMC 1 Ton that was thought to be too expensive for the Rural Fire Department. After discussion it was agreed that the county would not purchase the vehicle.

At the request of Dennis Arnold, Economic Development Director, Marty Read motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personal issue. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk and Arnold attended the executive session.

Harold Mooney Jr. motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 2-0.

As a result of the executive session, Arnold will hire Bridget Fitzwater as a temporary part time employee for a period not to exceed six months at \$11.75 per hour. Fitzwater will be doing some grant writing and some other projects for the Economic Development Department.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, March 2nd. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

March 2, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; and William Edwards, county counselor.

Harold Mooney Jr. met to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 3-0.

The commission chairman signed the following add/abate/refund order numbers: personal property 1681 - 1683.

The commission reviewed minutes of a January 29th S.E.K. Regional Planning Commission meeting and an agenda for a February 26th meeting.

The commission reviewed minutes of a November 17, 1997 meeting and minutes of a January 26, 1998 meeting of the SEK Mental Health Center Board.

The Commission reviewed notice from KDHE of a training for municipal solid waste landfill and transfer station operation.

The Commission reviewed a notice from the U.S. Fish & Wildlife Service of March 24th open house and public meeting to be held at the Pleasanton Community Center.

Charles Trask motioned to reappoint Harold Mooney Jr., Dennis Arnold and Charles Conley to the local Revolving Loan Fund Advisory Committee for the SEK Regional Planning Commission. Marty Read seconded the motion. The motion passed 3-0.

The Commission reviewed information from Jerry Vickers and Harold Fuller from Franklin County asking the commission not approve amending the RC&D solid waste plan that would allow a landfill in Franklin County.

Marty Read motioned to approve permit for county tow service for Northside Auto, Pleasanton. Harold Mooney Jr., seconded the motion. The motion passed 3-0.

Marty Read motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue for 20 minutes. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Economic Development Director, Dennis Arnold attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Richard Long, County Engineer and Diane Van Kirk, Fire Coordinator presented bids for the E911 road signs. After reviewing the bids Charles Trask motioned to accept the low bid of \$29,734.00 from Welborn Sales, Salina for the 2778 road signs and bolts. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The signs will be paid from the Road & Bridge Fund.

Harold Mooney Jr. motioned to approve a permit to bury water lines requested by Rural Water District #3. One located 2 miles south of 152 & 7 Highway and one located 3 miles south of 152 & 7 Highway. Charles Trask seconded the motion. The motion passed 3-0.

Long discussed the opening for a mechanic at District #2 shop, at Long's recommendation the commission agreed to move Steve Catron District #3 truck driver to District #2 mechanic. Long will post the opening for District #3 truck driver.

The commission agreed to a request from Long for Darrell Lane, Solid Waste Coordinator to attend a municipal solid waste training in El Dorado, Kansas in May.

Andy Mayhugh, Zoning Administrator presented conditional use permit #019820 for manufactured home sale's lot located on the northeast corner of 69 highway and 152 highway intersections. Harold Mooney Jr. motioned to approve the C.U.P. as presented. Charles Trask seconded the motion. The motion passed 3-0. Following is a copy of CUP #019820:

Next Mayhugh presented a request for renewal for C.U.P. #099613 for a shooting range located west of Mantey. Harold Mooney Jr. motioned to renew the C.U.P. for a five year period as presented. Marty Read seconded the motion. The motion passed 2-0. Commissioner Trask abstained from the vote. Following is a copy of C.U.P. #099613:

The Commission and Mayhugh discussed the amended subdivision regulations that the commission had tabled since the February 9th public hearing. Most of the discussion centered around whether or not restrictive covenants on subdivisions should be filed in the Register of Deeds Office, after the plat had been filed. The issue had been brought up by Rubie Scott, Mound City. After a lengthy discussion, Charles Trask motioned to pass resolution 98-05 amending the county's subdivision regulations. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of resolution #98-05:

Larry Dwyer, Linn Valley Lakes presenting the commission with a petition asking that the commission incorporate Linn Valley Lakes as a 3rd class city. The county clerk will verify the signatures on the petition and report to the commission at the next meeting.

Ray Barmby, Chapman Securities Inc. presented information on the certificates of participation in the amount of \$1,200,000.00 to build a building in the La Cygne Industrial Park to be leased to America One. After discussion, Marty Read motioned to pass resolution #98-06 in connection with the issuance of the C.O.P.S.. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of Resolution #98-06:

Joe Kneib, Herzog Environmental, Inc., discussed a proposed landfill in Franklin County. His company would like to be a part of the R.C. & D Solid Waste plan. After discussing whether or not there is a need to amend the Lake Region RC&D solid

waste plan, Marty Read motioned to support private solid waste disposal in the area. Charles Trask seconded the motion. The motion passed 3-0.

John Morse, Morse Auto Salvage asked the commission if they would sign a county towing service permit for an out of county tow company to be called in when a larger tow truck is needed. The commission reported they feel that tow trucks in the county should be used first. If a large out of county tow truck has to be called in that should be up to the county sheriff.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, March 9th. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

March 9, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; William Edwards, county counselor.

Charles Trask, motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 3-0.

The commission approved the following pay/special pays: General, \$124,937.43; Appraiser, \$4,605.52; Rural Fire, \$7,604.39; Road & Bridge, \$80,655.68; Community Correction, \$8,877.61; Law Enforcement, \$16.95; DARE, \$30.00; Elderly, \$13,674.98.

The commission chairman signed add/abate/refund order numbers: personal property #1684 - 1686 and real estate 952 - 953.

The commission reviewed notice of LaCygne Public Hearing, March 12th to have zoning change request for the newly purchased Industrial Park ground east of LaCygne, from Ag/Residential to heavy industrial.

The county clerk gave the commission an update on the first six months contract with Positive Care to administer the county's health insurance plan. At the present time the county is \$44,877.14 ahead of the projected costs for the plan. No action taken.

The clerk reported that the petition to incorporate Linn Valley as a third class city contained more than 50 good signatures. Marty Read motioned to hold a public hearing April 2nd at 7:00 p.m. at the Linn Valley Lakes Clubhouse to determine whether or not to incorporate Linn Valley. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The clerk reported that Lawrence Penka, Anderson County had stopped by his office wanting to know if Linn County had controlled some musk thistle that he talked to the commission about last year that was near land he farms in Linn County. The commission asked the clerk to contact Noxious Weed Director Ben Fortman to see if he has sprayed the area and to check to see if it looks as though the thistle is controlled.

Linn County Engineer Richard Long reported the annual commission and engineer meeting will be at Chanute, April 14th.

Long reported the used tires at the landfill have been hauled off.

Long reported that the solid waste meeting in Franklin County was held last Tuesday with a large crowd in attendance. After the meeting the Lake Region Solid Waste Committee decided not to change the wording in the solid waste plan at this time. However, Long feels there should be some changes in the plan that he will suggest to the lake region.

Harold Mooney Jr. motioned to approve two permits to bury water line located one mile south and one mile east of 7 and 152 Highway Junction and one located 1 mile south and 2 miles east of 7 and 152. Marty Read seconded the motion. The motion passed 3-0.

Commissioner Read asked Long to put some reflectors at the curve west of Melvin Nations on the way to the St. Philippine Duchesne Shrine. Also, Commissioner Read asked Long to see if stop signs could be put up on the north south road, one mile north of 52 Highway at Sullivan's corner. Long will check into it.

Long reported that a company, (K.I.N.), wants to run fiber optic cable from the south end of the county to the north end on county right of way. The commission agreed that we needed some restrictions as to depth and for them to locate cable anytime the county maybe digging in those areas.

The clerk reported he had a call about trash left by whoever put cable down the Burlington Northern tracks by Green Valley.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 5 minutes discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Long attended the executive session.

Marty Read motioned to adjourn the Board of commission meeting and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

As a result of the executive session, Marty Read motioned to post a full time opening in the road sign department for five days to county employees. Harold Mooney Jr. seconded the motion. The motion passed 2-1.

Zoning Administrator, Andy Mayhugh presented lot split #48 located 2 miles north and 3/4 mile west of Prescott. Charles Trask motioned to approve lot split #48 as applied for. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to accept the road easement required by the lot split #48. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Mayhugh discussed last years L.E.P.P. Grant and the possibility of applying for a grant this year. Also, the commission reviewed a local aid program contract but tabled both issues until a later date.

At the request of Mayhugh, Marty Read motioned to recess from the Board of Commission meeting into an executive session to discuss a legal issue. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Mayhugh attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and county attorney John Sutherland attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

As a result of the executive session, Marty Read motioned to hire Christine Thomas as Linn County Victim Witness Coordinator to work for the county attorney. Thomas will start to work after a pre employment physical and be on probation for six months. Thomas salary will be \$1,481.99 per month after a 10% reduction for 60 days. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve for the county attorney to purchase a computer with N.T. Network to be hooked up with the K.B.I.. 80% to be purchased from the victims of crime action grant funds. Marty Read seconded the motion. The motion passed 3-0.

Fire Coordinator, Diane Van Kirk went over January and February summary of calls by the rural fire department. The commission reported they would like to have this report on a monthly basis.

At the request of Economic Development Director, Dennis Arnold, Harold Mooney Jr. motioned to approve for Springer Land Surveying to survey the 27 ½ acre LaCygne Industrial Park and to split out the 10 acres that will be deeded to American One, the cost to be \$1,584.00. Marty Read seconded the motion. The motion passed 3-0.

Also, title insurance on the property was discussed. Linn County will probably have to increase the amount of title insurance.

Jim Martin, Twilight Towing and John Morse, Morse Auto Salvage discussed the rotation for wrecker service for the county non preference tows. They do not feel they are getting their share of the non preference tows. The commission reported that issued is up to the Sheriff's Department.

Commissioner Read asked the county counselor to write a letter to Kansas Department of Transportation asking them to do something to improve the curve on 52 Highway just east of Mound City.

With nothing further on the agenda. Charles Trask motioned to adjourn until 9:00 a.m., Monday, March 16th. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

March 16, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk, William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$2,745.82; Rural Fire, \$1,248.36; Road & Bridge, \$513.67; Elderly, \$470.34.

The commission chairman signed the following add/abate/refund order numbers: personal property #1687.

The commission reviewed a letter concerning a U.S. 69 Highway corridor study. The commission plans to get involved in this study.

The commission reviewed notice of the April 1st ground breaking for the museum and information center at Mine Creek Battlefield.

Two bids for hay at the South Pleasanton Industrial Park were opened. O.C. Baugh, Pleasanton bid \$4.00 per bale. John Black, Pleasanton bid \$6.00 per bale. Charles Trask motioned to accept the \$6.00 per bale bid from John Black. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

County Engineer Richard Long and the commission discussed Railroad Crossings in the county. Commissioner Trask stated he plans to attend a public meeting in Pleasanton tonight concerning closing two crossings in Pleasanton and plans to discuss crossings out in the county that needs some repair.

Also, Long and the Commission discussed the proposed plan by K.I.N. to lay fiber optic cable from south to north through Linn County. Long stated he prefers they bury it along 69 highway.

At 10:15 nine students from the three county High Schools arrived and were introduced as part of county government day.

Dennis Arnold, Economic Development Director reported he had received a bid for one million dollars worth of title insurance for the American One property. Harold Mooney Jr. motioned to purchase one million dollars worth of title insurance for the American One property in the industrial park. Marty Read seconded the motion. After discussion the motion passed 2-1.

After describing her position as the Court Clerk to the students, Maribeth Kehl, District Court Clerk asked to move the salary of bailiff Kevin Friend up to full pay. Charles Trask motioned to raise Friends pay to \$1,855.00 per month. Marty Read seconded the motion. The motion passed 3-0.

County Appraiser Steve Thompson reported that value notices will be coming out a little later this year. Thompson reported on the way Ag ground is valued according to land use values rather than the cost or price of the land.

Merv Egbert, City of Pleasanton Planning Commission discussed a proposed ordinance regulating subdivision development in the Pleasanton growth area.

Zoning Administrator, Andy Mayhugh explained how this agreement would give Pleasanton some say on subdivisions in their growth area. Harold Mooney Jr. motioned to approve the regulations. The motion did not receive a second and the commission agreed by consensus to table the issue for one week.

Mayhugh described the L.E.P.P. Grant application he asked to apply for \$9,186.00. After discussion Charles Trask motioned to apply for the \$9,186.00 L.E.E.P. Grant. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, March 23. Harold Mooney Jr. seconded the motion. The motion passed.

---

County Clerk

---

Chair of Board

March 23, 1998

The Board of Linn County Commission met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman, Harold Mooney Jr., member; Donald L. Proffitt, county clerk; William Edwards, county counselor.

Charles Trask motioned to approve the minutes of the last regular session as printed. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$2,500.00 and LEPP Grant Fund, \$1,000.00. The Commission signed the following add/abate/refund order numbers: personal property 1688 - 1689.

Harold Mooney Jr. motioned to approve the sheriff's monthly fee report for the month of February. Charles Trask seconded the motion. The motion passed 3-0.

The commission reviewed minutes of a February 23, S.E.K. Mental Health Center governing board meeting.

Marty Read motioned to sign a letter to be sent to Senator Robert Tyson asking for him to vote to remove the cap on demand transfers. Harold Mooney Jr. seconded the motion. The motion passed 3-0. A carbon copy will go to Representatives Howell and Feuerborn.

County Counselor William Edwards reported he had sent the letter to K.D.O.T. requesting the State to do something to correct the problem with the curve just east of Mound City on 52 Highway.

Edwards also explained that cable companies can lay cable on public right of way without permission or fees. The commission feels they don't really have a problem as long as we can get a response when we ask them to locate the cable in case we need to dig in the area.

At the request of County Appraiser Steve Thompson, Marty Read motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, appraiser and county counselor attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Marty Read motioned to approve for the appraiser to post a full-time position in the Appraisers Department (Residential/Ag Data Collector). Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Linn County Engineer, Richard Long reported that putting east or west on the 911 road signs instead of LC will cost an extra \$2,570.80 or a total \$32,304.80. After discussion the commission agreed to go ahead and purchase the signs from Welborn Sales, Salina, it will still be the lowest bid.

Long reported that he has a 79 Fiat Allis Dozer that has transmission problems. To fix the transmission properly will cost about as much as the dozer is worth. Long also reported he may like to trade the dozer in for a track hoe. No decision was reached.

Long reported that John Maloney has asked for the District #3 truck driver job that had been posted to county employees. Marty Read motioned to allow John Maloney to transfer from Solid Waste Department to District #3 road department. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to install a stop sign on the north and south roads located 2 miles west of the junction of 69 and 52 and 1 mile north. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marilyn Augur, Nutrition Director presented forms to be signed by the commission to authorize signatures for signing documents for the Kansas Department of Aging. Charles Trask motioned to sign the authorization. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Augur also gave the commission an update on a Department of Transportation meeting she attended last Friday in Pittsburg.

Tuesdee Stark reported that the Economic Development Director had asked her to let the commission know that American One has agreed to pay for ½ of the \$1,375.00 for the one million-dollar title insurance on American One property, also that the City of LaCygne has received \$500,000.00 CDBG Grant for low interest loan for American One. No action taken by the commission.

Andy Mayhugh, Zoning Administrator presented a lot split requested by Loren and Mary Ellen Duis located in 26-22-24. After review, Charles Trask motioned to approve the lot split as requested. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to accept the road easement for the above lot split as required. Charles Trask seconded the motion. The motion passed 3-0.

Mayhugh and the commission discussed correcting faulty septic tanks at the time the land sells, possibly by having the buyer sign an affidavit stating they would be responsible for correcting the problem before residing there, after lengthy discussion the issue was tabled without a vote.

After discussing the City of Pleasanton subdivision regulations for their growth area, Charles Trask motioned to put the issue on next week's agenda and notify the City of Pleasanton to have someone at the meeting to answer some questions.

At the request of Linn County Sheriff, Marvin Stites, Charles Trask motioned to approve for the sheriff to purchase a P.C. and printer to be used to hook up to the Internet with the cost not to exceed \$2,000.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

At the request of County Attorney John Sutherland, Charles Trask motioned to approve the purchase of a new copier for the attorneys office and to trade in the old copier, the difference to be \$3,116.00 for copies and the first year's maintenance. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, March 30. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

March 30, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman, Harold Mooney, Jr., member; and Donald L. Proffitt, county clerk.

Charles Trask motioned to approve the minutes of the last regular session as printed. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$86,957.46; Employee Benefit \$81,664.39; Community Policing, \$1,320.97; Appraiser, \$14,887.30; Rural Fire, \$7,589.81; Road & Bridge, \$54,282.38; Community Corrections, \$31,295.09; DARE, \$1,396.81; Elderly, \$11,611.41.

The commission gave approval for Mine Creek EHU to have their Easter Egg Hunt, April 11th on the courthouse lawn.

The Commission reviewed minutes of a February 24th meeting and agenda for a March 31, meeting of the S.E.K. Multi-County Health Board.

At the request of Richard Long, county engineer, Harold Mooney Jr. motioned to sign a new agreement with Mental Health Consortium that will decrease the cost of drug and alcohol testing. Charles Trask seconded the motion. The motion passed 3-0.

The commission agreed with Long's request to appoint Darrell Lane to the America Recycles, steering committee.

Long reported on a flooding problem near the Ed Siron property east of 1095 Highway, he would like for the commission to look at it. Also, Long plans to talk to a property owner on Snow Hill Road about the possibility of the county purchasing some property on a curve that Long would like to straighten.

At the request of Long, Marty Read motioned to recess from the Board of Commission Meeting into executive session for five minutes to discuss a personnel matter. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The Commission, Clerk and Long attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session. Marty Read motioned to hire Franklin Leonard, full-time in the Sign Department at \$7.50 per hour, and he is to start after results of a pre-employment physical. Leonard will be on the normal 6-month probation. Harold Mooney Jr. seconded the motion. The motion passed 2-1.

Marty Read motioned to increase Larry Robinson's salary by .36 cents per hour to \$10.35 per hour. Harold Mooney Jr. seconded the motion. The motion passed 2-1.

At the request of Bruce Holt, Marty Read motioned to recess from the Board of Commission meeting for five minutes to discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, and Bruce Holt attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Holt reported that the new camp sites are in operation and the cabin that burned has been repaired and is being rented.

The Commission Chairman signed a contract with Tim Wills, Pleasanton to remove siding from the house on county property in the LaCygne Industrial Park.

Merv Egbert, Glen Lindsey, and Max Erath representing the Pleasanton City Planning Commission and the Commission discussed the city's subdivision regulations in the city's growth area. After discussion Harold Mooney Jr. motioned to approve for the City of Pleasanton to govern subdivision's in the city's growth area. Charles Trask seconded the motion. The motion passed 3-0.

Andy Mayhugh, Zoning Administrator presented an application for zoning case #Z0298150, to divide a 5-acre tract from a 39.5 acre tract for the purpose of building a home located East of 69 Highway on Tiger Road. Harold Mooney Jr. motioned to approve the zoning change that had been requested by Tom & Laura Lewis.

Marty Read motioned to approve a lot split for the above zoning change. Charles Trask seconded the motion. The motion passed 3-0.

Charles Trask motioned to accept the right-of-way on the above zoning change. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve conditional use permit #CUP029821 for Diane Hubbard Jones in the N.E. 1/4 of SE 1/4, S20-T22-R25 for a retail greenhouse with the stated conditions. Marty Read seconded the motion. The motion passed 3-0. Following is a copy of CUP029821:

Conditional Use Permit #CUP029822 for a burning area requested by Terry Wallace was discussed. Marty Read motioned to approve Conditional Use Permit #CUP029822 for a burning permit with the stated conditions. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of CUP029822:

At the request of County Appraiser, Steve Thompson, Marty Read motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, and appraiser attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Charles Trask motioned to transfer Bernard Streeter from courthouse maintenance department to the Appraiser Department as Ag/Residential Data Collector at Clerk III pay of \$1,481.99 per month. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Streeter will be on 6-month probation in the new position.

Thompson reported that valuation notices will be mailed this week. Many property owners will see an increase in property values this year.

Scott Perkins, Western Air Maps, discussed different options that would be available to the county to have his company set points and fly the county for digital maps. The commission tabled any decision until next weeks meeting.

With nothing further on the agenda, Harold Mooney Jr. motioned to adjourn until Monday, April 6 at 9:00 a.m.. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

April 2, 1998

The Board of Linn County Commissioners met for a public hearing to incorporate the City of Linn Valley at the Linn Valley Lakes Clubhouse. Those present were Marty Read, chairman, Harold Mooney, Jr., member; and Donald L. Proffitt, county clerk and William Edwards, county counselor.

At 7:15 p.m., Marty Read, Commission Chairman, called the meeting to order. Introductions of the press and the head table were made, and the order of business for the evening was explained.

Proponents to incorporate the City of Linn Valley were allowed to speak first. First to speak was Duane Gilmore, property owner, who gave his reasons for incorporating, which were limitations of police enforcement and usage of property enforcement. By having local enforcement they would have quicker response time and possibly a faster apprehension time of violators. The second to speak was Bud Kirk. He feels that by not being incorporated they are not receiving the full benefits of the 2.5 million tax dollars they could have levied and compliance of rules and regulations would be enforced.

Opponents to incorporate the City of Linn Valley were allowed to speak next. First to speak was Leon Dennis. He presented a petition to the commission with 112 signatures of people who are against incorporating. Marvin Stone feels that the \$68,000.00 in tax dollars received by the city would not be enough for police enforcement alone. He feels that the problems of Linn Valley Lakes could be solved by improving property values which would draw a better class of people to the area. Gary Holstin, resident, gave the commission a list of reasons not to incorporate and feels it will only raise taxes for the current owners. Lisa Saunders, weekend camper, feels crime will be in the area with or without law enforcement and she felt that it was not fair that non residents were not allowed to vote on this issue. Betty Bullock, property owner outside of the Linn Valley Lakes area, had been informed that she would be annexed into the area and does not want to be part of the city. Mark Tinsley, lot owner, and resident of Paola feels that if residents watch over each other in the neighborhood, they can do a better job than a police force. Also, improving spending habits of the current budget by the Board will alleviate most of the problems at Linn Valley Lakes better than incorporating into a city. Bob Bailey, resident, and member of the Board of Directors, would like to see the county sheriff patrol the area on weekends, by doing this it would take care of most of their crime problems. Richard Goucher, lot owner, feels the sheriff needs to have more money in his budget so that he could patrol the area. Mark White, resident, thinks that code enforcement cannot happen on \$68,000.00 and that it is not cost effective for Linn Valley Lakes to become a city. Tim Tucker, resident, believes that incorporating Linn Valley in the future would be a better idea and that they would benefit from the area by staying the same. He feels that the current Board does not listen to the residents and the majority of people are not being represented. Paul Cooper, was the last to speak. He believes it will cost at least double the amount that would be brought in by incorporating, for law enforcement of Linn Valley Lakes. He thinks that they are moving to fast toward incorporating and needs the board to review their current spending habits. He feels crime is going to be in the area, just as it was in Jonesboro Arkansas.

A rebuttal period for proponents to incorporate was next. No one came forward for a rebuttal from any of the proponents, so there was no rebuttal necessary for opponents.

A questions and answer period was held. The following questions were asked: Will the commission make the decision on whether Linn Valley will incorporate or will Linn Valley Lakes residents be allowed to vote on the issue? It was answered that the decision would be made by the commission. Larry Tinsley, lot owner, asked if the covenants of the Association were presented and if the petition that was presented was legal? William Edwards explained how the petition was presented to the commission and explained how the statutes read, and also explained that they could request incorporating if there are 300 or more residents or 300 or more plated lots, so the petition was legal. Father Pool came up to the front and mentioned that he felt a referendum for recall on petitions might be possible. Larry Tinsley asked what the time frame would be for the commission to make a decision on this issue, and what the decision would be based on? Also, he asked what kind of a city would they be? He was informed that the commission would take what ever time was necessary to hear all sides and would make a decision only when they felt they had all information available. A audience member asked as to what kind of election would be held, and what would they vote on? They were told by Don Proffitt that they would vote on a mayor and 5 council members. Another audience member asked if there would be a bond for city officials and who would pay the cost of a bond? William Edwards informed them that he did not have a answer at this time and would have to look at all the statutes to answer that question.

The President of the Linn Valley Lakes Board came up and clarified the difference between the city official's job and the Board of Directors job. And how each would run as individual entities. He explained that the gate would stay up, how the petition was written and that the Board would control the Linn Valley Lakes and the municipal ordinances would be controlled by the city.

The question and answer period was ended

At 8:45 p.m., Marty Read, Commission Chairman, adjourned the meeting to be reconvened at the call of the chairman to further discuss this issue or to vote on it.

---

County Clerk

---

Chair of Board

April 6, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk and William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission chairman signed the following add/abate/refund order numbers: personal property #1690 - 1693.

Harold Mooney Jr. motioned to approve quarterly statements for Blue Mound and Pleasanton Senior Center for 1st quarter of 1998. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to approve transfer of Emergency Vehicle Permit for Donald Edgerton for a 1989 Dodge Ram Charger. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve a permit for towing services for J & L Services, Pleasanton, Kansas. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The company is owned by Jim Martin, formerly with Twilight Towing.

The clerk reported that new population estimates show Linn County with a population of 9,064.

Helen Barnes with the Mound City Historical Society introduced Tim Westcott, professor at Baker University who presented a short presentation on the underground railroad in Linn County during the civil war period. Marty Read motioned to approve a resolution to be sent to U.S. Representative Jim Ryan and U.S. Senator Sam Brownback calling attention to this historical fact. Harold Mooney Jr. seconded the motion. The motion passed 3-0. A resolution will be prepared to be signed at next weeks meeting.

Richard Long, County Engineer presented two permits to bury cable. Charles Trask motioned to approve the route for K.I.N.-NET to lay fiber optic through Linn County. Marty Read seconded the motion. The motion passed 3-0.

Also, Marty Read motioned to approve a request by United Sprint to bury cable in several areas in the Blue Mound area. Charles Trask seconded the motion. The motion passed 3-0.

At Long's request, Charles Trask motioned to hire a temporary part time employee in the Solid Waste Department at \$5.65 per hour. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to advertise for a new pickup for the blacktop foreman's use. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long reported that the transfer station has been inspected by K.D.H.E. and there were some violations that are being taken care of.

Ben Fortman, Noxious Weed Director presented chemical bids. Charles Trask motioned to accept the low bid from Terra Chemical Company for a total of \$48,945.00. Marty Read seconded the motion. The motion passed 3-0. Terra is the only Company that can supply the See-2-4D as specified.

Fortman announced a Household Hazardous Waste pickup in LaCygne on April 18th.

At the request of Fortman, Marty Read motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Harold Mooney Jr. motioned to hire George Maloney as temporary employee in the Noxious Weed Department at \$6.00 per hour. Marty Read seconded the motion. The motion passed 3-0.

Edwin McWilliams, resident in the 2-mile growth area around Pleasanton met with the commission to let them know that he is unhappy with their decision last week to allow Pleasanton to have control of subdivisions in their 2-mile growth area. Also, present and showing concern about the decision were Thelma Troth and Marcelo Balagtas. After a lengthy discussion, the commission let their decision stand.

At break, several county employees brought in a birthday cake for Harold Mooney Jr..

Scott Perkins and Dan Wigger, Western Air Maps met with the county to discuss aerial mapping for the county after discussion, Marty Read motioned to approve an agreement for Western Air Maps to put in 130 ground points and photograph the city and rural areas for \$55,100.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The county will purchase the digital ortho photos as the money can be budgeted.

At the request of Bruce Holt, Park Director, Harold Mooney Jr. motioned to hire Sheri Ackley, LaCygne as temporary employee at the park at \$5.50 per hour. Charles Trask seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, April 13th. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

April 13, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk, and William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular session as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$142,963.86; Appraiser, \$2,318.54; Rural Fire, \$6,226.74; Road & Bridge, \$79,718.48; Community Correction, \$9,132.16; Law Enforcement, \$70.70; Elderly, \$7,405.01; Zoning LEPP Grant Fund, \$1,258.75.

The commission chairman signed the following add/abate/refund order numbers: personal property 1694 - 1698. At the request of the county clerk, Marty Read motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, and county counselor attended the executive session.

Charles Trask motioned to adjourn the executive session and to reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

As a result of the executive session, Harold Mooney Jr. motioned to hire Jerry Bedgood as maintenance/custodian at \$8.00 per hour. Bedgood will have a pre-employment physical and be on the standard 6 months probation. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to hire Dan Smith as maintenance/custodian at \$8.00 per hour. Smith will have a pre-employment physical and be on the standard 6 months probation. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to increase the salary of Charlene Smith by .50 cents per hour from \$6.87 per hour to \$7.37 per hour, effective April 15th. Charles Trask seconded the motion. The motion passed 3-0.

The commission reviewed and approved the sheriff monthly fee report for the month of March.

Charles Trask motioned to approve the Prescott Senior Center quarterly report. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to pass resolution #98-07 to recognize the unique contribution that early Linn County pioneers made to the Kansas territory. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of Resolution #98-07:

Waldo Cox, Cox Motor Company reported he has a snow plow that will fit an 8,000 Ford Truck that he would like to sell the county for \$1,750.00, they retail for \$4,200.00. County Engineer, Richard Long will look at the plow.

Long reported that the transfer station and compactor sites in the county had been inspected by KDHE. Some citations were issued for not having permits posted at compactor sites, burning items that the state does not allow to be burned, waste receipts were not being kept according to state regulations and tires not being ricked. All the problems have been corrected.

Long reported that as of July 1, 2001 the county will be responsible for abatement of tires.

Long and the commission discussed the 5-year Road and Bridge plan and the Boicourt Bridge project.

Marty Read motioned to approve a permit to bury water line just south of Mound City, requested by the City of Mound City. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The line will be bored under the road

Marty Read motioned to approve a permit to place overhead telephone cable south of Blue Mound, requested by Sprint United. Charles Trask seconded the motion. The motion passed 3-0.

Long reported on his search for used backhoes. After reviewing prices from 3 companies, the commission asked Long to see if Victor L. Phillips will lower the price on a 1997 Case 490 Super L.

Long reminded the commission about the annual Commission/Engineer meeting to be held tomorrow at Chanute. Long plans to leave at 7:30 a.m..

Marty Read motioned to move Larry Murray from Courthouse Maintenance Department to Solid Waste Department. Charles Trask seconded the motion. The motion passed 3-0. Murray's pay will be adjusted to \$9.51 per hour at the time of the transfer.

Commissioner Trask left the meeting at 10:00 a.m..

At the request of Nutrition Director, Marilyn Augur, Marty Read motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and Augur attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

As a result of the executive session, Harold Mooney Jr. motioned to increase the salary of part-time substitutes in the Nutrition Department from \$5.15 per hour to \$5.65 per hour. Marty Read seconded the motion. The motion passed 2-0. The commission agreed to Augurs request to keep the Senior Centers open Saturday, May 2nd.

The Sheriff advised the commission that he has hired 2 dispatchers. Kathy Morton and Katherine Houtman that have both started to work. Both have taken pre-employment physicals and will be on the standard 6-month probation.

At the request of Sheriff Stites, Marty Read motioned to recess from the Board of Commission meeting into executive session for 15 minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county counselor, and sheriff attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

A group of residents from the Pleasanton growth area met with the commission concerning the new subdivision regulations. Clarence Adams felt that they were being forced to be annexed by Pleasanton, Frieda Courtois reported she had been misled by people telling her that. Pleasanton Mayor, John Johnson and Merv Egbert, Pleasanton City Planning Commission, reported there are no plans at the present to annex the area in question. No action taken by the commission.

Zoning Administrator, Andy Mayhugh discussed the number of Building Permits issued in the county for the 1st quarter of 1998.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, April 20. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

April 20, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; William Edwards, county counselor. Commissioner Read was absent.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 2-0.

The Commission approved the following pays/special pays: General, \$2,077.24; Rural Fire, \$1,143.36; Community Correction, \$572.92; Elderly, \$1,135.35.

The Commission Vice Chairman signed the following add/abate/refund order numbers: personal property 1699-1700.

Harold West met with the commission to see if he can get a road repaired that he has asked about before and the county has still not repaired. The road is located west of Melvin Nations. Commissioner Trask reported he will talk to Commissioner Read since it is in Road District #3. Also, the commission asked the county engineer, Richard Long to check into the problem.

Long, reported Continental Coal Company has asked for another road variance to be able to mine within 50' of the county road, instead of 100'. Long will talk to the landowner and see if we can get extra right of way after mining is done. The Commission agreed with Long's idea.

Long and the commission discussed purchasing a backhoe. After discussion Charles Trask motioned to purchase a used Case backhoe 590 Super L from Victor L. Phillips for \$52,680.00 with trade-in of an old backhoe. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

At Long's request, Charles Trask motioned to publish notice to vacate road in S10-T21-R24E, known as the Robert Bass Road. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Long opened bids for the addition to the Transfer Station Building. They received three bids. Foote Construction, Pleasanton, \$42,117.00, Double K Construction, Mound City, \$55,367.19; and B.C. Construction, Pleasanton, \$48,745.00. Long will review these bids and make a recommendation next week.

Economic Development Director, Dennis Arnold discussed the neighborhood revitalization program. After reviewing the program, Harold Mooney Jr. motioned to continue the program for two more years with Pleasanton and LaCygne and to include the City of Parker. Charles Trask seconded the motion. The motion passed 2-0.

Arnold reported ground breaking for American One's new building will be May 1st at 1:00 p.m. and invited the Commission to attend.

Charles Trask motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a legal issue with the county counselor. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk and county counselor attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Tom Swan, Planning Commission Chairman reported that the Linn County Planning Commission had voted unanimously to support Linn Valley Lakes petition to become a 3rd class city.

Ken Shetlar and Gary Gobel met with the Commission to update them on the proposed PWWSD #13 Lake to be located west of Mound City. Entrance roads, parking areas were discussed, along with fishing and whether they should allow skiing. No action taken by the commission.

Diane Van Kirk, Fire Coordinator, presented the commission with the summary of fire calls for March 1998.

At Van Kirks request Harold Mooney Jr. motioned to hire three part-time fire fighters. Randy Banta, Tom Cannon, Pleasanton Station and Brian Milne, Blue Mound Station. Charles Trask seconded the motion. The motion passed 2-0.

Van Kirk presented the commission with Linn County E911 Road Names and addressing maps. Also, Van Kirk reported she had inspected the burn area approved for Terry Wallace and found no violations.

County Treasurer, Ellie Davey, presented the commission with a report of interest earnings for quarter ending March 31, 1998. Year-to-date earnings are \$66,791.15.

Robert Chase, SEK Mental Health Center, invited the commission to their open house at the new Pleasanton facility at 1:00 April 22, 1998.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, April 27, Harold Mooney Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

April 27, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chair; Charles Trask, vice chair; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; and William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$92,702.04; Employee Benefit, \$69,329.31; Community Policing, \$1,506.35; Appraiser, \$14,125.87; Rural Fire, \$5,479.51; Road & Bridge, \$56,009.06; Community Correction, \$29,482.56; DARE, \$1,346.25; Elderly, \$11,603.41.

The Commission Chair signed the following add/abate/refund order numbers: personal property 1701 - 1705.

Marty Read motioned to approve the minutes of the April 2nd public hearing on the petition to incorporate Linn Valley Lakes as a 3rd class city. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission reviewed the minutes of a March 31 meeting and the agenda for the April 28th meeting of the SEK Multi-County Health Board. No action taken.

Paul Casper, Linn Valley Lakes, addressed the commission to state that he is opposed to the incorporation of Linn Valley Lakes. He does not feel that incorporating would solve any of the problems they currently have. A short discussion followed between Casper, Russell Ruth and the commission. No action taken.

Charles Trask motioned to appoint Ernie Price to the SEK Multi-County Health Board to replace Rose Kane, who is moving from the area. Marty Read seconded the motion. The motion passed 3-0.

At the request of Dennis Arnold, Economic Development Director, Harold Mooney Jr. motioned to give RWD #1 an easement along the road in front of the East side of the LaCygne Industrial Park and to pay for moving the water line. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve a lot split requested by Jennifer Johnson to split off 20 acres in North ½ of the NE ¼ of 31-19-23. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to accept the grant for road easement for the above lot split. Charles Trask seconded the motion. The motion passed 3-0.

Darrell Lane and Ray Miller met with the commission to recommend the commission accept the bid from Foote Construction for the addition to the transfer station. Charles Trask motioned to accept the low bid of \$31,442 from Foote Construction to build the addition to the transfer station. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission also asked that a performance bond be included.

Miller also invited the commission to the annual lake region RC&D meeting in Burlington, May 19th.

At the request of Marilyn Augur, Nutrition Director, Marty Read motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Augur attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Marty Read motioned to increase the wages of Geneva Jennings, Food Service Manager to \$8.00 per hour, effective May 1st. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to sign a transportation grant application for FY99. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to request that the Director of the Division of Community Development of the Department of Economic Development to make a study of the Linn Valley Lakes area and recommendation pertaining to incorporation. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

County Appraiser, Steve Thompson reported the county was flown and photographed by Western Air Maps, April 14th. Thompson would like to go ahead and purchase digital ortho photos from Western Air Maps for the Linn Valley Lakes area for \$3,160.00. Marty Read motioned to purchase digital ortho photos of Linn Valley Lakes for \$3,160.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to purchase an auto cad map and auto cad overlay 14 from Mid Kan Blue Line, Salina, Kansas, in the amount of \$3,499.90. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to hire Roy Baker, Ottawa to conduct computer classes on mapping at \$25.00 per hour and mileage for two evenings per week, up to four weeks. Charles Trask seconded the motion. The motion passed 3-0.

Gene Bonham, Community Corrections Director, presented the commission with comprehensive plan for FY99 for adults. Marty Read motioned to approve Community Corrections Adult Comprehensive plan FY-99. Charles Trask seconded the motion. The motion passed 3-0.

Diane Van Kirk, Fire Coordinator, updated the commission on a hazardous material spill on 69 highway of approximately 350 gallons of some type of epoxy. The spill was leaking from a truck and has been cleaned up.

Dave Burnett, SEK Regional Planning Commission updated the commission on the regional planning commission, and presented an invoice for dues in the amount of \$3,638.00. Also, discussed CDBG grants.

Charles Trask motioned to pay the dues of \$3,638.00 to the SEK Regional Planning Commission. Marty Read seconded the motion. The motion passed 3-0.

The state comprehensive highway plan was discussed. Marty Read motioned to create a Linn County 69 Highway Committee Task Force consisting of the following people. Marty Read, Charles Trask, Harold Mooney Jr., Dennis Arnold, Skip Childress, Helen Barnes, Neal Byrd, Charles Conley, Pleasanton Mayor John Johnson, and Montgomery Fitzwater.

With nothing further on the agenda, Charles Trask motioned to adjourn the meeting until 9:00 a.m., Monday, May 4th. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

May 4, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chair; Charles Trask, vice chair, Harold Mooney Jr., member, Donald L. Proffitt, county clerk, William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission chair signed the following add/abate/refund order number: personal property 1706.

Marty Read motioned to add the following people to the Linn County 69 Highway Committee (Task Force) David McKinley, Alice Widner, Ola May Earnest, Richard Long, Larry Robinson, Dianna Dotts. Charles Trask seconded the motion. The motion passed 3-0.

The commission discussed an upcoming May 14th meeting of a Multi-County 69 Highway Task Force at the Best Western in Fort Scott.

The Commission reviewed minutes of a March 16th meeting of the S.E.K. Mental Health Center Governing Board.

Charles Trask motioned to approve the 1997 Centerville Township Treasurer Trustee Report. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve Emergency Vehicle Permit for George Maloney, Mound City for Fire Department use. Marty Read seconded the motion. The motion passed 3-0.

The clerk introduced two new courthouse maintenance men, Dan Smith and Jerry Bedgood to the commission.

Charles Trask motioned to approve quotes from B.C. Construction, Pleasanton, to repair the roof on the Judicial Building, Sheriff Department and Annex Building for \$6,516.00. Marty Read seconded the motion. The motion passed 3-0. The county counselor will prepare a contract.

Richard Long, county engineer, the commission and property owner Kenneth Rowley discussed a proposed road closure. Marty Read motioned to close the following road as published. The Robert Bass Road in 10-21-24E. Charles Trask seconded the motion. The motion passed 3-0. Following is a copy of the road closure:

Bids were reviewed for two new pickups for the county road department. Marty Read motioned to accept the low bid from Cox Motor Company one 1998 Ford pickup at \$14,358.00 with trade-in of a 1990 Ford pickup and one at \$14,708.00 with trade-in of a 1988 Ford pickup if they will include bed liners at no cost.

Marty Read motioned to approve two telephone burial permits requested by Sprint United Telephone. One located west of Mound City and one located northwest of Mound City. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission and Long discussed chipping and sealing the road in Oak Lawn Cemetery at LaCygne. Also discussed chipping and sealing the east/west road at the north end of Mound City.

Long and the commission discussed work at the transfer station. Charles Trask motioned to approve a full-time position at the transfer station. Marty Read seconded the motion. The motion passed 3-0. The job opening will be posted for county employees before being advertised.

Harold Mooney Jr. motioned to recess from the Board of Commission into executive session for fifteen minutes to discuss a legal issue. After discussion a vote to go into executive session failed 2-1.

Andy Mayhugh, Zoning Administrator presented the commission with a conditional use permit requested by Continental Coal Company in SW 1/4 of 12-23-24. Charles Trask motioned to approve the conditional use permit as approved by the Planning Commission. Following is a copy of the conditional use permit:

Marty Read motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a legal issue. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, and county counselor attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Economic Development Director, Dennis Arnold discussed the youth and challenge grants. Marty Read motioned to approve the following youth grants: Trading Post Historical Society \$500.00, Linn County Museum, \$400.00, Linn County Extension, Library District #4, Prescott Library, Pleasanton, LaCygne, Parker, Prescott, and Mound City at \$900.00 each. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve the following challenge grants to Mound City Chamber, Blue Mound City, Mound City, Prescott City, Parker, Pleasanton, Blue Mound Ruritan Club in the amount of \$750.00. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve \$500.00 for the City of Pleasanton Chamber of Commerce for brochures. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve \$900.00 for lumber for sets for the Shenandoah Production. Marty Read seconded the motion. The motion passed 3-0.

Les Morse and John Morse, Centerville, met with the commission to discuss a bill they presented to the county in the amount of \$16,785.00 for the storage of a cattle trailer. The commissioners reported the issue has been turned over to the County Counselor. Counselor William Edwards reported he did not feel the county was responsible for the storage bill.

At the request of County Appraiser, Steve Thompson, Harold Mooney Jr. motioned to approve the purchase of a personal computer from NEC Computer Systems, Boxborough, MA for \$1,899.00. Charles Trask seconded the motion. The motion passed 3-0.

At the request of Park Director, Bruce Holt, Charles Trask motioned to hire Crista Long as temporary pool manager at the county park at \$5.65 per hour. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Holt reported that Sheri Ackley had broke her leg and would not be able to work for several weeks. Bruce will look for a temporary replacement for her.

Charles Trask motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue. Marty Read seconded the motion. The motion passed 3-0. The commissioners, clerk county counselor and Bruce Holt attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Marty Read motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a legal issue. Charles Trask seconded the motion. The motion passed 3-0. The commissioners, clerk, county counselor and sheriff Stites attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission Meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Eddie Haynes, Pleasanton, asked that he be placed on rotation for towing services although he does not have a wrecker, Haynes says he can rent a tow truck if needed. The Commission feels that the decision is entirely up to the sheriff.

Zoning Administrator, Andy Mayhugh, presented four lot splits and road easements to the commission. Marty Read motioned to approve lot split numbers: 53,54,55 & 56 and the accompanying road easements. Charles Trask seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, May 11. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

May 11, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chair, Charles Trask, vice chair; Harold Mooney Jr., member; Don Proffitt, county clerk, and William Edwards, county counselor.

Harold Mooney Jr., motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$153,487.62; Community Policing, \$151.05; Appraiser, \$1,547.37; Reappraisal, \$27,400.00; Rural Fire, \$10,162.38; Road & Bridge, \$89,339.09; Special Machinery, \$52,600.00; Community Correction, \$11861.56; Elderly, \$7,349.42.

Mary Grosshart met with the commission to explain that she has been appointed to the Citizen Advisory Team to do a 16-month study on the 69 Highway corridor. She would like to attend the meetings of the counties 69 Highway Task Force. The commission reported they would put her on the mailing list.

Jim Martin, met with the commission to report that the county has been shorting him on the amount of concrete he has been pouring. Martin claims he has been shorted about 10% each pour. Martin claims he has poured 311.25 yards and the county has paid for 280.38 yards. After discussion the commission decided to wait until next week to talk to the county engineer who is out of town this week.

At the request of courthouse maintenance man Jerry Bedgood, Marty Read motioned to purchase a Titan 440E Airless Sprayer from Sherwin Williams, Fort Scott for \$990.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to recess from the Board of Commission Meeting into executive session for fifteen minutes to discuss a legal issue with the county counselor. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk and county counselor attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Marty Read motioned to accept the resignation of Keitha Brown, Centerville Township Treasurer. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to approve the Lake Region RC&D Budget for the period of July 1, 1998 to June 30, 1999. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to approve a permit to bury water line requested by Rural Water District #2 at a location one mile west of Mantey. Charles Trask seconded the motion. The motion passed 3-0.

Gene Bonham, Community Corrections Director presented the commission with the FY-99 Comprehensive plan for juvenile offenders. After review Charles Trask motioned to approve the comprehensive plan. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Mike Hazelbaker, met with the commission to get approval to have 103 acres he owns annexed to the City of Prescott. After the county counselor reported that all the necessary paper work was not presented ( a plan for the area from the City of Prescott) the commission asked Hazelbaker to come back with the request when he has all the necessary paper work.

At the request of Dennis Arnold, Economic Development Director, Marty Read motioned to recess from the Board of Commission meeting into executive session for fifteen minutes for a personnel issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Arnold attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0.

As a result of the executive session, Charles Trask motioned for the county to buy back the 1st year of KPERS for Dennis Arnold. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to increase the pay of Dennis Arnold by 2 ½%, effective immediately. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Arnold reported he is having problems finding cast members for the production (Shenandoah) that he has been planning. Arnold has one more audition for the program and if he does not get enough people he may cancel the program until next year.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, May 11. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

May 18, 1998

The Board of Linn County Commission met in a regular session. Those present were Marty Read, chairman, Harold Mooney Jr., member; Donald L. Proffitt, county clerk; William Edwards, county counselor. Commissioner Charles Trask was absent.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

The commission reviewed and approved the Sheriff's monthly fee report for April 1998.

The commission reviewed Linn County Rural Fire Department calls for April 2, through April 27, 1998. No action taken.

After discussion, the commission instructed the clerk to go out for bids for the propane that the county purchases at the various locations in the county.

Harold Mooney Jr. motioned tentatively to approve \$6,000.00 for the 1999 budget as match dollars for the area agency on aging and \$3,000.00 for the senior care act match. Marty Read seconded the motion. The motion passed 2-0.

Harold Mooney Jr. motioned to sign a right-of-way easement for water line requested by PWWSD #13 located in lot 23, 11-21-23. Marty Read seconded the motion. The motion passed 2-0.

The commission reviewed an invitation from Linn County Farm Bureau to attend the 1998 Kansas Governor Bill Graves annual farm and ranch tour and a dinner at 6:00 p.m. in the Jayhawk-Linn gym. No action taken.

Darrell Jackson, LaCygne met with the commission to discuss the problem of not having 911 in the county. Jackson's elderly aunt had needed emergency service and had trouble getting help. The commission reported that E911 is in the works and will take some time. The commission advised Jackson that for the time being, maybe they could get a programable phone and program in the sheriff's 800 phone number for his Aunt to use until the county implements 911.

Richard Long, County Engineer and commission discussed several road and drainage problems that need repair.

Long reported on a railroad crossing southeast of Pleasanton that the grade to the tracks is too steep. Long feels the railroad company is responsible. The county counselor will review the laws and get back to the commission.

Long reported he is planning to hire temporary summer help for the road crews soon.

The commission and Long reviewed bids received for a new John Deere 6310 tractor for road district #3. A John Deere 5510 for District #1 and two Bush Hog mowers. Marty Read motioned to accept the low bid for \$30,298.00 from Deem farm Equipment, Butler for a John Deere 6310. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Harold Mooney Jr. motioned to accept the low bid from Harrisonville Tractor for a John Deere 5510, less trade in of old tractor for \$20,330.00. Also, to purchase from Harrisonville Tractor one 3610 Bush Hog for \$7,325.00 outright and one 3610 Bush Hog for \$6,525.00 with trade in of an old 3610 Bush Hog. Marty Read seconded the motion. The motion passed 2-0.

Long reported they have poured the pier cap on the Boicourt Bridge and that work is proceeding.

Long reported to the commission on the complaint by Martin Construction company that the county has been shorting him on the amount of concrete he is being paid for. Long feels the county is paying for the amount of concrete the plans call for and that it is all that the county should have to pay for.

The commission and Long discussed a road southeast of Prescott that has a strip pit on both sides that have eroded into the road. KDHE would like for the road to be closed. Long and the commission feels the pits should be filled in with riprap to stop the erosion instead of closing the road.

Zoning Administrator, Andy Mayhugh discussed abating dangerous structures in the county. The commission instructed Mayhugh to modify the county's nuisance abatement policy to be able to cause those structures to be removed.

Economic Development Director, Dennis Arnold went over the major accomplishments of his department since January 1997 with the commission.

Marty Read motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county counselor and Arnold attended the executive session.

Harold Mooney Jr. motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 2-0.

As a result of the executive session Marty Read motioned to rescind a motion made and passed last week to purchase the 1st year of KPERs buy back for Dennis Arnold. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Marty Read motioned to recess from the Board of Commission into executive session for ten minutes to discuss a legal issue with counsel. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, and county counselor attended the executive session.

Harold Mooney Jr. motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Marty Read motioned to appoint Kermit Chase as Centerville Township Treasurer effective immediately. Harold Mooney Jr. seconded the motion. The motion passed 2-0. Chase will replace Keitha Brown who resigned.

Marty Read motioned to approve a contract with Mid-Continent Restoration Company Incorporated to work on all masonry brick surfaces of the courthouse from roof edges to top of stone foundations in the amount of \$8,300.00. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m. Tuesday, May 26, due to Monday the 25th being a county holiday. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

May 26, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chair; Charles Trask, vice chair; Harold Mooney Jr., member, Donald L. Proffitt, county clerk, William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$92,538.03; Employee Benefit, \$74,220.78; Community Policing, \$1,550.38; Appraiser, \$15,275.73; Rural Fire Dist., \$8,087.82; Road & Bridge, \$54,160.80; Community Corrections, \$29,059.01; DARE, \$1,563.49; Elderly, \$11,128.17.

The commission and counsel briefly discussed a lawsuit filed against the commissioners and Sheriff Stites by Morse Auto Salvage, J&L Service and Twilight Recovery. A copy of the complaint was available to the press.

Harold Mooney Jr. motioned to sign a corrected easement requested by PWWSO #13 to replace an easement signed last week that contained incorrect wording. Marty Read seconded the motion. The motion passed 3-0.

The commission reviewed a May 26 agenda and minutes of an April 28, 1998 meeting of the SEK Multi-County Health Board.

The Commission reviewed an invitation of an open house and ribbon cutting June 6th at the new Miami County Courthouse. No action taken.

County Engineer, Richard Long reported he has received notice from the state that they will have a new amnesty period for small groups of pre-law tires.

Marty Read motioned to sign a right-of-entry for KDHE, mined land reclamation for a project in 13-23-23. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to publish notice to vacate road known as the S.L. Provenmire Road in 2-21S-24E. Charles Trask seconded the motion. The motion passed 3-0.

Long reported the columns are up, the web wall is done and they have poured the pier caps on the Boicourt Bridge.

Also, Long stated that Bob Patterson had asked about renting 2 acres of the land back, that he sold the county for the Boicourt Bridge. He would pay \$60.00 per acre for the year. After discussion the Commission asked Long to advertise for bids before deciding.

Long reported that delivery of the John Deere 6310 tractor will not be until August 4th thru Deems Farm Supply in Butler, the commission approved for Long to check with other dealers in the area for a possible lease purchase.

The Clerk stated that Clinton Brown had called and wanted to know the county was going to replace the fence on his property. It has been two years since the county worked on the right-of-way and on his property. Long stated they will try to get a fence put up.

Noxious Weed Director, Ben Fortman presented the commission with the annual noxious weed management plan for 1999. Harold Mooney Jr. motioned to sign the 1999 noxious weed management plan for 1999 as prepared. Marty Read seconded the motion. The motion passed 3-0.

Fortman announced a Household Hazardous Waste Collection to be held June 20th in Mound City. Also Fortman will be working the State Weed Booth July 18th in Pittsburg, Kansas at the 4 State Farm Show.

Dennis Arnold, Economic Development Director reported that June 19th will be the Business Appreciation Luncheon. Time and place has not been decided.

Arnold also reported August 9th thru the 15th will be the 3rd year of the Economic Development Institute. The Commission approved for Arnold to attend on a motion by Marty Read. The motion was seconded by Harold Mooney Jr. The motion passed 3-0.

At the request of Marilyn Augur, Nutrition Director at 10:45 a.m. Marty Read motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Augur attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Marty Read motioned to hire Billy Feris, Pleasanton for full time cook at \$6.25 per hour and Feris will take a preemployment physical and drug and alcohol screen. Feris will be on the normal 6-month probation. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to pass Resolution #98-08 to support a comprehensive highway transportation plan. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of Resolution 98-08:

Andy Mayhugh, Zoning Administrator and Commission discussed the upcoming Zoning change scheduled for next weeks commission meeting.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, June 1st. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

June 1, 1997

The Board of Linn County Commissioners met in a regular session. Those present were: Marty Read, chair; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; William Edwards, county counselor. Commissioner Trask was absent.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

Novella Laudan, resident on Green Valley Road met with the commission to complain about trees and brush being cut and pushed over on her property and not being cleaned up. The commission reported they will check into the problem and get it cleaned up.

Dennis Arnold, Economic Development Director reported the water district is moving the water line in the LaCygne Industrial Park.

Arnold also reported that Linn County is a finalist in the Community Achievement for Economic Development Award. They will announce the winner June 12th.

Marty Read motioned that in the future the county commission will be the only ones to change long distance telephone service for any county telephone. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Andy Mayhugh, Zoning Administrator presented a road easement for the Wall Street Christian Church property. Harold Mooney Jr. motioned to accept the road easement as presented. Marty Read seconded the motion. The motion passed 2-0.

Mayhugh presented the commission with his proposal request for an LEPP Grant through KDHE. Harold Mooney Jr. motioned to sign the LEPP Grant agreement. Marty Read seconded the motion. The motion passed 2-0. The grant would be \$9,186.00.

Mayhugh presented a C.U.P. for a church building (God's Chapel) located North of Centerville requested by Paul and Jean Plaisted. The Planning Commission has approved the C.U.P. there have been no objections. Harold Mooney Jr. motioned to approve CUP #049824, as requested. Marty Read seconded the motion. The motion passed 2-0. Following is a copy of C.U.P. #049824:

At 9:55 a.m. at the request of Mayhugh, Marty Read motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a legal issue with the county counselor. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. As a result of the executive session the commission agreed to have a resolution prepared to clean up a nuisance in the Trading Post area on property owned by Lilly Smith.

Mayhugh presented a C.U.P. request for a machinery storage lot requested by Charlie and Linda Conley at the corner of Holly Street and Tiger Road at the Southeast Corner of Pleasanton. Marty Read motioned to approve CUP #049825 with the conditions listed. Harold Mooney Jr. seconded the motion. The motion passed 2-0. Following is a copy of the CUP #049825:

Jerry Gamble from the U.S. Department of Wildlife presented the commission with a check in the amount of \$20,391.00 for in lieu-of-taxes on the 7400-acre U.S. Reserve.

Gamble reported he has hired an on site manager for the reserve, (Bruce Fveske) the area is to be opened for hunting and fishing by fall.

Harold Mooney Jr. motioned to allow Wade's Quarry to borrow the county's water tanker for one week. After discussion the motion died for lack of a second.

Harold Mooney Jr. motioned to pass resolution #98-09 to abate a nuisance. Marty Read seconded the motion. The motion passed 2-0. Following is a copy of resolution #98-09:

Marty Read motioned to lease a Ford tractor from R&R Equipment, Fort Scott for District #3 Road Department. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The agreement should be ready to sign at next weeks meeting.

Marty Read motioned to sign a memorandum of agreement with Darren Fultz to let Fultz remove some dirt from the county property across the road west of the Transfer Station. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

With nothing further on the agenda. Harold Mooney Jr. motioned to adjourn until 9:00 a.m., Monday, June 8th. Marty Read seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

June 8, 1998

The Board of Linn County Commission met in a regular session. Those present were Marty Read, chairman; Harold Mooney Jr., member; and Donald L. Proffitt, county clerk. Commissioner Charles Trask was absent due to illness.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

The commission approved the following pays/special pays: General, \$92,501.72; Community Policing, \$319.99; Appraiser, \$2,100.02; Reappraisal, \$14,089.18; Rural Fire, \$3,959.32; Road & Bridge, \$60,110.02; Community Corrections, \$8,720.95; Law Enforcement, \$153.54; DARE, \$574.63; Elderly, \$8,354.64; Special Park & Recreation, \$1,200.00.

The Commission Chairman signed the following add/abate/refund order numbers: personal property 1707-1709.

Marty Read motioned to purchase a Lincoln portable welder and generator from Kirkland Welding, Fort Scott for \$1,793.00 to be used by Road District #2 and District #3. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

County Engineer Richard Long reported the Boicourt Bridge project is waiting for the state to approve the setting of beams. Long reported the contractor may ask for more money to set the beams due to the unstable bank. No action taken by the commission.

Marty Read motioned to sign a road variance requested by Continental Coal Company located southwest of Prescott to allow mining within 50' from road end pits and 100' of a road on pits parallel to the road. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Harold Mooney Jr. motioned to approve a permit to bury water line in three locations 4 miles west and 3 miles South of LaCygne requested by Rural Water District #1. Marty Read seconded the motion. The motion passed 2-0. Novella Lauden, resident on Green Valley Road met with the commission to discuss straightening the road near her property. Lauden does not want the road straightened. The commission reported they will reconsider the issue.

The commission gave approval for Tom Patterson to mow and bale the hay on the lots in the LaCygne Industrial Park that the county owns for mowing and cleaning up the north line between the midwest property and the draining ditch and the areas that can't be baled.

The commission reviewed and approved the sheriff's monthly fee report for May 1998.

Marty Read motioned tentatively to approve \$20,000.00 for the Linn County Conservation District 1999 budget. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Diane Van Kirk, Linn County Fire Coordinator discussed the need to purchase a new rescue truck. After discussion the commission asked Van Kirk to prepare bid specs and come back to the commission.

Van Kirk also asked the commission for permission to upgrade the two computers in her office. Marty Read motioned to purchase two SP E266 PC's from N.E.C. at \$1,300.00 each. Harold Mooney Jr. seconded the motion. The motion passed 2-0. They will pay one from fire budget and one from the emergency preparedness budget.

Zoning Administrator, Andy Mayhugh presented lot split #57. After finding no opposition, Marty Read motioned to approve lot split #57 requested by Howard and Ann New. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Mayhugh and the commission discussed the amended nuisance abatement regulations. After review Marty Read motioned to change the wording in section 7-01 and 7-02 to read zoning administrator instead of county clerk. Harold Mooney Jr. seconded the motion. The motion passed 2-0. Mayhugh will make the above changes and bring back to the commission for final approval.

Walter Burk and homeowners in Stone Ridge Estates located on old 69 highway south of Linn Valley Lakes met with the commission to complain about not having individual entrances to their property. After lengthy discussion, the commission reported that this subdivision plat had been approved and filed with the interior road for safety reasons and does not feel it should be changed.

At Richard Longs request, Marty Read motioned to hire David Chapman as a temporary road employee in District #2 at \$5.65 per hour. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Long reported that coal trucks coming out of Missouri down Tiger Road is causing damage to roads. Long will put up 15 ton load limit signs for the bridges in the area.

Harold Mooney Jr. motioned to approve a permit to bury water line located 1/2 mile south of the Miami County line on 1095 highway and 3/4 mile east, requested by Miami County Rural Water District #3. Marty Read seconded the motion. The motion passed 2-0.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, June 15th. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

June 15, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, Vice Chairman; Harold Mooney Jr. member; Donald L. Proffitt, clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$4325.65; Rural Fire, \$918.72; Road & Bridge, \$253.33; Elderly, \$663.57.

The commission chairman signed the following add/abate/refund order numbers: personal property 1710 and real estate 954-956.

The clerk reported on the health insurance renewal for next year. Initial reports look as though there will be very little change. At this time the commission agreed to stay with Positive Care for another year and not to go out for bids.

Marty Read motioned that a 3% cost of living increase be tentatively figured into the 1999 budgets. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to tentatively approve the following 1999 budgets and amounts in the general fund: Fair Buildings, \$3,000.00; Fair Premiums, \$7,525.00; 911 Telephone Tax \$115,000.00; Windfall, \$327,013.00; Contingency \$532,847.00; Historical Society, \$24,000.00; Jr. College \$125,400.00. Marty Read seconded the motion. The motion passed 3-0.

Richard Long, County Engineer introduced Randy Gordon and Jane Jordan, engineers with Kirkham Michael. Gordon and Jordan explained some of the problems with setting the beams on the Boicourt Bridge. Gordon reported work is being held up until KDOT decides what needs to be done to set the beams. The problems have developed because of the unstable bank conditions. The commission reported they appreciated the update.

Long reported on applications for the Solid Waste position. At Long's request, Charles Trask motioned to hire Joe Maloney as equipment operator, welder in the Solid Waste Department at \$8.56 per hour for 60 days then going to \$9.51 per hour. Maloney must take a preemployment physical and will be on the normal 6 months probation period. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to hire George Huffman as temporary employee for Road District #1 at \$5.65 per hour. Charles Trask seconded the motion. The motion passed 3-0.

After discussing temporary and part time pay, Commissioner Trask asked the clerk to make a list of employees that are at the \$5.65 per hour rate.

Long and the Commission discussed the damage to roads being done on the east side of the county due to coal trucks using Tiger Road and the county road North of Tiger Road. The county agreed that we would like to see them use State line to 52 Highway and West to 69 Highway.

Marty Read motioned to approve a permit to bury telephone cable requested by Sprint United, located 3 miles West and 2 miles south of Blue Mound. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve a permit to bury water line requested by Doug Martin located south of Linn Valley Lakes entrance on old 69 Highway. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to close a road known as the S.L. Provenmire Road as published. Marty Read seconded the motion. The motion passed 3-0. Following is a copy of the order to vacate road:

At the request of Long, Marty Read motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel matter of nonelected employees with the Board of Commission meeting to reconvene in ten minutes. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

As a result of an executive session Long reported that road employee Harry Wisdom was involved in a one car accident and possibly totaled the county pickup. However, Wisdom was not hurt. Wisdom swerved to miss a dog and went into the ditch.

Diane Van Kirk, Fire Coordinator presented the 1999 Rural Fire Budget proposal. Harold Mooney Jr. motioned to tentatively approve \$347,360.00 for 1999 Rural Fire Budget subject to approval and overall county budget and \$50,000.00 in the Special Fire Equipment Budget subject to approval of the overall county budget. Charles Trask seconded the motion. The motion passed 3-0.

At the request of Sheriff Marvin Stites, Marty Read motioned to move the deputies overtime pay to be based on 160 hours in a 28-day pay period instead of the present 171 hours. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The pay period ending June 21st will be the 1st 28-day period to be changed to the 160 hours for straight time.

The Commission approved for Stites to check into the cost of leasing video recorders for patrol cars.

Ellie Davey, County Treasurer, Sharon Barnes, Register of Deeds and the clerk discussed the need to purchase new p.c.'s for their offices. After discussion, Marty Read motioned to purchase 2 SPE266 p.c.'s with 15" monitors each for the Treasurers Office and clerks office and one p.c. with 17" monitor for the Register of Deeds Office from N.E.C. Computer Systems for

\$1,375.00 each and \$145.00 extra for the 17" monitor. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Four p.c.'s are to be paid from Courthouse Capital Outlay and one from Clerks Capital Outlay.

Community Corrections Director, Gene Bonham presented an FY 1999 Violator Renewal Grant Application. Charles Trask motioned to approve the grant application as written. Marty Read seconded the motion. The motion passed 3-0.

Zoning Administrator, Andy Mayhugh presented lot split #59 requested by Hallie and Howard Medlin, LaCygne.

After discussion, Harold Mooney Jr. motioned to approve lot split #59 and the accompanying road easement in S36-T19S, R24E. Charles Trask seconded the motion. The motion passed 3-0.

Mayhugh and the commission discussed the nuisance abatement amendments. The commission tabled the issue for one week.

At the request of Mayhugh, Marty Read motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel matter of a nonelected official with the Board of Commission meeting to reconvene in ten minutes. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to adjourn the executive session meeting and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Park Director, Bruce Holt and Darrell Lane, Solid Waste Coordinator met with the Commission to see about putting a compactor in the Linn County Park instead of the two dumpsters they are now using. After discussion, Marty Read motioned to purchase a compactor from the Park Budget and put in the park instead of the two dumpsters. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to purchase a 40-yard container for \$3,891.00 from McClain. Charles Trask seconded the motion. The motion passed 3-0. This container will be used as a spare while other containers are pulled from service for repair.

Ray Miller, John Carlson, Jim Myers and Mark Schuller, Sugar Valley Homes Association, discussed a proposal to install a lagoon system for use by Sugar Valley and Hidden Valley Lakes. They are asking the Commission for initial approval to form a Sewer Benefit District.

Marty Read motioned to give initial approval for Sugar Valley Homes Association to form a Sewer Benefit District. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Dennis Arnold, Economic Development Director reported Linn County had received 2nd place award for Community Achievement and Economic Development in the State of Kansas.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, June 22. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

June 22, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; William Edwards, county counselor.

Charles Trask motioned to approve the minutes of the last regular meeting as printed. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The Commission chairman approved the following pays/special pays: Road & Bridge, \$14,708.00 and Special Machinery, \$14,358.00.

The July 16th SEK County Officials meeting in Anderson County was discussed. All three commissioners reported they plan to attend.

Marty Read motioned to tentatively approve \$11,200.00 for the 1999 EMS Budget subject to approval of the overall county budget. Harold Mooney Jr. seconded the motion. The motion passed 2-1.

Charles Trask motioned to give all part-time and temporary employees a .50 cents per hour raise. The motioned died for lack of a second. The commission asked for more info on the subject.

Continental Coal Representative Bill Moore met with the commission to discuss a road variance that Continental Coal asked for but has not received. After discussion, it was found the reason for the hold up on releasing the variance is because the county has not received a 15' easement the county asked for to be able to widen the road in the area. After discussion, the commission agreed to release the variance.

Charles Trask motioned to make the road in question one way to the west. Harold Mooney Jr. seconded the motion. The motion passed 2-1.

County Engineer, Richard Long and the commission discussed the problems with loaded coal trucks causing road problems on Tiger Road and the east west county roads north of Tiger Road. Marty Read motioned for the county counselor to prepare a resolution to install 15 ton load limits on bridges on both roads. Charles Trask seconded the motion. The motion passed 3-0.

Long discussed a tire amnesty for pre law tires. It will probably go into effect later this year or early next year.

Long stated that there will be a meeting in Iola next week to work out the details on the extra cost associated with setting the beams on the Boicourt Bridge. No action taken.

Marty Read motioned to approve two telephone burial permits in Centerville area and one three miles east of Blue Mound requested by Sprint United Telephone Company. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve permits to bury telephone cable requested by Craw-Kan Telephone Company for three locations approximately 2 miles south of Pleasanton and one located one mile west of Pleasanton. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to approve a permit to bore under old 69 highway 1 mile north of K152 requested by Linn County Rural Water District #1. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long reported that KDHE had inspected the landfill and the only problems found were trees growing in the landfill that need to be cut down.

Marty Read motioned to hire Kirk Holt as temporary road employee in District #3 at \$5.65 per hour. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Zoning Administrator, Andy Mayhugh presented Zoning Case #Z0598152 requested by Charlotte Warrick to rezone 6 acres from Ag to Ag Residential. Harold Mooney Jr. motioned to approve the zoning change as requested. Charles Trask seconded the motion. The motion passed 3-0.

Mayhugh and the commission discussed the county's nuisance and dangerous building abatement regulations. Marty Read motioned to combine the two into one set of regulations. Harold Mooney Jr. seconded the motion. The motion passed 2-1.

Mark Schuller and Janet Gabbert presented the Linn County Extension Council proposed 1999 budget. Harold Mooney Jr. motioned to tentatively approve the proposed 1999 Budget that includes \$103,120.00 in county appropriations. Marty Read seconded the motion. The motion passed 3-0.

Rod Bollinger and Roger Carbon and Schuller presented the proposed 1999 4-H Building Budget. Marty Read motioned to tentatively approve \$9,000.00 for the 1999 4-H Building Budget subject to approval of the overall county budget. Charles Trask seconded the motion. The motion passed 3-0.

Dennis Arnold, Economic Development Director presented a bid from Simon's Construction, Mound City to cap a well in the LaCygne Industrial Park. Marty Read motioned to sign the agreement to have Simmons Construction plug the well for \$1,200.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Arnold and the commission discussed a request by a developer to hook into a 6" water line the county put in south of Pleasanton to the Pleasanton Industrial Park. The connection could eventually feed up to thirty new homes. The commission tabled the issue until a study can be done to determine if this could cause problems with water supply later.

Dennis Norton the new executive director of Tri-Ko Inc. updated the commission on the Tri-Ko and Lake Mary Facilities. Norton asked for a 10% increase in funds.

Tim Tucker and wife, Linn Valley Lakes discussed problems they have been having with Tri-Ko since they moved to Linn County concerning the cost of taking care of their handicapped son. After discussion, Commissioner Read asked that the two parties get together and try to work the problem out.

Marty Read motioned to tentatively approve \$56,771.00 for the Tri-Ko, Lake Mary 1999 Budget subject to approval of the overall county budget. Charles Trask seconded the motion. The motion passed 3-0. This will represent a 10% increase for both Tri-Ko and Lake Mary.

Bob Chase, SEK Mental Health Center Director presented their 1999 proposed budget that includes \$71,400.00 from Linn County. After discussion, Marty Read motioned to tentatively approve \$71,400.00 for the 1999 SEK Mental Health Budget subject to approval of the overall county budget. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, June 29. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

June 29, 1998

The Board of Linn County Commission met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr. member; Donald L. Proffitt, county clerk and William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$108,757.07; Employee Benefit, \$86,200.67; Community Policing, \$1,455.79; Appraiser, \$14,699.73; Rural Fire, \$4,612.57; Road & Bridge, \$58,084.19; Community Correction \$29,091.06; DARE Fund, \$1,344.38; Elderly, \$12,388.16.

The commission chairman signed the following add/abate/refund order numbers: personal property 1711 through 1716.

After discussing the delicate condition of the 1st Linn County Commission Journal and the need to keep it from deteriorating any more, Charles Trask motioned to approve for the book to be taken to the Mound City Library District #4 to be scanned and put on a personal computer for copying and use by the public. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to tentatively approve \$46,000.00 for the 1999 SEK Multi County Health Budget subject to approval of the overall county budget. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The Commission reviewed the minutes of a May 26 meeting of the SEK Multi County Health Board and an agenda for a June 30th meeting. No action taken.

Increasing the pay of temporary and part-time employees was discussed with no action taken.

Charles Trask motioned to ask Linn County Ambulance to bring in their books before approving any subsidy for the services for 1999. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to tentatively approve the following 1999 budgets subject to approval of the overall county budget. Employee Benefit, \$1,131,500.00; Special Building, \$85,500.00; Election, \$40,000.00; Counselor, \$20,000.00; Juvenile Detention, \$62,000.00; General Courthouse, \$271,270.00; Clerk, \$109,599.00; Commission, \$45,215.00; Custodian, \$54,459.00; Special Alcohol, \$6,000.00 and Special Park & Recreation, \$2,200.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Richard Long, County Engineer presented the commission with his proposed 1999 Road & Bridge Fund Budget and the 1999 Solid Waste Budget. After discussion, Charles Trask motioned to tentatively approve \$2,131,085.00 for the 1999 Road & Bridge Fund and \$269,000.00 for the Solid Waste Fund Budget for 1999 subject to approval of the overall county budgets.

At Long's request, Harold Mooney Jr. motioned to hire Robert Stites as temporary employee in Road District #1 at \$5.65 per hour. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to approve a solid waste permit for Richard Wright, d.b.a. R & J Trash Service, Pleasanton, Kansas. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to close a portion of county road 1103 from a point 2 miles north of 52 highway to Snow Hill Road, on July 18 from 8:00 to 10:00 a.m. for a Bike-a-thon. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long reported to the commission on the Boicourt Bridge. There are four options being studied to lay the beams with costs ranging from \$108,248.00 to \$186,400.00. The commission feels the cheaper figure that consists of building a temporary bridge for the crane to sit on while laying the beams maybe the best. This extra cost is due to the bank conditions being bad. The commission wonders why the engineering firm had not caught the problem earlier and who will pay the extra costs.

Charles Trask motioned to hire Koch Materials to put a 2" overlay on 566 Highway from 69 Highway for 2 miles to the West at \$20.00 per ton. Marty Read seconded the motion. The motion passed 3-0.

Load limit signs on bridges on Tiger Road and the county road north of Tiger Road were discussed. The coal trucks are overweight for the bridges. The Commission feels it's not right that the coal trucks should tear up area roads and abuse the bridges in the area.

Linn County Economic Development Director, Dennis Arnold introduced Curt Abrahamson with American Environmental Response Inc. After listening to a proposal to put a new business in the Pleasanton Industrial Park, Charles Trask motioned to provide 18 acres to American Environmental Response subject to them putting together a financial package to develop the business. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve for the City of Pleasanton to tap into the 6" water line the county ran from the City of Pleasanton to the Industrial Park for use by a planned subdivision. Marty Read seconded the motion. The motion passed 3-0.

County Appraiser, Steve Thompson discussed the sales ratio study with the commission. The figures from the state property valuation department shows that Linn County Appraisals are in compliance with the state regulations.

Thompson presented the commission information on a mobile video service software that would link camera with his digital photo base. Thompson is using the software on a 30-day trial basis and would like for the commission to come into his office and view it.

County Attorney, John Sutherland presented his 1999 proposed budget. Marty Read motioned to tentatively approve \$119,000.00 for the Attorney's 1999 Budget subject to approval of the overall county budget. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Nutrition Director, Marilyn Augur reported she plans to keep the nutrition center open on July 3rd as a make up day.

Harold Mooney Jr. motioned to cancel next Monday's (July 6) meeting due to Commissioner Read and himself being out of town and that a quorum will not be present, Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss two legal issues. One a contract dispute with Jim Martin over how much concrete they have paid him for and for an update on the tow service lawsuit against the commission and the sheriff. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and county engineer attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Marty Read motioned to approve a permit to bury telephone cable 1 mile north and 2 miles west of Parker requested by Sprint United. Charles Trask seconded the motion. The motion passed 3-0.

Charles Trask motioned to tentatively approve \$227,679.00 for the 1999 Economic Development Budget, subject to approval of the overall county budget. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m. Monday, July 13. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

July 13, 1998

The Board of County Commissioners met in a regular session. Those present were: Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$154,305.49; Appraiser, \$2,616.40; Reappraisal, \$4,102.50; Rural Fire, \$7,390.00; Road & Bridge, \$129,653.82; Community Correction, \$21,707.38; Law Enforcement, \$642.94; Elderly, \$11,684.78; Zoning LEPP Grant Fund, \$1,016.65.

Tanglewood Lakes property owners led by Eldon Schneider met with the commission to complain about an unsafe structure constructed in the Tanglewood area. Also, they stated complaints against the Sheriff's Department. They stated that a deputy had said the Sheriff's Department could do nothing about a burglary in Tanglewood Lakes and that it was up to the Property Owners Association to handle. The commission asked the group to talk to the Sheriff.

Propane bids were opened. Two bids were received. Ferrellgas bid .59 cents per gallon and United Cooperative, Garnett bid .55 cents per gallon. Charles Trask motioned to accept the bid of .55 cents from United Cooperative, Garnett. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

At 9:30 a.m., Charles Trask motioned to recess from the Board of Commission meeting into executive session for fifteen minutes to discuss a personnel issue concerning a non elected employee. Marty Read seconded the motion. The motion passed 3-0. The commission, clerk, and county counselor attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Sheriff Marvin Stites presented the commission his proposed 1999 Budget. After discussion Charles Trask motioned to tentatively approve the 1999 Sheriff's Department Budget of \$707,023.00. Marty Read seconded the motion. The motion passed 3-0.

They discussed video cameras for patrol cars. The commission gave permission for Stites to look into possibly leasing some equipment, similar to what Anderson County has.

Linn County Treasurer, Ellie Davey reported interest earnings for first one half the year. The amount of interest earned for the first six months of 1998 in \$117,039.48.

Davey also presented her proposed 1999 budget. Harold Mooney Jr. motioned to tentatively approve \$121,811.00 for the 1999 Treasurers Budget. Charles Trask seconded the motion. The motion passed 3-0.

At the request of Zoning Administrator, Andy Mayhugh, Marty Read motioned to recess from the Board of Commission meeting into an executive session to discuss a personnel issue concerning a non elected employee for five minutes. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor and Mayhugh attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Mayhugh and the commission revised the 1999 Planning and Zoning Budget. Charles Trask motioned to tentatively approve \$46,900.00 for the 1999 Planning and Zoning Budget. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to accept a grant of road easement from Bob West in S8-T23S-R22E. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission and counselor discussed drafting a letter to Sheridan Township telling them that the commission will not agree with the amount of taxes that they are wanting to levy for cemetery funds since they would not go out for bids for cemetery mowing. The county counselor will send the township a letter.

Nutrition Director, Marilyn Augur presented the 1999 proposed Elderly Fund Budget. Harold Mooney Jr. motioned to tentatively approve \$286,423.00 for the 1999 Elderly Fund Budget. Marty Read seconded the motion. The motion passed 3-0.

Register of Deeds, Sharon Barnes presented her proposed 1999 Budget. Harold Mooney Jr. motioned to tentatively approve \$65,950.00 for the 1999 Register of Deeds Budget. Marty Read seconded the motion. The motion passed 3-0.

Barnes also reported that she had the one new computer hooked up in her office and it is working well. She asked if there were funds in the general courthouse budget for another P.C. for her office. After discussion it was decided to wait until late in the year and see how the fund is holding out.

Linn County Appraiser, Steve Thompson discussed a mobile video software package. Charles Trask motioned to approve for Thompson to purchase the software from Mobile Video Services Inc. for \$3,800.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to tentatively approve \$304,000.00 for the 1999 Appraisers Budget with \$75,000.00 to replenish the Reappraisal Fund. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Pam Cannon, Appraisers Office met with the Commission to discuss paint over spray on employee's vehicles. Cannon reported the employees feel the paint was from painting at the courthouse, possibly the steeple. After discussion, the commission asked Cannon to get bids on removing the paint from her vehicle and the county would use the low bid to remove the paint from the five vehicles included.

Marty Read motioned to tentatively approve \$130,550.00 for the 1999 Noxious Weed Budget. Charles Trask seconded the motion. The motion passed 3-0.

Jim Finfrock, truck driver, LaCygne, Bob Weickert, farmer, Pleasanton, met with the commission to discuss the weight limits put on bridges on Tiger Road and the East, West county road just north of Tiger Road. Finfrock reported he is a Linn County resident and pays Linn County taxes and feels he should be able to use county roads. Weickert reported he cannot use the road to haul his grain and cattle over. After discussion, the commission reported they will get with the county engineer next week and see if the limits could be changed.

Bruce Holt, Park Director presented the 1999 proposed Park Budget. Harold Mooney Jr. motioned to tentatively approve \$246,000.00 for the 1999 Park Budget. Marty Read seconded the motion. The motion passed 3-0.

Judge Richard Smith and Maribeth Kehl presented the 1999 proposed District Court Budget. Marty Read motioned to tentatively approve \$184,700.00 for the 1999 District Court Budget. Charles Trask seconded the motion. The motion passed 3-0.

Judge Smith also reminded the commission of an August 21st Juvenile Justice meeting to be held in Paola and asked that at least one commissioner try to attend.

Roger and Linda Holt, Linn County Ambulance presented the commission financial information on the ambulance service. After reviewing several items and at Holt's request Marty Read motioned to recess from the Board of Commission meeting into executive session for twenty minutes to discuss confidential data relating to financial affairs of a corporation. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor, Roger & Linda Holt attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to tentatively approve \$48,000.00 for the Linn County Ambulance Service fund and \$12,000.00 for the Lincoln, Scott Township Ambulance for 1999. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to tentatively approve \$7,600.00 for the 1999 Emergency Preparedness Budget. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to reappoint Jim Stainbrook, Charles Lindell and Eldon Lanham to a 3-year term on the Linn County Planning Commission. Marty Read seconded the motion. The motion passed 3-0.

The commission reviewed a letter from Wayne Comer, Treasurer for the Kansas Silver Haired Legislature thanking them for the \$200.00 donation. No action taken.

After reviewing a request from the Lake Region RC&D, Marty Read motioned to approve \$600.00 for RC&D Program Budget for 1999. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission reviewed and approved the sheriff monthly fee report for June 1998.

Charles Trask motioned to approve quarterly Senior Center reports from Pleasanton, Blue Mound, & Prescott for 2nd quarter 1998. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

After reviewing final employee health insurance quotes for next year, Charles Trask motioned to stay with Positive Care as administrator and Fidelity Security for the reinsurance carrier with total maximum cost for the plan to be \$482,441.64 based on eleven single and eighty-seven families. Marty Read seconded the motion. The motion passed 3-0.

At the request of Andy Mayhugh and Dennis Arnold, Marty Read motioned to apply to the Planning Commission to change zoning from Ag to Heavy Industrial on 150 acres of strip pits the county owns across the road from the transfer station. Charles Trask seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, July 20th, Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

July 20th, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk; and William Edwards, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

It was announced that county counselor William Edwards will be leaving as counselor effective July 31, 1998. Edwards has accepted a job as Assistant County Attorney in Franklin County.

Nutrition Director, Marilyn Augur presented a dietician contract from Eleanor Watson for next year. Marty Read motioned to approve the contract with Eleanor Watson for dietician services for next year. Charles Trask seconded the motion. The motion passed 3-0. The only changes in the contract are a .50 cents per hour increase from \$22.50 to \$23.00 per hour and mileage increases from .20 cents to .24 cents per mile.

County Auditor, Terry Sercer from Diehl, Banwart, Bolton, Jarred and Bledsoe presented the commission with the 1997 county audit. Sercer stated that it was a clean audit with no violations found. No action taken by commission.

Linn County Engineer, Richard Long presented an update on the Boicourt Bridge project., After a meeting with KDOT and the contractor, the contractor would like to build a temporary bridge in the river to set the beams. This was the cheapest alternative. There will need to be some engineer studies done before this project is started.

Reassigning the Solid Waste Contract with USA was discussed with no action taken.

Harold Mooney Jr. motioned to approve a permit to bury telephone cable requested by Peoples Mutual Telephone Company crossing the road from west to east side of the road between the LaCygne Industrial Park properties. Charles Trask seconded the motion. The motion passed 3-0.

Long updated the commission on a meeting he attended July 9th on the 69 Highway study. Also, reminded the commission of a July 23rd meeting in Pleasanton on the same issue.

Long reported on an accident Saturday, 3 miles north of Parker and 2 ½ west on a gravel road. Long stated there were possibly two fatalities. The cause of the accident was not known.

Long stated he would like to find a used pickup to replace the county pickup that Harry Wisdom wrecked. The insurance had totaled the pickup and the county is to receive \$11,275.00.

Andy Mayhugh, Zoning Administrator met with the commission at 10:00 a.m. for the public hearing on the Nuisance and Dangerous Building abatement regulations as published. There was no one present either for or against the new regulations. After discussion of several parts of the regulations, Harold Mooney Jr. motioned to pass Resolution #98-10 amending the Nuisance Abatement Act of Linn County including dangerous structures. Marty Read seconded the motion. The motion passed 3-0. Following is a copy of resolution #98-10:

Tom Swan, Planning Commission Chairman met with the commission to discuss confined animal feeding operations. The concern was raised as to whether or not the county can stop large confinement feeding operations.

The commission and Long discussed the semi-trucks hauling coal across Tiger Road and the county road North of Tiger road. It was agreed the trucks are tearing up Tiger Road and the county would rather have the trucks use the east west county road, north of Tiger Road. After discussion, Marty Read motioned to set the speed limit on the road at 35 m.p.h. and at 15 m.p.h. for the trucks going over the bridge. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long will have a resolution prepared to change the speed limit. The commission also stated once the speed limits are posted they will ask the Sheriff's Department to vigorously enforce the speed limit.

With nothing further on the agenda, Charles Trask motioned to adjourn. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

July 27, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk, William Edward, county counselor.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$100,458.36; Employee Benefit, \$101,139.89; Community Policing, \$1,574.72; Appraiser, \$14,277.33; Rural Fire, \$5,009.69; Road & Bridge, \$62,451.25; Community Correction, \$30,544.08; DARE, \$1397.78; Crime Victim Assist., \$1481.99; Elderly, \$13,298.66.

The Commission Chairman signed the following add/abate/refund order numbers: personal property 1717 - 1718 and real estate 957.

The Commission reviewed the June 20, 1998 minutes of an SEK Multi-County Health meeting and the agenda for a July 28, 1998 meeting. No action taken.

The clerk presented the commission with a book containing G.P.S. survey points in the county that were placed by Western Air Maps prior to flying and digitally photographing Linn County. No action taken.

The Commission reviewed a request from Wayne Comer, Treasurer of the Kansas Silver Haired Legislature for a donation of \$300.00. Charles Trask motioned to donate \$200.00 to the Kansas Silver Haired Legislature, same as last year. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve an Emergency Vehicle Permit for John Waldmer, Mound City. Charles Trask seconded the motion. The motion passed 3-0. Waldmer is a Mound City fire fighter and Reserve Police Officer.

Marty Read motioned to accept the low bid from Eric's Detail Shop, Pleasanton to clean the paint overspray from five employee's vehicles at \$225.00 each plus tax. Charles Trask seconded the motion. The motion passed 3-0. Each employee is to contact Eric for an appointment.

Richard Long, County Engineer discussed the weight limits and speed limits on the east-west county road that is located 1 mile north of Tiger Road. Marty Read motioned to pass resolution #98-11 setting speed limits and weight limits on that road. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of Resolution #98-11:

Long and the Commission discussed the extra cost requested by B.R.B. Contractors Inc. to set the beams on the Boicourt Bridge due to the unstable bank conditions. Marty Read motioned to approve the proposal to put a temporary bridge in the river to set the crane on, at a cost of \$106,550.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long and the Commission discussed several road and bridge problems, several caused by the large amounts of rain (10" to 12") received in parts of Linn County in the last week. Also, Long reported that the coal company in Missouri will buy calcium chloride for the roads in front of houses on the gravel road north of Tiger Road, where they will be hauling coal.

Terry Sercer, County Auditor and the commission discussed the proposed 1999 county budget. The budget as requested was \$300,000.00 above the tax lid. After taking \$40,000 from Economic Development Budget to pay C.O.P.S., and after lengthy discussion the commission agreed to cut \$40,500.00 from the Sheriffs Budget that was allowed for a new officer and vehicle and \$214,300.00 from road and bridge fund.

The commission agreed to hold the public hearing on the budget at 9:15 a.m., Monday, August 17th.

Ellie Davey, County Treasurer asked the commission for direction on having a tax sale. The commission instructed Davey to try to find a lawyer to prepare the sale and get back to them.

Community Corrections, Director Gene Bonham presented the commission with Community Corrections FY1999 Budget for juvenile and adult programs. Marty Read motioned to approve the final FY1999 adult and juvenile budget for the Bourbon-Linn-Miami Counties Community Corrections. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Betty and Leonard Fyock and Vernon Holmes met with the commission to discuss the 1999 Sheridan Township Budget that the commissioners will not accept because the township will not go out for bids for mowing cemeteries. Leonard Fyock the Township Treasurer mows two cemeteries (Prescott and Battlefield) and the Board would not go out for bids. The Commission feels that the amount of Fyock receives for mowing may be excessive and wants the bidding procedure used. After lengthy discussion the commission reported that if the Township will bid out the mowing next spring they will approve the 1999 budget. Fyock reported he will talk to the township board members and get back to the Commission.

Jerry Bedgood, Maintenance Department presented a bid for replacing shingles on the courthouse roof. Marty Read motioned to accept the bid from Hankins Roofing not to exceed \$3,350.00 to repair the roof. Charles Trask seconded the motion. The motion passed 3-0.

Andy Mayhugh, Zoning Administrator presented Zoning Case #20698153 requested by U. S. Fish and Wildlife for approximately 3500 acres from Heavy Industrial to Ag. Harold Mooney Jr. motioned to approve the zoning change. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve a lot split requested by Audrey McGinnis in S21-T20S-R24E and the grant of road easement required. Charles Trask seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, August 3rd. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

August 3, 1998

The Board of Linn County Commissioners met in a regular session, those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member, Donald L. Proffitt, county clerk.

Charles Trask motioned to approve the minutes of the last regular meeting as printed. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission approved the following special pays: General \$135.60, Employee Benefit, \$20.75.

The clerk reported he had received a phone call from Betty Fyock saying that Sheridan Township Board will bid out mowing the cemeteries in 1999. After discussion, Marty Read motioned to approve the 1999 Sheridan Township budget. Charles Trask seconded the motion. The motion passed 3-0.

By consensus the commission agreed to meet at 8:00 a.m., Friday, August 7 to canvass the August 4th primary election.

Marty Read motioned to approve a permit to bury telephone cable, requested by Sprint located in 18-21S-22E, west of Centerville. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a personnel matter of a non elected official. Charles Trask seconded the motion. The motion passed 3-0. The commission and clerk attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Zoning Administrator, Andy Mayhugh discussed the Brundage property at 746 Holly Street on the east edge of Pleasanton. The existing structure is in bad repair and all efforts to correct the problem have failed. Mayhugh asked the commission if they wanted him to proceed with getting the structure removed.

Marty Read motioned to put vacation orders on the property and to notify Susan L. Martin Hutchinson, Kansas that the county will remove the structure after a 30-day period. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to recess from the Board of Commission into executive session for five minutes to discuss a personnel matter of a non elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk and maintenance/custodian Dan Smith attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

As a result of the executive session, Marty Read motioned to allow a 2-week unpaid leave of absence to Dan Smith for November 3rd through November 17. Charles Trask seconded the motion. The motion passed 3-0.

Fire Coordinator, Diane Van Kirk updated the commission on E911. Van Kirk reported at present time there is \$68,363.36 in the E911 fund. Signs have been received, addressing is being completed and she has been looking at several E911 systems. Commissioner Trask reported he would like to see the signs in place.

Van Kirk also reported she had found a 1986 Ford 3/4 ton 4X4 at Cox Motor Company for \$4,995 that she would like to purchase for a grass truck for Parker Station. Also, discussed the purchase of a 250-gallon tank and pump for the vehicles, but did not have a firm price.

Marty Read motioned to purchase the 1986 Ford 3/4 ton 4X4 from Cox Motor Company at \$4,995.00 plus \$750.00 to have it painted red. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Van Kirk will come back with a price on the tank and pump.

After Van Kirk reported she had budgeted two air packs for the telesquirt. Marty Read motioned to purchase two air packs from Dragger at \$1,539.00 each to be used on the telesquirt. Charles Trask seconded the motion. The motion passed 3-0.

Van Kirk also discussed the purchase of a floating pump to be used by the LaCygne Rural Fire Department and will come back in with prices and more information.

Van Kirk reported a new four door cab and chassis to be used for a rescue truck would cost \$43,000.00 and will not fit in the Fire Department budget. She will continue to look for a vehicle to be used for a rescue truck.

Van Kirk also presented the commission with a summary of fire calls for May, June, July.

Van Kirk stated she had hoped to purchase a software package for the Fire Department records and state reporting but has not been able to find one that meets the Fire Department needs.

Van Kirk reported that the county still has \$10,360.00 left from an LEPC Grant that if the county does not spend this money by the end of August we will have to return it. Marty Read motioned to purchase a list of training items needed by EMS and the Fire Department in the amount of \$10,360.00. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is the list of items to be purchased:

Marty Read motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel matter of a non elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk and county attorney John Sutherland attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

With nothing further on the agenda, Charles Trask motioned to adjourn until 8:00 a.m. Friday, August 7th to convene as the Board of Canvassers. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

August 7, 1998

The Board of Linn County Commission met as the Board of Canvassers to canvass the August 4th primary election. Those present were Marty Read, chairman; Charles Trask, vice chairman, Harold Mooney Jr., member; Donald L. Proffitt, county clerk; and Dee George, deputy election officer.

The board compared the totals on the AIS Ballot Counter print out to the abstract book and the totals from the write in board to the abstract book.

The Board reviewed the following provisional ballots: 2 voted in the Mound City Township but live in Paris Township, 2 insisted to vote a republican ballot, but were democrat, 1 voted in S. Potosi but lives in North Potosi, 4 voted that were not registered, 2 ballots on permanent advanced, returned undeliverable, 1 provisional done as provisional and should have only filled out affiliation card, 27 provisional ballots to be counted from people that have moved.

The Board went across the road to count the 28 ballots on the AIS ballot counter and approved final totals.

Marty Read motioned to adjourn. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

August 10, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve the minutes of the August 7th, Board of Canvassers meeting to canvass the August 4th, Primary Election. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$132,727.38; Appraisers, \$1,000.76; Reappraisal, \$5,877.71; Rural Fire, \$4644.58; Road & Bridge, \$109,426.62; Community Corrections, \$9,564.55; Law Enforcement, \$200.00; DARE, \$154.00; Crime Victim Assistance, \$439.56; Elderly, \$9,537.23; Zoning, \$169.35.

A group of ten residents that live on the east/west road that runs east of Phillips 66 at Pleasanton to the state line met with the commission to complain about the dust and hazards created by the several coal trucks that are now using that road. Those speaking were Marilyn Weickert, Wayne and Debbie Ellis, Leon Staton, Gary and Jean Johnson and Vera Cain. After a lengthy discussion, the commission decided to move the coal trucks back to Tiger Road temporarily with reduced speed limits and load limits on one bridge.

Long and the commission discussed the Boicourt Bridge project. Commissioner Mooney reported the river is up and moving. It was agreed that because the county had agreed to the \$106,000.00 increase in cost to set the beams they would not agree to the \$700,000.00 in extra cost the contractor has asked for.

Long reported there had been an accident on the Marais Des Cygne River Bridge on State Line Road that damaged the concrete and will need some repair.

The commission and Long discussed other road projects including 566 overlay, chip and seal on the road west of Mantey.

Commissioner Trask reported that he feels the county should take bids for chips for each chip and seal job instead of buying from the closest quarry.

Sheriff Marvin Stites reported that a patrol car had gotten into some ruts on a county road and damaged the engine oil and transmission pans.

Marty Read motioned to rescind Resolution #98-11. After discussion the motion died for lack of a second.

Sheriff Stites discussed an interlocal agreement he would like to enter into with the State of Missouri, Bates and Vernon Counties, that would allow the County Sheriff Departments to have arrest power in each others counties when in pursuit of drug related crimes. Harold Mooney Jr. motioned to approve of the interlocal agreement. Marty Read seconded the motion. The motion passed 3-0.

Wilbur Kennedy, from near Goodrich met with the commission to discuss a fence problem with a neighbor. The commission asked Kennedy to file for a fence view and they would inspect the fence.

Marty Read motioned to pass Resolution #98-12 restricting speed and weight limits on Tiger Road. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of Resolution #98-12:

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, August 17th. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

August 17, 1998

The Board of Linn County Commission met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$1082.30; Employee Benefit, \$24,126.08; Law Enforcement Trust, \$340.00; Elderly, \$20.62.

The commission reviewed and approved the sheriff's monthly fee report for the month of July 1998.

The commission discussed an upcoming August 21, 1998 Juvenile Intake meeting to be held in Paola. None of the commissioners plan to attend.

At 9:15 a.m., the commission held the public hearing on the 1999 Linn County Budget, Rural Fire District #1, Cemetery District 1,4, and 5 budgets as published. There was no one present from the public in attendance for the budget hearing. After some discussion, Harold Mooney Jr., motioned to accept the 1999 budget as published. Charles Trask seconded the motion. The motion passed 3-0.

Richard Long, County Engineer reported that Bourbon County has asked if Linn County would be interested in doing their recycling for them. After discussion the commission agreed only to help Bourbon County get started in recycling and would not be interested in doing any recycling other than our own.

Long reported that the City of Parker had been without a container on a Monday, due to the fact that the county did not have an empty to take up there. Several people were upset, but in this instance the county could not do anything. The commission agreed that hopefully this would not happen often.

At Long's request the commission agreed to close the transfer station, Saturday, September 5, and give employees a 3-day holiday. Long will advertise the fact.

Long reported that KCP&L has informed him of holes in a concrete deck of the spillway at LaCygne Lake. Long feels the county is responsible for the roadway but not for the concrete in the spillway. After discussion, the commission asked Long to get with KCP&L and try to solve the problem.

Long presented the commission with the price of a 35-ton lowboy trailer. The high figure from Martin Tractor was \$31,388.00 with trade, and the lowest figure was from Lapine Truck, Dallas, Texas, for \$22,610.00, without trade. Marty Read motioned for Long to view a lowboy from Lapine and if satisfactory purchase it. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve a permit to bury water line located 2 miles south of Miami County line on 7 highway and then 1 mile west requested by Miami County Rural Water District #3. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to approve a request for a permit to bury a water meter and cable requested by the Kansas Department of Wildlife and Parks located southeast of Boicourt. Charles Trask seconded the motion. The motion passed 2-1.

Andy Mayhugh, Zoning Administrator discussed an application to the Planning Commission for fifty duplex units to be built in Linn Valley Lakes. No action taken at this time.

Marty Read motioned to move the September 7th meeting to the 8th of September due to the 7th being a holiday and county offices are closed. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to hold a hearing on the road department report for the abatement of a nuisance on the Lillie A. Smith and Phillip Klebenstien property at 10:00 a.m., September 8th, 1998. Marty Read seconded the motion. The motion passed 3-0.

Steve Thompson, County Appraiser, reported that Linn County has received a 100% rating on procedure and ratio study from Property Valuation Department.

At Thompson's request, Marty Read motioned to purchase digital ortho photography for the Cities of LaCygne, Mound City, Pleasanton, and Sugar Valley Lakes for \$11,050.00 from Western Air Maps. Charles Trask seconded the motion. The motion passed 3-0.

Thompson and the commission discussed the purchase of a plotter for the Appraisers Department. The commission asked Thompson to get several bids.

Marty Read motioned to recess from the Board of Commission meeting for 10 minutes to discuss a personnel matter concerning a non elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk and Thompson attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

At the request of Dennis Arnold, Economic Development Director. Marty Read motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss confidential data relating to the financial affairs or trade secrets of a corporation, partnership, trust or individual proprietorship. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, Arnold, Janet Easley, Dave Compton, and Audie Tang attended the session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Harold Mooney Jr. motioned to approve selling for \$1.00 to Tower Metals, Fort Scott 37.9 acres of ground in S5-T23-25 and an option on 30 acres for a 5-year period. Tower Metals must build within one year. Linn County will also level 7 acres at the county's expense. Marty Read seconded the motion. The motion passed 3-0. Arnold will have a contract prepared.

Arnold reported he has booked a Will Rogers impersonator during Arts and Crafts Weekend to be at the Mine Creek Battlefield Site. Also, he has performances booked on three other weekends in September and October.

Arnold reported that he had contacted the fair board about borrowing some portable bleachers for the programs at the battlefield site, but they had said no. Commissioner Read will talk to the fair board.

Arnold reported that Mound City is starting a web site and would like \$1,000.00 for help with the web site. Marty Read motioned to give \$1,000.00 from the tourism fund toward developing the web site. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Steve Thompson, asked that the Appraisers Office be able to attend the funeral of Heath Cannon at 10:00 a.m. at Jayhawk-Linn High School. The commission agreed that any county employee that wants to attend should. If any offices do not have staff then close them for the services.

The commission reviewed a request for fence view from Wilbur Kennedy near Goodrich. The commission set the fence view at 1:00 p.m. Tuesday, September 8. The commission will meet at the south end of the fence in question in S19-T20-R22 in Liberty Township. The clerk will notify Kennedy and Mona Lee Johnson of the fence view.

Marty Read motioned to purchase V4R2 Software update and five year-prepaid subscription from System Solutions Inc. for the county's AS-400 computer, for \$5,795.00 to be paid from general courthouse funds. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The clerk discussed a payroll deductible prepaid legal program through Harris Insurance Company for county employees to look at. After discussion the commission decided to not offer the program at this time.

The commission reviewed a letter from the Saline County Counselor, Michael Montoya concerning a Kin-Net Tax grievance. Montoya wants to know if Linn County would like to join in one brief at a cost of \$50 - \$75. The commission asked the clerk to check into the issue and contact Montoya if necessary.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, August 24th. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

August 24, 1998

The Board of Linn County Commissioners met in a regular session, those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member, Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$2,327.67; Rural Fire, \$74.13; Community Corrections, \$493.50.

The commission chairman signed the following add/abate/refund order numbers: real estate 958-959.

Raimond Troth, resident southeast of Mound City met with the commission to discuss straightening a road that he feels is presently on his property and also to move a culvert that is on his property. County Engineer, Richard Long will look into both issues.

Robert and Hazel Weber met with the commission to complain about the extra traffic on their road since the county built the Critzer Bridge. After discussion, the commission agreed to put a traffic counter on the road and for Weber to check into calcium chloride.

Commissioner Mooney reported the Republican Central Committee had asked him if they could use the courthouse lawn for a fund raiser for Sam Brownback. After discussion the issue was tabled.

Richard Long, County Engineer reported he had several calls about limbs hanging over the roads causing problems for the school buses.

Long stated District #2 had a broken lifting fork on their front end loader and can't be welded. Long had prices from John Deere, Topeka for \$2,000.00 and Martin Tractor at \$2,300.00. After discussion, Long will check further into the possibility of repair before purchasing a new one.

Dennis Arnold, Economic Development Director reported that the county has been awarded the \$200,000.00 Economic Development Grant for the Industrial Park Utilities. The commission chairman signed the grant documents.

At Arnold's recommendation, Marty Read motioned to approve paying the \$3,638.00 to SEK Regional Planning Commission dues for 1999. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

At the request of Arnold, Marty Read motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel issue of a non-elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, Arnold and commissioner-elect Herb Pemberton attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0.

As a result of the executive session, Marty Read motioned to hire Bridget Fitzwater as a part time employee not to work over twenty hours per week as grant writer at \$11.75 per hour. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marilyn Augur, nutrition director, discussed a notification of a grant award revision. Harold Mooney Jr. motioned to sign the notice of grant award revision, Marty Read seconded the motion. The motion passed 3-0.

The commission reviewed a letter from William Braden, President of Holiday Lakes Homes Association, thanking them for lowering the speed limits over Tiger Road and making the area much safer.

The clerk reported on a Juvenile Justice meeting he attended in Paola, last Friday. After discussion, Charles Trask motioned to fund Linn Counties share (\$7,847.33) for benefits for a Juvenile Intake Officer and a coordinator of intervention programs for the 6th Judicial District. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission chairman signed the approved 1999 District Court Budget for \$184,700.00.

The board gave approval for Kenny Baugh to combine clover seed, from the south Pleasanton Industrial Park and to take the cost of combining in clover seed.

After the commission discussed the fact that Tudor Insurance Company has canceled the county's public officials liability insurance, Marty Read motioned to take phone quotes from county insurance companies for replacement coverage. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to sign an interlocal agreement with Bourbon County to allow Bourbon County RWD #4 to apply for a grant to install water lines in Bourbon and Linn County. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission received the July 28th minutes and an August 25th agenda of SEK Multi County Health Board Meetings. No action taken.

The clerk reported he had contacted the Saline County Counselor and told him that Linn County would like to be represented in the Kin-Net Tax Appeal with the cost being between \$50.00 and \$75.00.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, August 31st. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

August 31, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Harold Mooney Jr., member, and Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular session as printed. Marty Read seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$110,416.12; Employee Benefit, \$54,353.38; Community Policing, \$1,000.00; Appraiser, \$14,058.77; Rural Fire, \$5,274.54; Road & Bridge, \$57,116.65; Community Corrections, \$32,106.88; DARE, \$1,298.50; Elderly, \$11,866.72.

Marty Read motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel matter related to non elected personnel. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission and clerk attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Richard Long, County Engineer reported they will spend next week chipping and sealing streets for the City of Pleasanton.

Harold Mooney Jr. motioned to publish notices to vacate three roads. One in the southeast corner of S11-T21S-R24E known as the Albert M. Wolfinger Road, one in S15-T21S-R24E known as the J.M. Robey road and one in S11-T21S-R24E known as the Robert Bass Road. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to publish notice to vacate road in S5-T21S-R23E known as E.A. Eatherton road. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long reported Charles Clay will be retiring at the end of October. The commission gave permission to post the job to county employees and if needed to advertise for the position.

Charles Trask motioned to let Linn Valley Lakes purchase a compactor and two containers at the counties cost and then charge Linn Valley Lakes for hauling the containers. The motion died for lack of a second.

Marty Read motioned to purchase one compactor at approximately \$5,440.00 and two containers at approximately \$3,810.00 each and for Linn Valley Lakes to reimburse the county. Linn County will pickup and haul the containers without charge. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to approve a permit to bury telephone cable requested by Craw-Kan Telephone Company at a location on Green Valley Road. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long discussed replacing the pickup in District #3 that was wrecked. Marty Read motioned to purchase a 1998 Chevrolet pickup from Ron Olsen Motors, Osawatomie for \$16,331.27. Charles Trask seconded the motion. The motion passed 3-0. This was the only 1998 pickup on a lot locally that came close to meeting spec's.

Long reported he had looked at the road on the east side of Raimond Troths property that was discussed last week. Long reported there are no plans to move the road.

The commission and Long discussed chipping and sealing 4 miles of road west of Mantey. The commission instructed Long to bid out the rock for the project.

Commissioner Read reported that George Marcum had told him that he had not been able to get out due to highwater three times since the new Critzer Bridge has been built. Long will talk to Marcum and try to get the problem corrected if possible.

Zoning Administrator, Andy Mayhugh presented minor plat SD#8 requested by Mark Feldman located north of LaCygne in S21-T19S-R24E. Harold Mooney Jr. motioned to approve the final plat for Shadow Brook Meadows. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to recess into executive session for fifteen minutes to discuss a personnel matter related to a non elected personnel. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, Long, John Black, Harry Wisdom and Danny Morris attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Dennis Arnold, Economic Development Director reported that Tower Metals is eager to get started building on the property near the transfer station. The road department does not have time to level the 7 acres as provided for in the agreement. The commission agreed that after they provide a site plan, the county will go out for bids to have the 7 acres leveled.

Marty Read motioned to approve a zoning change on 154 acres from Ag to (I-2) as requested by Linn County, zoning case Z0798154. Charles Trask seconded the motion. The motion passed 3-0.

Mayhugh reported that the planning commission has turned down a C.U.P. for a riding arena due to the fact that the people requesting the C.U.P. has not attended a planning commission meeting. Marty Read motioned to deny a conditional use permit CUP059826 requested by Richard and Susan Thomas for a riding arena and stables. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Mayhugh and the commission discussed a conditional use permit CUP079827 requested for multi-family dwellings in Linn Valley Lakes. After discussion, Marty Read motioned to approve the C.U.P. with two conditions, one that a sewer benefit district is formed and two, that the area is re-platted and conforms with subdivision regulations. Harold Mooney Jr. seconded the motion. The motion passed 2-0 with Commissioner Trask abstaining.

Sheriff Marvin Stites discussed the lease or purchase of video cameras for the patrol cars. After discussion, Harold Mooney Jr. motioned to agree to a lease purchase for ten video cameras. Charles Trask seconded the motion. The motion passed 3-0. Stites will get a copy of the lease agreement and make sure the county auditor approves it before it is signed.

Nate Harris, Harris Financial Services presented the commission with a presentation on prepaid legal services as a possible employee benefit that would be payroll deductible if an employee wishes to purchase it. Harold Mooney Jr. motioned to allow Harris to contact employees before work, after work or on a break to see if they are interested and if so they will put the program on the employee's payroll deduction. Marty Read seconded the motion. The motion passed 2-1.

With nothing further on the agenda, Harold Mooney Jr. motioned to adjourn until 9:00 a.m., Tuesday, September 8. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

September 8, 1998

The Board of Linn County Commission met in a regular session. Those present were: Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; and Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$9,122.18; Rural Fire, \$346.77; Crime Victim Assist., \$350.40; Elderly, \$1,332.94; Special Machinery, \$34,180.00.

The clerk advised the commission that Noxious Weed Director, Ben Fortman had fallen at home and cracked his pelvis and will not be able to work for 6 - 8 weeks.

Frank Jenkins, attorney for 3R Rock and Leon Hester complained about the way the county handled the last rock bid. Jenkins feels the county must give twenty days from first publication to the bid letting according to KSA 68-521. The county feels that KSA 68-521 pertains to a contract for labor and materials not just for the purchase of materials. The commission tabled the issue until later in the meeting when county attorney John Sutherland arrives.

After discussion of the Mantey Road and chipping and sealing it, Charles Trask motioned to cancel the project. The motion died for lack of a second.

Harold Mooney Jr. motioned to proclaim September 26th from 4:00 to 8:00 p.m. officially as Linn County Night Out Against Crime. Charles Trask seconded the motion. The motion passed 3-0. Following is a copy of that proclamation.

County Attorney John Sutherland arrived at the meeting.

Charles Trask motioned to recess into executive session for ten minutes to discuss a legal matter pertaining to rock bidding procedures with the county attorney. Marty Read seconded the motion. The motion passed 3-0. The commission, clerk, county attorney and commissioner-elect Herb Pemberton attended the executive session.

Marty Read motioned that the commission will not accept the rock bids that were to be opened and to rebid using a 20-day period between the 1st publication and the letting of the rock bids. Charles Trask seconded the motion. The motion passed 3-0. The commission agreed by consensus that this will not set a precedent for future rock bids.

Andy Mayhugh, Zoning Administrator presented the cost of the abatement of the Lillie Smith and Phillip Klebenstien property in Trading Post for public hearing as published. After discussion, Marty Read motioned to put an assessment against the property for the amount it costs to clean up the property. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Mayhugh will prepare the paperwork for the commission to order the cost to be put on the tax roll.

Harold Mooney Jr. motioned to accept a grant of road easement in S27-T19-R22E from Mr. and Mrs. Doug Barrett for a boundary adjustment. Marty Read seconded the motion. The motion passed 3-0.

Mayhugh reported the registered letter sent to Susan Martin concerning the nuisance abatement on the Brundage Property on the east side of Pleasanton has been returned unclaimed. Mayhugh stated that he will try to have the notice served in person.

Ron Briggs met with the county to ask if the county would remove some soil at the Prescott Grade School so they can build a playground. Charles Trask motioned for the county to remove the soil as requested. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

County Engineer, Richard Long discussed a request from Bob Frye to move a road 200' from the Marais Des Cygne River so that they can stabilize the river bank. The road in question is about 2 miles south of LaCygne. After discussion, the commission agreed for Long to move the road that is just a dirt road as requested. Also, the commission instructed Long to install a barrier along the river so someone does not run off the road into the river.

Long reported he will look at a lowboy tomorrow. Also, discussed chipping and sealing in Pleasanton and Blue Mound.

Long reported on a water problem between Ed Siron property and Melvin Nation. They cannot dig the ditch any deeper as planned. There is the possibility they can put the tube in a different location that will move the water from the area.

Long reported there will be a commission and engineer meeting in Chanute, October 13th. Also, Long updated the commission on E911 signage and addressing.

Marty Read motioned to recess from the Board of Commission meeting for ten minutes to discuss a personnel matter related to a non elected employee. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, county attorney and commissioner elect Herb Pemberton and Kermit Chase attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Marty Read motioned to recess from the Board of Commission meeting into an executive session for 15 minutes to discuss a legal matter with the county attorney concerning a threatened lawsuit over a stored stock trailer. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county attorney and Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Marilyn Augur, Nutrition Director reported that the Senior Center Building in LaCygne needs new siding. After discussion and review of the bid specifications, Harold Mooney Jr. motioned to advise to take bids to have vinyl siding installed on the senior building in LaCygne. Marty Read seconded the motion. The motion passed 3-0.

Augur reported on a new pilot project where they will be serving breakfast once a month for three months at Parker, Centerville and LaCygne Senior sites.

With nothing further on the agenda, Marty Read motioned to recess until 1:00 p.m. to meet as fence viewers at the fence between Mona Johnson and Wilbur Kennedy west of Goodrich. Charles Trask seconded the motion. The motion passed 3-0.

At 1:00 p.m. the commission met at the property line between Mona Johnson and Wilbur Kennedy in S19-T20-R22 in Liberty Township, those in attendance were Commissioners Read, Trask, Mooney, the county clerk, Wilbur Kennedy, Charles Haverfield representing Mona Johnson and neighbors Charles Self and Gary Nickell.

After reviewing the ½ mile of fence and finding the south half (1/4 mile) not to be a legal fence, Marty Read motioned to assign the south half (1/4 mile) to Mona Johnson and ordered Johnson to bring the fence up to legal standards within ninety days. Charles Trask seconded the motion. The motion passed 3-0.

The commission found the north ½ of the fence that they assigned to Wilbur Kennedy to be a legal fence per Kansas Statutes.

The commission asked the clerk to notify both parties of the results of their findings by certified mail.

With nothing further on the agenda, Harold Mooney Jr. motioned to adjourn until 9:00 a.m. Monday, September 14th. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

September 14, 1998

The Board of Linn County Commissioners met in a regular session. Those present were: Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$114,127.04; Appraiser, \$2,975.78; Reappraisal, \$2,879.27; Rural Fire, \$7,899.93; Road & Bridge, \$80,065.08; Community Correction, \$9,259.36; Law Enforcement Trust, \$33.90; Special Fire Equipment Replacement, \$5,745.00; DARE, \$221.42; Elderly, \$8,366.76; Zoning LEPP Grant, \$384.75.

Earl and Daisy Self met with the commission to discuss a conditional use permit for an air strip that the Planning Commission approved. The Self's are opposed to the air strip that is located next to their property. They feel the airplanes will scare their cattle when taking off. The commission reported they will study the issue before making a decision.

Richard Long, County Engineer reported he would like to have Darrell Lane make a presentation on Linn County's Transfer Station at a solid waste meeting in Emporia. The commission agreed.

Long reported that the county's pug mill turned over and he is not sure of how much damage was done to it.

Long stated there will be a meeting on the new highway bill, September 23rd at the Neosho Community College and that he plans to attend.

After discussing the county's road and bridge 5-year plan and replacing the Little Sugar Creek Bridge North of Mound City, Marty Read motioned to hire Kirkham Michael Consulting Engineers to do a proposal for a bridge design and to straighten the road at a cost of \$29,950.00. Charles Trask seconded the motion. The motion passed 3-0.

Also, the Commission asked Long to see if the state will agree to designate the Mantey Road as a secondary road. The road has had this designation in the past.

Mark Schuller, County Extension Agent invited the commission to attend a public policy forum on retail wheeling to be held October 1 in Manhattan and presented by K-State Research and Extension and the Kansas Association of Counties.

The Clerk reported the next SEK Officials Meeting will be October 15 in Fort Scott. All three commissioners reported they plan to attend.

At the request of the Clerk, Marty Read motioned to recess from the Board of County Commissioners for five minutes to discuss a personnel matter related to a non elected official. Charles Trask seconded the motion. The motion passed 3-0. The Commission, Clerk and Commissioner Candidate Herb Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Linn County Sheriff Marvin Stites reported that Linn County has received a DEA and Counter Drug Task Force Grant that consists of the county being given a vapor tracer instrument that will detect drugs and explosives. The instrument that would normally cost \$487,000.00 was given to the county free of charge, along with the necessary training to operate it.

Deanna Iskey the new Linn County News reporter arrived at the meeting and was welcomed by the commission.

At 10:50 a.m. Charles Trask left the commission meeting.

At 11:00 a.m. with nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, September 21. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

September 16, 1998

The Board of Linn County Commissioners met in a special meeting called by the chairman. Those present were Chairman Marty Read, Member Harold Mooney, and County Clerk Donald L. Proffitt.

The Commission Chairman called the meeting to order and then Commissioner Read motioned to recess from the Board of Commission meeting for fifteen minutes to discuss a personnel matter related to a non elected employee. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The Commission, Clerk and courthouse maintenance employee Jerry Bedgood attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Marty Read motioned to adjourn. Harold Mooney, Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

September 21, 1998

The Board of Linn County Commission met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Harold Mooney Jr., member, Donald L. Proffitt, county clerk.

Harold Mooney Jr., motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve the minutes of the September 16th special commission meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

The commission chairman signed the following add/abate/refund order number: personal property 1719.

Earl and Daisy Self met with the commission to find out if the commission had made a decision on allowing the conditional use permit for the air strip near their property. After a lengthy discussion, the commission reported they will not decide until next week at the hearing for the C.U.P.

The commission reviewed and approved the sheriff's monthly fee report for the month of August.

Michelle Vaughan was introduced as the new reporter for the Linn County News.

Bids were opened to install electrical conduit in the east side of the LaCygne Industrial Park. The only bid received was from Pemberton Excavating. The commission reported they would like the bid reviewed by Economic Development Director Dennis Arnold and report to them at next weeks meeting.

The commission reviewed a Linn County Elderly Fund receipt report for the month of August.

The commission reviewed the minutes of a June 22nd SEK Mental Health Board meeting in Humboldt, Kansas. No action taken.

The commission reviewed a invitation to be in the Mound City Arts and Crafts Parade to be held October 10. None of the commissioners plan to be in the parade this year.

The commission reviewed a letter from Division of Property Valuation stating that Linn County has met the criteria and is in substantial compliance for accurately appraising properties for the year. No action taken by the commission.

The commission reviewed a letter from Mrs. Donald Stainbrook, LaCygne stating that she would like an explanation why the commission went to a fence viewing last week and ordered a landowner to bring a fence up to legal standards, but they would not do the same for her when she was having problems with the neighbors cows getting out and damaging her property. The commission remembered that the cattle getting out were not through a partition fence that a fence view would pertained to. The commission asked the clerk to answer the letter.

Linn County Engineer, Richard Long presented the commission with proposed road closings that have been published. The first road discussed was the E.A. Eartherton road. After hearing opposition to closing the road from Roy Wade and Paul wade. Harold Mooney Jr. motioned not to close the road. Charles Trask seconded the motion. The motion passed 3-0.

The next road closure discussed was a road approximately 4 miles northwest of Pleasanton, known as the Robert Bass road in S11-T21S-R24E. There being no opposition to the closing, Marty Read motioned to vacate the road as published. Charles Trask seconded the motion. The motion passed 3-0. Following is a copy of the road closing:

The next road closure discussed was a road approximately 4 miles northwest of Pleasanton, known as the Albert M. Wolfinger Road in S11-T21S-R24E. There being no opposition to the closing, Marty Read motioned to vacate the road as published. Charles Trask seconded the motion. The motion passed 3-0. Following is a copy of this road closing:

After discussing closing the J.M. Robey Road, Long reported more info was needed and he would be back next week.

Long presented the commission with a contract for Foote Construction Company, Pleasanton to put an addition on the counties transfer station. Marty Read motioned to approve the contract in the amount of \$31,440.00 between the county and Foote Construction Company. Charles Trask seconded the motion. The motion passed 3-0.

The commission reviewed a copy of a permit for an industrial landfill from the Department of Health and Environment for KCP&L. The commission asked the clerk to find out just what kind of landfill permit this is.

Andy Mayhugh, Zoning Administrator presented the final plat for Warrick Estates located 2 miles east of Parker and 2 miles north. After review Harold Mooney Jr. motioned to approve the plat as presented. Marty Read seconded the motion. The motion passed 3-0.

Mayhugh reported that notice of Resolution #98-10 in regards to abating the nuisance on the Brundage Property at the east side of Pleasanton had been delivered to Susan Martin in Hutchinson, Kansas and we now have to wait for her to appeal.

Mayhugh and the commission discussed the upcoming request for a C.U.P. for a hanger to be built on a private air strip. The issue will come before the commission next week.

Ladean Kempinger presented bids that were taken to install vinyl siding on the LaCygne Senior Center. Only one bid was received from Mo-Kan Siding Speciality for \$5,800.00. After a lengthy discussion, Harold Mooney Jr. motioned to reject the bid. Charles Trask seconded the motion. The motion passed 3-0.

The commission asked Kempinger to take bids to replace the bad siding and to prime and paint the building instead of residing.

At 10:30 a.m. a late bid was received from David Slaughter to install the electrical conduit in the east side of the LaCygne Industrial Park. Marty Read motioned to refuse the late bid and not to open it. Charles Trask seconded the motion. The motion passed 3-0.

Steve Thompson, County Appraiser met with the commission to discuss the purchase of a plotter. Harold Mooney Jr. motioned to purchase a HP Design Jet 450C plotter and accessories from Wester Air Maps for \$3,530.00. Charles Trask seconded the motion. The motion passed 3-0.

Bruce Holt, Park Director gave a short update on the park for the year. At the request of Holt, Harold Mooney Jr. motioned to allow Holt to go out for bids to purchase a new pickup and to trade in a 1988 pickup he is presently using. Marty Read seconded the motion. The motion passed 3-0. Holt will get bids from nearby dealers.

Marty Read motioned to recess into executive session for twenty minutes to discuss a legal matter with the county attorney, pertaining to a lawsuit against Linn County. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, County Attorney John Sutherland, County Sheriff Marvin Stites and Commission Candidate Herbert Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

The clerk presented the Commission with a sufficient petition requesting the commission put a special question on the ballot in Liberty, Centerville and Scott Townships asking: Shall a Library District be created to be composed of these political subdivisions? After review of all documents and signatures on petitions, Marty Read motioned to put the question: Shall a Library District be created to be composed of the following political subdivisions: City of Parker, Liberty Township, Centerville Township and Scott Township on the November 3rd General Election ballot in those townships. Charles Trask seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, September 28th. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

September 28, 1998

The Board of Linn County Commissioners met in a regular session. Those present were: Marty Read, chairman; Harold Mooney Jr, member and Donald L. Proffitt, County Clerk. Commissioner Charlie Trask was absent.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

The commissioner approved the following pays/special pays: General, \$97,524.47; Employee Benefit, \$99,592.99; Community Policing, \$1,070.68; Appraiser, \$14,500.33; Rural Fire, \$5,198.05; Road & Bridge, \$57,123.23; Community Corrections, \$33,693.09; DARE Fund, \$1,362.19; Crime Victim Assist., \$1,621.71; Elderly, \$11,881.06; Economic Development, \$500.00.

The Industrial Landfill permit for KCP&L from last weeks meeting was discussed. The clerk reported that he contacted KDHE and found that the permit is for fly ash and flue gas desulfurization sludge landfill permit.

Harold Mooney Jr. motioned to designate Marty Read as the voting delegate at the annual K.A.C. Conference and Charles Trask 1st alternate and Ellie Davey as 2nd alternate. Marty Read seconded the motion. The motion passed 2-0.

Harold Mooney Jr. motioned to purchase \$3,000,000.00 worth of commercial umbrella coverage from Harris Insurance Company (our present general liability insurance carrier) for \$3,100.00. Marty Read seconded the motion. The motion passed 2-0.

Harold Mooney Jr. motioned to approve a permit to bury telephone cable at the north end of the LaCygne Industrial Park, requested by Peoples Mutual Telephone Company. Marty Read seconded the motion. The motion passed 2-0.

Harold Mooney Jr. motioned to accept the Pleasanton Senior Center Quarterly Report for period ending September 30, 1998. Marty Read seconded the motion. The motion passed 2-0. Also, there was a note enclosed from Jean Sylvester stating that she no longer wanted to fill out this quarterly report but would like to stay on the building board. The commission agreed with the request.

The Commission reviewed the minutes of an August 27, 1998 SEK Regional Planning Commission meeting and an agenda for a September 24th meeting. No action taken.

The Commission reviewed the minutes of an August 25, 1998 SEK Multi-County Health Board meeting and an agenda for a September 29, 1998 meeting. No action taken.

Richard Long, County Engineer reported receiving a letter dated August 26th from KDHE stating that Linn County is one of only a few counties in the state that has been allowed another amnesty period for pre law tire collection.

Marty Read motioned to approve a permit to bury telephone cable located 1 mile north of Blue Mound, requested by Sprint United. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

Long reported he has received a request from Heartland Electric to move some of their electric poles closer to a county road north of the Marais Des Cygnes River. After some discussion, the commission agreed to let them move the poles. But they must keep them to the outside of the ditch.

Long reported the temporary bridge has been built in the Marais Des Cygnes River to set the booms on the river bridge. However, with the rains we have had the piers for the bridge have moved. The state will have to measure to see how much they have moved and what must be done next.

Long reported a Parker solid waste compactor cylinder is getting bad and leaking. He has ordered a cylinder from Mid American Hydraulics, Olathe for \$1,600.00. The Commission agreed to the purchase.

Frank Jenkins Jr., Attorney for 3-R Rock asked for clarification on procedure to be used regarding the rock bid that is to be opened October 5. After letting Jenkins state his concern the commission reported they would wait until the county attorney arrives at the meeting before deciding on his request.

Andy Mayhugh presented the commission with CUP#079828 for a grass airstrip/hanger requested by Gary Schuster. The only person to speak out against the CUP today was C.W.Ringey. However, Earl and Daisy Self have expressed opposition at the last two commission meetings. The Planning Commission had approved the CUP by a 7-0 margin. Harold Mooney Jr. motioned to approve the CUP but to add the condition that it cannot be used commercially as an air strip and must remain a grass air strip. Marty Read seconded the motion. The motion passed 2-0.

Bruce Holt, Park Director presented bids for a new 1999 pickup for the park. They received 4 bids. Ron Olsen bid a Chevy at \$15,855.00 with trade-in of a 1988 pickup. Beckman bid a Chevy at \$13,567.00 with trade, and Beckman bid a Ford at \$12,713.00 with trade. Cox Motor Company bid a Ford at \$12,795.00 with trade. Harold Mooney Jr. motioned to accept the bid from Cox Motor Company of \$12,795.00 with trade even though it was \$82.00 more due to the fact that Cox Motor is a Linn County Business. Marty Read seconded the motion. The motion passed 2-0.

Waldo Cox complained to the commission that the county had bought a 1998 Chevy pickup off the lot at Ron Olsen a few weeks ago and did not give him a chance to bid on one. The commission reported they were told that there was not any 1998 Fords available with all the specs particularly a red one that would match the other county pickups.

Marty Read motioned to recess from the Board of Commission meeting for fifteen minutes to discuss a personnel issue related to a non elected employee. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The Commission, Clerk, George Maloney Weed Department and Herb Pemberton District #1 Commission Candidate attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

County Attorney John Sutherland arrived at the meeting.

At the request of Dennis Arnold, Economic Development Director, Marty Read motioned to recess from the Board of Commission meeting for fifteen minutes to discuss a legal matter with the county attorney relating to hiring an attorney on contract. Harold Mooney Jr. seconded the motion. The motion a passed 2-0. The commission, clerk, county attorney, Arnold and Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

As a result of the executive session, Marty Read motioned to hire a contract lawyer to review the America One contract as it applies to the county. Harold Mooney Jr. seconded the motion. The motion passed 2-0. Arnold will try to locate an attorney to hire.

Frank Jenkins, Jr. 3-R Attorney asked once again the question whether or not the county would make public the locations of any quarries that would be used for producing rock for the rock bid for the Mantey Road and also reiterating his list of concerns.

After discussion, 3-R Rock lists of concerns with the county attorney. Harold Mooney Jr. motioned to approve sending out addendum #2 as proposed by Jenkins to all bidders. Marty Read seconded the motion. The motion passed 2-0. Following is copy of addendum #2:

#### ADDENDUM #2

##### Bid Specifications

##### Project #1998-01

1. Award of Bid Date - October 5 1998 if at all possible.
2. Penalty per day amended to comply with section 108.08 (pg. 78)
3. Weather clause of 08.07 (a) (1) (pg. 75) shall apply.
4. County laboratory or independent laboratory shall be utilized by county for testing.
5. Quarry Disclosure, information shall be available to all bidders.

At the request of the clerk, Marty Read motioned to recess from the Board of commission into executive session for five minutes for a legal matter with the county attorney. Harold Mooney Jr. seconded the motion. The motion passed 2-0. The commission, clerk, county attorney, Richard Long and Herb Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, October 5th. Harold Mooney Jr. seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

October 5, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charlie Trask, vice chairman; Harold Mooney Jr., member; and Dee George, county clerks office.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$9,812.77; Rural Fire, \$667.11; Elderly, \$1,390.90.

The commission chairman signed the following add/abate refund order numbers: personal property #1720 - 1722.

Marty Read motioned to move the October 12th meeting to Tuesday, October 13 due to October 12 being a holiday and county offices will be closed. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to have Doris Basore, Pleasanton Senior Building Board do the quarterly reports and to appoint Paul Davis and Douglas Rudy to the building board. Marty Read seconded the motion. The motion passed 3-0.

The commission read a memorandum from Harris Financial Services stating that they were not able to find a coverage for public officials liability with a \$3,000,000.00 limit. They did have a tentative quote from Northfield Insurance for a \$1,000,000.00 limit with an annual premium of \$6,942.00. The commission then opened a quote from Bollinger-Myers Insurance for \$3,000,000.00 with an annual premium of \$9,413.00. Marty Read moved to look further into the public liability insurance and take the matter under further advisement. Charlie Trask seconded the motion. The motion passed 3-0.

The commission reviewed a letter from William Braden requesting assistance in closing entrance #1 at Holiday Lakes for safety reasons. Charlie Trask stated that Mr. Braden had contacted him and would like to wait thirty days before doing anything to give them time to notify all Holiday Lake Residents. The commission decided not to take any action at this time.

Richard Long, County Engineer reported that he had received a request to put rumble strips at the intersection of Tiger Road and 69 Highway. Long will contact the state to see if they will help in installing these. Also, he had received a letter from Holiday Lakes pertaining to closing the #1 entrance. He will contact them and we will remove the culvert and close it in 30 days after notification is made to residents.

Long is planning on the county replacing the old bridge north of Mound City. Before doing any work on this, he is going to contact the local historical society, since it may have some historical significance, and see if they have any input in the matter. Marty Read commented that he would like to see the bridge raised up a couple of feet if possible.

Don Rumsey, landowner by Goodrich, had contacted Long about changing his emergency spillway to his pond. The change would allow more water possibly to go over one of the county roads. Long is checking with SCS on how much water will be flowing through and will get back with him.

A bid opening was held at 9:45 for rock. Two bids were received for project 1998-01. The first was from Wade Quarries, LaCygne with a bid of \$4.44 combined materials and \$7.24 for cover material for a total of \$98,308.00. The second bid was from Hunt Midwest with a bid of \$3.95 for combined material and \$7.00 for cover material for a total of \$87,850.00. Long will look at these bids and recheck figures and report back later in the meeting with his recommendation.

Marilyn Augur, Nutrition Director, recommended hiring Gloria Eslick to fill the position of Mound City Site Manger, due to the resignation of Rhonda Lankford. Marty Read motioned to hire Gloria Eslick at \$5.93 per hour. Charlie Trask seconded the motion. The motion passed 3-0.

The LaCygne Senior Center Building Board met with the commission. Jean Allen, spokesperson reported that they had painted the Senior Center 5 years ago and that due to the type of wood on the building, it had not lasted. They would like to see it insulated and vinyl siding put on. They have received no paint bids. They also reported that they had requested gravel be placed on the north side of the building where the drive is. Herb Pemberton asked about putting storm windows on. Allen said they plan on purchasing storm windows, and she has two volunteers to put them on after they are purchased. Marty Read motioned to go ahead with putting siding on the LaCygne Senior Center. Charlie Trask seconded the motion. The motion passed 3-0.

Robin Earnest, Pleasanton, asked the commission if it would be possible for the county to place a sidewalk or path on the south side of the highway from the Cornerstone Church to Jayhawk-Linn High School. There are a number of pedestrians and bikers that are using the highway to go from the city to the school and she is concerned about an accident occurring. Commissioner Read said they will study the issue and contact the state since this involves two state highways and see if something can be done.

Richard Long, returned to the meeting with a permit to bury telephone cable for Kin-Net north of LaCygne. Harold Mooney Jr. motioned to approve a permit to bury cable. Marty Read seconded the motion. The motion passed 3-0.

Long recommended going with Hunt Midwest's rock bid after checking the figures and that quarry is close to where the work will be done. Marty Read motioned to accept the Hunt Midwest bid of \$87,850.00. Charlie Trask seconded the motion. The motion carried 3-0.

Commissioner Trask asked the other commissioners if they were aware of the number of people that are having to wait for water meters in the county. The state has a limit on the amount of water Pleasanton can sell and they are close to that limit now. Commissioner Trask would like to see the state allow a larger amount to be sold. He will check into the issue and contact Howell and Tyson after finding out more about the issue.

Commissioner Trask left the meeting at 10:40 a.m.

With nothing further on the agenda, Marty Read motioned to adjourn the meeting until 9:00 a.m., Tuesday, October 13. Harold Mooney Jr. seconded the motion. The motion carried 2-0.

---

County Clerk

---

Chair of Board

October 13, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member and Donald L. Proffitt, county clerk.

Harold Mooney Jr., motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$88,199.71; Employee Benefit, \$24,054.81; Appraiser, \$1,652.22; Reappraisal, \$1,091.15; Rural Fire, \$4,994.64; Road & Bridge, \$62,301.74; Community Corrections, \$9,817.57; Law Enforcement, \$833.90; Spl. Fire Equipt. Replacement, \$870.18; Crime Victim Assist., \$11.94; Elderly, \$8,720.34; Zoning LEPP Grant, \$1,891.75.

The clerk advised the commission of an October 23rd video conference in Greenbush discussing the 1999 KAC platform.

Commissioner Trask reported he plans to attend an October 23rd KDHE meeting in Salina on water quality and asked the clerk to make reservations.

Marilyn Augur, Nutrition Director, reported that a refrigerator in Blue Mound Senior Center quit working. Augur has received three quotes from local dealers in the county. The commission agreed to take the low quote from Eastwoods on a Magic Chef for \$615.00.

The commission reviewed the monthly Linn County Park report for receipts and expenditures through September 1998. Several questions were brought up and the issue was tabled until next week.

The commission received a letter from KCPL asking the county to repair the road over the power and light lake dam. The commission reported they will discuss the issue with the county engineer next week.

All three commissioners reported they plan to attend the SEK County officials meeting in Bourbon County Thursday. They plan to leave the courthouse at 8:45 a.m..

Harold Mooney Jr. motioned to approve the Prescott Senior Center Quarterly report for the third quarter, 1998. Charles Trask seconded the motion. The motion passed 3-0.

The commission reviewed bids for public official's liability insurance coverage. Marty Read motioned to accept the only bid received from Bollinger Insurance Agency, Mound City for \$3,000,000.00 coverage for \$9,413.00. Charles Trask seconded the motion. The motion passed 3-0.

Fire Coordinator Diane VanKirk and John Black, County Road Foreman - District 2 reported that the tele-squirt through a rod through the block last night while responding to a call. Van Kirk reported the cost of an engine is \$6,981.89 plus approximately \$3,000.00 labor. Harold Mooney Jr. motioned to purchase the engine from Martin Tractor, Chanute for \$6,981.89. But to have the county shop crew install the engine. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to accept the resignation of Russell Bloomfield from the Linn County Rural Fire Board and to replace Bloomfield with Gary Woods. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to purchase a floating pump for LaCygne Station from Conrad Fire for \$1,799.00. Harold Mooney, Jr. seconded the motion. The motion passed 3-0.

Van Kirk reported that flu shots for county employees will be given on October 21st.

Also, the purchase of a rescue truck was discussed. After discussion, Charles Trask motioned to send a letter of intent to a company to purchase a FL60 cab and chassis with a Cummins Engine for \$32,400.00. Marty Read seconded the motion. The motion passed 3-0. Black and Van Kirk will get back with the commission about purchasing a bed for this vehicle.

Jerry Bedgood, maintenance department discussed the problem of the retaining walls going down into the basement of the courthouse. After Bedgood reported it would cost approximately \$15,000.00 to correct the problem, Charlie Trask motioned to have Bedgood advertise the job. Marty Read seconded the motion. The motion passed 3-0.

Charlie Trask motioned to pass resolution #98-13, a cooperative agreement with Sedgwick County pursuant to the Kansas local residential housing finance law K.S.A. 12-5219. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of the cooperative agreement and the Resolution #98-13:

At the request of County Treasurer, Ellie Davey, Marty Read motioned to recess from the Board of Commission meeting for thirty minutes to discuss a personnel matter related to a non elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, and treasurer attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

The Treasurer presented the commission with a reconciliation of 1997 taxes and a delinquent tax report. It was agreed that the treasurer should talk to the county attorney about sending letters on delinquent taxes.

The Nutrition Director advised the commission that the engine in the 1993 medical van blew up and that KDOT will pay 80% of the cost up to \$2,400.00. Charles Trask motioned to replace the engine in the medical van. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

At the request of Dennis Arnold, Economic Development Director, Harold Mooney Jr. motioned to recess from the Board of Commission meeting into executive session for thirty minutes to discuss a legal matter with their counsel Dottie Riley and

Katie Logan from Logan, Riley, Carson and Kaup relating to the contract with American One, C.O.P. issue. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, Arnold, Riley and Logan attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 3-0.

Commissioner Mooney left the meeting.

As a result of the executive session, Marty Read motioned to send a letter to Central Bank & Trust Company the trustee on the C.O.P.'s issue with American One stating the counties stand on the matter. Charles Trask seconded the motion. The motion passed 2-0.

With nothing further on the agenda, Marty Read motioned to adjourn until 2:00 p.m., Wednesday, October 14. Charles Trask seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

October 14, 1998

The Board of Linn County Commissioners met in a special called meeting. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member, and Donald L. Proffitt, county clerk.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 1/ ½ hours to discuss a legal matter with their legal counsel Jana Richards from Blackwell and Sanders, law firm. Richards is here to discuss the pending tow policy lawsuit against Linn County. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county sheriff, Marvin Stites and Jana Richards attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Charles Trask motioned to adjourn until 9:00 a.m., Monday, October 19th at 9:00 a.m.. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

October 19, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting and the minutes of the October 14th special meeting. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: General, \$286.76; Rural Fire, \$86.33; Community Correction, \$441.41; Elderly, \$615.00.

At the request of Linn County Sheriff, Marvin Stites, the commission gave approval for Stites to advertise for 2 new patrol cars to be purchased in 1999.

Marty Read motioned to sign a contract agreement with Diehl, Banwart, Bolton, Jarred & Bledsoe to preform the 1998 audit and to prepare the 2000 year budget. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission reviewed a corrected report on the Linn County Park receipts and expenditures. The reports presented to the commission last week showed only the receipts that the county has to pay sales tax on, thereby making the receipts look as if they were way short for the year.

The commission reviewed the receipt and expenditures report for the elderly department through September 1998.

Marty Read motioned to approve the Blue Mound Senior Center Quarterly Report for 3rd quarter. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to approve the sheriff monthly fee report for the month of September 1998. Marty Read seconded the motion. The motion passed 3-0.

At the request of the clerk, Marty Read motioned to recess from the Board of Commission meeting into executive session for 5 minutes to discuss a personnel matter related to a non elected employee. Charles Trask seconded the motion. The motion passed 3-0. The clerk and the commission and Herb Pemberton attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

County Engineer, Richard Long reported on applicants he has interviewed for a truck driver in District #3. At Long's recommendation, Marty Read motioned to hire John Allcorn as District #3 truck driver. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Allcorn will be subject to a preemployment physical and be on the normal 6 month probation and start at 90% pay (\$8.56) for 60 days.

The commission discussed closing a Holiday Lakes Entrance, Tiger Road and the Boicourt Bridge Project with no action taken.

Harold Mooney Jr. motioned to approve a permit to bury telephone cable located 2 ½ east and 3 miles north of Parker requested by Sprint United. Marty Read seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve 5 permits to bury water lines located in the Parker, Kansas area all requested by Purkey Pile Construction Company. Marty Read seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve a permit to bury water line located 1 mile north of Cadmus and West requested by Bobby Johnson. Marty Read seconded the motion. The motion passed 3-0.

Marty Read motioned to sign a request for construction project funds for the bridge on the north edge of Mound City. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Long and the commission reviewed a letter from the state saying that the state will not participate in funding for all of the dirt work needed for the bridge to be built southeast of LaCygne, due to the length approach. The commission noted that the state has done this in the past.

Charles Trask motioned to sign the contract with Hunt Midwest to provide rock to base, chip and seal on the road west of Mantey, Project 1998-01. Marty Read seconded the motion. The motion passed 3-0.

The need to repair the road over the KCP&L dam was discussed. Long will check further into whose responsibility it is to repair the road.

Long reported that a motor grader in District #2 needs a lot of work and he would like to purchase a replacement instead of repairing the 10-year old grader. After lengthy discussion, Charles Trask motioned to purchase a 140H Caterpillar Motor Grader from Martin Tractor Company for \$129,874.00 with trade in of a John Deere 1987 model 770B. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marilyn Augur, Nutrition Director reported she will attend a meeting November 4th to select a new vehicle for the elderly and asked the commission if they preferred a minivan or a 15 passenger van like the county uses at present. The commission asked Augur to look at both and for her to decide. The counties 20% share of the cost of the vehicle will be \$7,840.00.

Bruce Holt, Park Director met with the commission to report that the story in the Osawatomie Graphic last week stating that the park revenue is short this year caused him several comments from people wondering what had happened. The commission assured Holt that they knew last week that it was just a mistake in the report.

At the request of Andy Mayhugh, Zoning Administrator, Charles Trask motioned to approve Resolution #98-14 that would allow the county to abate a dangerous building per K.S.A. 19-101. Marty Read seconded the motion. The motion passed 3-0. Following is a copy of Resolution 98-14:

Harold Mooney Jr. motioned to approve lot split #62 and the accompanying road easement located 1 3/4 miles north of Parker. Marty Read seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to approve lot split #63 and the accompanying road easement located north of Mound City and 1/2 west of 7 highway. Marty Read seconded the motion. The motion passed 3-0.

Herb Pemberton, the only nominee for Commission District #1 reported he would like to attend the K.A.C. Annual Conference in Wichita next month. The clerk reported he will make the arrangements.

Economic Development Director Dennis Arnold and Commissioner Trask discussed touring the Tower Metal Company in Fort Scott. Also, the possibility of inviting Prescott Council members.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m. Monday, October 26th, Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

October 26, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Harold Mooney Jr., member, Donald L. Proffitt, county clerk.

Charles Trask motioned to approve the minutes of the last regular meeting as printed. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pay: General, \$92,995.13; Employee Benefit, \$82,760.16; Community Policing, \$1,000.00; Appraiser, \$14,851.89; Rural Fire, \$4,554.54; Road & Bridge, \$62,094.41; Community Correction, \$32,288.82; Law Enforcement, \$730.00; DARE Fund, \$1,442.72; Crime Victim Assist., \$1,481.99; Elderly, \$12,578.63.

Charles Trask motioned to sign a letter of support for Tri-Ko to receive 2-12 passenger vans under section 16 of the Federal Transit Administration Act of 1991. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to sign the \$7,007.22 voucher for the 1st payment due on the American One C.O.P. issue. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The commission reviewed minutes of a September 29 meeting of the SEK Multi-County Health Board and the agenda for an October 27 Board Meeting.

The Commission reviewed a letter from the City of Pleasanton thanking them for helping to overlay streets in the city.

County Engineer, Richard Long reported they are starting to put base rock on the Mantey Road today. Also, Long discussed the Boicourt Bridge project and hopefully work may get started back soon. Commissioner Trask asked Long if the overtime on Saturday at the Transfer Station could be stopped. Long feels that it can be.

Residents of Holiday Lakes were in attendance to oppose the closing of the 1st entrance into Holiday Lakes. Ed Fleming stated that there has only been one accident at this entrance in the last seventeen years and does not feel there would be a safety aspect. Several residents would like to see the entrance moved to the top of the hill. Bill Braden, President of the Holiday Lakes Association reported that as soon as they can raise funds they plan to buy the ground at the top of the hill and put an entrance in there. After discussion with the residents, the commission agreed that they need the entrance at the top of the hill and that the county will help put it in just as soon as Holiday Lakes purchases the ground. Others speaking were Buck and Jo Ernst, Steve Butler and Karrie Caruthers.

Linn County Treasurer, Ellie Davey presented the commission with a report of interest earnings for quarter ending September 30, 1998. Year to date interest is \$194,869.42.

Gene Bonham, Community Corrections discussed their personnel policy concerning their part time employees. They do provide for pro rated vacations for part time employees who work at least twenty hours per week.

Marty Read motioned to sign a letter to Tudor Insurance Company stating that Linn County does not want to see the lawsuit against the counties towing policy settled at this time. Charles Trask seconded the motion. The motion passed 3-0.

At the recommendation of Marilyn Augur, Nutrition Director, Charles Trask motioned to sign a transportation contract with Fern Bolen, Pleasanton at \$175.00 per month plus \$36.70 each six months for increase in insurance premiums. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Charles Trask motioned to sign Notification of Contract Award for Congregate & Home Delivery meals with the Area Agency on Aging. Marty Read seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, November 2nd. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

November 2, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Harold Mooney Jr., member, Donald L. Proffitt, county clerk.

Marty Read motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The Commission Chairman signed the following add/abate/refund order numbers: personal property 1723 - 1749 and real estate 960 - 973.

Marty Read motioned to cancel the Nov. 16th regular commission meeting due to the commissioners attending the K.A.C. Annual Conference in Wichita. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to meet at 9:00AM Friday, Nov. 6th to canvass the Nov. 3rd General Election. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to send a letter of support to the S.E.K. Area Transit Coordinating Council (SKAT). Marty Read seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to send notice to the Lincoln Township Board of a request of a Cereal Malt Beverage license for Wild Spiegody's Out Post at the east edge of La Cygne. Charles Trask seconded the motion. The motion passed 2-1.

The Commission received a thank you note from Skip Childress for having the pot holes on Centerville Road and Chaparral Drive fixed.

At the request of the clerk, Marty Read motioned to recess from the Board of Commissioners meeting into executive session for 5 minutes to discuss a personnel issue related to a non-elected employee. Charles Trask seconded the motion. The motion passed 3-0. The clerk and the commission and Herb Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Charles Trask seconded the motion. The motion passed 3-0. No action was taken as a result of the executive session.

Linn County Engineer, Richard Long and the commission discussed a service and repurchase agreement on the motor grader just purchased in Dist. #2. Marty Read motioned to sign the 5 year service and repurchase agreement with Martin Tractor Co. Charles Trask seconded the motion. The motion passed 3-0.

Long and the commission discussed the bridge SE of La Cygne that the county plans to build. Quotes to do Boring & Soil Tests were reviewed. The lowest bid received was from Maxim Tech, Inc., Kansas City, KS. for \$3,938.00. Charles Trask motioned to accept the low bid. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The Boicort Bridge was discussed. The State has determined that the east pier has moved 9" toward the river and they are still trying to decide what needs to be done.

After hearing that Rod Kimlin is having trouble getting a performance bond for the siding job on the La Cygne Senior Building, the commission agreed to waive the requirement.

At 9:00 AM bids were opened for 2 new patrol cars. Beckman Motors bid \$45,774.00 with trade in. Cox Motor Co. Bid \$45,100.00 with trade in. Charles Trask motioned to accept the low bid from Cox Motor Co. of \$45,100.00 with trade for the 2 new patrol cars to be purchased in 1999. Marty Read seconded the motion. The motion passed 3-0.

Bids were opened to remove & replace the wall & drain in the basement entrance to the Courthouse. Only one bid was received. Antes Concrete, Inc. Stillwell, KS bid \$41,979.00. The commission agreed to have the county engineer review the bid and make a recommendation to the commission. Also the commission agreed to give the rock from the wall away as there is no historical value to it.

Dr. Phil Halstead, Executive Director of the Business and Technology Institute at Pittsburg State University met with the commission to announce the creation of a Regional Economic Development Alliance and asked for the commission to support the idea. The commission agreed to prepare a resolution of support for the alliance and sign at next week's meeting.

Andy Mayhugh, Zoning Administrator presented 3 C.U.P.'s and 1 Rezoning/Lot Split. 2 Conditional Use Permits for controlled hunting were reviewed, requested by Gary Endicott, Josh Trask, and Charles Trask. Commissioner Trask excused himself while the C.U.P.'s were being discussed. Marty Read motioned to approve C.U.P. #099829 and C.U.P. #099830 with the stated conditions. Harold Mooney Jr. seconded the motion. The motion passed 2-0 with one abstention.

Harold Mooney Jr. motioned to approve C.U.P. #109502 for a kiln located 2 miles north of 152 highway & Stainbrook Wholesale, La Cygne, requested by Don Long. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to approve Lot Split/Rezoning case #Z0898155, and acceptance of road easement in Sec. 21, Twp. 20S, Range 23E requested by Carson & Irene Leasure. Charles Trask seconded the motion. The motion passed 3-0.

Under the Nuisance and Dangerous Building Abatement regulation of Linn County, Charles Trask motioned to instruct the County Clerk to add the cost of \$1,056.00 to the property of Lillie A Smith and Phillip Klebenstein, Block 2, Lots 5-7, Trading Post. Also Lots 3-6 and the south half of vacated Indiana Street and the east half of vacated 3rd Street in Montgomery. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to recess from the Board of Commissioners meeting into executive session for 30 minutes to discuss a personnel matter related to a non-elected employee. Charles Trask seconded the motion. The Motion passed 3-0.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Marty Read seconded the motion. The motion passed 3-0. No action was taken as a result of the executive session.

Economic Development Director Dennis Arnold and Bridget Fitzwater explained a \$100,000.00 grant the county received for Low Income Residential Improvements in the cities within Linn County.

Gene Bonham, Community Corrections Executive Director, discussed the departments unexpended funds request of \$8,500.00 for FY-99. Marty Read motioned to approve the \$8,500.00 request for FY-99 unexpended funds. Charles Trask seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 AM Friday to meet as the Board of Canvassers. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

November 6, 1998

The Board of Linn County Commissioner met at 9:00 a.m. as the Board of Canvassers to canvass the November 3rd General Election. Those present were: Marty Read, chairman; Charles Trask, vice chairman, Harold Mooney Jr., member; Donald L. Proffitt, county election officer, Dee George and David Lamb.

After comparing the E.S.S. Scanner printout and write-in tally books with the General Abstract Book, the commissioners found the results to be correct as posted in the Abstract Book.

Concerning the question on whether or not a Library District shall be created consisting of Liberty Township, including the City of Parker, Centerville Township, Scott Township. The results Liberty Township: Yes 205 - No 67; Centerville Township: Yes 99 - No 30, Scott Township; Yes 99 - No 76, Advance Ballots; Yes 20 - No 12. The Board agreed that the issue passed in all Township and Marty Read motioned to create the new Library District #1 to consist of Liberty Township, including the City of Parker, Centerville Township and Scott Township. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

The results of the Stanton Township Clerk race was a tie between Karen Tuggle and Shelly Cochran. After a phone call to Tuggle who is at present the Stanton Township Treasurer and her refusing the position of Clerk, the Board certified Shelly Cochran as the winner.

The results of the Liberty Township Clerk race was a tie between Garry Nickell and Anna Marie Woodhead, each receiving 4 votes. Commissioner Read flipped a coin and the Board announced Anna Marie Woodhead as the winner.

The commission reviewed the results of the Valley Township Clerk race and found Tom Patterson received the most votes. On advice of the county attorney, the Board decided that due to a felony conviction and at the time of the election he is not an elector of the township not to certify Patterson as the winner. The Valley Township position will be vacant until an appointment is made.

The Board reviewed 53 provisional ballots and decided to count 27 of those provisional ballots and to add the results to the General Election Abstract Book.

Marty Read motioned to adjourn as the Board of Canvassers. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

November 9, 1998

The Board of Linn County Commissioners met in regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$141,752.11; Employee Benefit, \$36,453.77; Appraiser, \$7,746.86; Reappraisal, \$12,432.43; Rural Fire, \$14,202.19; Road & Bridge, \$90,771.51; Special Machinery, \$152,484.00; Community Correction, \$9,004.88; Law Enforcement Trust, \$313.85; Elderly, \$8,218.80; Economic Development Grant, \$5,428.27; Zoning LEPP Grant Fund, \$460.50.

The commission chairman signed the following add/abate/refund order numbers: personal property 1750-1756 and real estate 976-978.

Dennis Arnold, Economic Development Director met with the commission about putting the utilities in the East LaCygne Industrial Park. After discussion and due to a time constraint, the commission agreed for Arnold to get 3 quotes on the job and for him to use the low quote to have the boring done to get the utilities under the road.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 30 minutes to discuss a legal issue concerning a lawsuit against Linn County by telephone conference call with Blackwell Sanders Attorney, Jana Richards and Tudor Insurance Attorney, Stephen Joseph. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk, commissioner-elect Herbert Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Harold Mooney Jr. seconded the motion. The motion passed 3-0. No action was taken as a result of the executive session.

At County Engineer Richard Long's request, the commission approved to pay Moran Truck Lines \$425.00 to go to Dallas Texas and haul back the lowboy the county has purchased.

Long and the commission discussed the purchase of a trailer to haul pipe and the county backhoes and other items. Harold Mooney Jr. motioned to accept the low bid of \$8,025.00 from Neal Manufacturing, Pleasanton. Marty Read seconded the motion. The motion passed 3-0.

The commission agreed to close the county transfer station from November 26 through Sunday November 29th for the Thanksgiving Holiday.

The commission and Long discussed the Mantey Road project, the Boicourt Bridge project and Solid Waste meeting in Emporia over the weekend.

Harold Mooney Jr. motioned to cut the overtime on Saturday at the Transfer Station. Charles Trask seconded the motion. The motion passed 3-0.

Charles Trask motioned to reject the bid of Antes Concrete Company Inc. for \$41,979.00 to rebuild the drive into the east side of the courthouse due to the amount being so far over the county engineer estimate and to accept the bid of Mike Goucher of \$17,000.00 and to waive the workman comp. requirement. Marty Read seconded the motion. The motion passed 3-0.

Richard Long announced that he is resigning effective December 31, 1998.

Charles Trask motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue of a non-elected employee. Harold Mooney Jr. seconded the motion. The motion passed 3-0. The commission, clerk and Pemberton attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Mark Schuller, county extension agent discussed how Linn County maybe designated as a disaster area due to the flooding in the county.

Also Schuller discussed the payphone in the 4-H Building. It will cost \$110.00 per month to keep the phone. The commission agreed to take the phone out of the 4-H Building.

Marty Read motioned to appoint Robert Stocking, Mound City to the Tri-Ko Board. Charles Trask seconded the motion. The motion passed 3-0. Stocking will replace Keith Couch who indicated he did not wish to be reappointed.

The commission reviewed the monthly park report of receipts and expenditures. No action taken.

Harold Mooney Jr. motioned to approve the minutes of the November 6th meeting of the Linn County Board of Canvassers. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney Jr. motioned to pass Resolution #98-15 expressing Linn County support for the SEK Economic Alliance. Charles Trask seconded the motion. The motion passed 3-0. Following is a copy of Resolution #98-15:

Gary Gobel, PWWSD #13 presented the commission with a map showing the location of the proposed lake and water lines for the new water district.

Marty Read motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a personnel issue related to a nonelected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, and Pemberton attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

Charles Trask motioned to adjourn until November 23, 1998 at 9:00 a.m.. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

November 23, 1998

The Board of Linn County Commissioners met in regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The Commission approved the following pays/special pays: General, \$120,343.25; Employee Benefit, \$78,483.00; Appraiser, \$15,097.46; Rural Fire, \$5,315.50; Road & Bridge, \$53,927.17; Community Correction, \$33,374.03; D.A.R.E., \$1,478.34; Crime Victim Assistance, \$1,481.99; Elderly, \$11,559.26; Economic Development Grant, \$130.00.

The commission chairman signed the following add/abate/refund order numbers: personal property 1757-1764 and real estate 979-998.

Charles Trask motioned to recess from the Board of Commissioners meeting into executive session for 15 minutes to discuss a personnel issue related to a non-elected employee. Harold Mooney, Jr. seconded the motion. The motion passed 3-0. The commission, clerk, and commissioner elect Herb Pemberton attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Marty Read seconded the motion. The motion passed 3-0.

Charles Trask motioned to offer Gary Thompson \$1,500.00 per month to be the Linn County Counselor to be effective Jan. 1, 1999, or at the time Thompson moves to and opens a law office in Linn County. Harold Mooney, Jr. seconded the motion. The motion passed 3-0.

Linn County Engineer Richard Long reported on bids received on 4"x4"x16' posts for road signs. Bids received were: Cosens Lumber @\$13.45 per post, Byrd Lumber @ \$14.50 per post, National Lumber Co. @\$34.84 per post. Charles Trask motioned to accept the bid of Cosens Lumber for a total of \$4,035.00. Harold Mooney, Jr. seconded the motion. The motion passed 3-0.

Long and the commission discussed the traffic count on the gravel road running east from Pumping Pete's in Pleasanton to the state line. No action was taken.

Long reported that the road crew had voted and a large majority would like to see the county pay employees twice per month. The commission asked the clerk to poll the rest of the county employees and see if they feel the same.

Charles Trask motioned to approve 2 water line permits to bury. One located 4.2 miles west of 7 highway on 554 requested by Anderson Co. RWD #6 and one located 3/4 miles east of the junction of 52 & 69 highways by Linn County RWD #2. Harold Mooney, Jr. seconded the motion. The motion passed 3-0.

Marty Read motioned to recess from the Board of Commissioners meeting into executive session for 7 minutes to discuss a personnel issue related to a non-elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, commissioner elect Herb Pemberton, and road foreman Harry Wisdom attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to increase the pay of Larry Leonard and Marion Johnson by \$.10 per hour to be back up to their respective road foreman. Harold Mooney, Jr. seconded the motion. The motion passed 3-0. The increase is to begin December 1, 1998.

The commission agreed to have Kay Roufs cater the Christmas and awards dinner to be held on Dec. 24th and for the employees to have the afternoon of Dec. 24th off with pay.

The commission reviewed and approved the Sheriff's monthly fee report for the month of October 1998.

It was announced that Commissioner Mooney will have bypass surgery at St. Luke's Hospital next week.

Charles Trask motioned to approve a Cereal Malt Beverage License for Wild Spiegody's Out Post located east of La Cygne. Harold Mooney, Jr. seconded the motion. The motion passed 2-1.

The commission reviewed minutes of an Oct. 27th meeting of the SEK Multi-County Health Board and the agenda for the Nov. 24th meeting.

The commission reported they had received the Elderly Fund receipts report for October 1998.

Harold Mooney, Jr. motioned to pass Resolution #98-16 to cancel 6 county warrants. Marty Read seconded the motion. The motion passed 3-0. Following is a copy of Resolution #98-16.

The commission reviewed information from Gene Bonham, Community Corrections Director, concerning the Community Corrections/Juvenile Advisory Board. No action was taken by the commission.

The clerk and commission went over the figures for Employee Health Insurance for the period from 8-1-97 to 7-31-98. The cost for family coverage was \$403.46 per month.

The commission reviewed a letter from the Director of the Community Development Division of the Kansas Dept. Of Commerce and Housing stating that in her opinion, the petition received by the Linn County Commission to incorporate that portion of Linn County known as Linn Valley Lakes should be granted.

After lengthy discussion, Charles Trask motioned to approve the petition of Linn Valley Lakes residents to become incorporated as a 3rd class city and for a journal entry of proceedings and resolution to be prepared for signatures at next week's meeting. Harold Mooney, Jr. seconded the motion. The vote was unanimous 3-0 to incorporate Linn Valley.

Economic Development Director Dennis Arnold reported he has a letter of intent from Tech Parts, Inc. to lease 17,000 sq. ft. of the America 1 building beginning approximately Jan. 1st. Tech Parts, Inc. produces parts for laser printers.

The commission received 2 bids for trenching and 4 bores to install utilities into the East Industrial Park at La Cygne. Page Electric bid \$6,162.50 and Pemberton Excavating bid \$9,496.25. Marty Read motioned to accept the low bid from Page Electric. Harold Mooney, Jr. seconded the motion. The motion passed 3-0.

The clerk reported that there will be a reception in honor of Richard Long, County Engineer from 9-12 on Dec. 17th in the annex. Richard will be leaving County employment as of Dec. 31st after 21 years with the County.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 am Monday, Nov. 30th. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

November 30, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; and Donald L. Proffitt, county clerk.

Harold Mooney Jr. motioned to approve the minutes of the last regular meeting as printed. Charles Trask seconded the motion. The motion passed 3-0.

The commission approved the following pays/special pays: Appraisers, \$6,000.00.

The Clerk reported that Gary Thompson had accepted the county counselor position and can start as early as next Monday.

Charles Trask motioned to pass Resolution #98-17 to incorporate Linn Valley as a 3rd class city and to set the date for election of officers on April 6, 1999. Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of Resolution #98-17:

Harold Mooney Jr. motioned to cancel the December 14th commission meeting due to Commissioner Mooney and Commissioner Trask not being able to attend. Charles Trask seconded the motion. The motion passed 3-0.

The Commissioner reviewed the state holiday schedule for 1999 and asked the clerk to prepare a resolution showing those holidays for the county for 1999.

County Engineer, Richard Long presented an agreement for the county to purchase a compactor and two containers for Linn Valley and for Linn Valley to reimburse the county over a 13-month period. Marty Read motioned to sign the agreement, Harold Mooney Jr. seconded the motion. The motion passed 3-0. Following is a copy of that agreement:

The commission reviewed a letter from Cook, Flatt and Stroeble the engineering firm that designed the Boicourt Bridge and also a response from B.R.B. Construction Company, the contractor. No one wants to take the blame for the problem with the bridge.

Linn County Appraiser, Steve Thompson presented the commission with his 1999 appraisal maintenance plan. Charles Trask motioned to sign the 1999 appraised maintenance plan as prepared. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Zoning Administrator, Andy Mayhugh presented the commission with 2 C.U.P.S.. The first one being requested by Lillie and Larry Jackson for a used car lot at Trading Post. The Planning Commission had approved the C.U.P. with the conditions stated. There was no opposition present. Harold Mooney Jr. motioned to approve C.U.P. #109832. Marty Read seconded the motion. The motion passed 2-0 with Commissioner Trask abstaining.

The second C.U.P. for a hair styling salon requested by Rhonda Smith on the east side of Holly Street, Pleasanton. The Planning Commission approved the request. There was no opposition present. Charles Trask motioned to approve C.U.P. #109831 with the stated conditions. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

Economic Development Director Dennis Arnold and the commission discussed the American I Building in LaCygne Industrial Park and also the land across from the transfer station that needs to be reclaimed. No action taken.

The commission agreed to pay Mike Goucher an extra \$400.00 to extend the drain out from under the concrete floor on the drive entrance to the courthouse basement. This will be in addition to \$17,000.00 the commission agreed to pay Goucher for pouring the walls and floor.

Charles Trask motioned to recess from the Board of Commission meeting into executive session for ten minutes to discuss a personnel matter related to a non elected employee. Marty Read seconded the motion. The motion passed 3-0. The commission, clerk and Herb Pemberton commissioner elect attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 3-0. No action taken as a result of the executive session.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, December 7th. Marty Read seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

December 7, 1998

The Board of Linn County Commissioners met in regular session. Those present were Marty Read, chairman; Charles Trask, vice chairman; Donald L. Proffitt, county clerk, new county counselor Gary Thompson, and commissioner elect Herb Pemberton. Commissioner Mooney was absent.

Charles Trask motioned to approve the minutes of the last regular meeting as printed. Marty Read seconded the motion. The motion passed 2-0.

The commission approved the following pays/special pays: General, \$107,928.55; Appraiser, \$826.86; Rural Fire, \$13,102.27; Road & Bridge, \$117,321.11; Community Correction, \$6,442.50; Law Enforcement, \$56.95; DARE, \$696.36; Elderly, \$9,635.20; Economic Development, \$2,742.50; L.E.P.P., \$717.00.

The Commission Chairman signed the following add/abate/refund order numbers: Real Estate 984; Personal Property 1765-1767.

Marty Read motioned to cancel the remainder of purchase order #1997-1 balance of \$5,600.00. Charles Trask seconded the motion. The motion passed 2-0.

The Clerk reported that approximately 75% of the #911 addressing is complete and that at the end of September there were \$78,423.29 in the #911 account.

Charles Trask motioned for the clerk to prepare a 1998 purchase order to purchase 10 C.P.U.'s from the General Courthouse fund. Marty Read seconded the motion. The motion passed 2-0.

Richard Long, County Engineer and Darrell Lane, Solid Waste Coordinator discussed the household hazardous waste pick up. The commission agreed to continue to have the Household Hazardous Waste Collections on Saturday since the RC&D pays us back for overtime through a grant.

The commission agreed that the transfer station will stay open all day Saturday for the next two weeks and see how many people use it.

Long reported the county had a water pump stolen at the Mantey Road Project.

Marty Read motioned to approve a permit to bury telephone cable requested by Sprint United located 6 miles Northwest of Pleasanton. Charles Trask seconded the motion. The motion passed 2-0.

Long presented the commission with a draft copy from K.D.O.T. to replace 2 box culverts on 52 Highway East of Trading Post.

Long discussed trading in a used 1989 motor grader on the purchase of a new one. Charles Trask motioned to purchase a new 12G motor grader from Martin Tractor with trade in of 1989 12G motor grader and a net trade difference of \$98,194.00. Marty Read seconded the motion. The motion passed 2-0.

Economic Development Director, Dennis Arnold reported that the City of LaCygne does not have the equipment to put the sewer line into the LaCygne Industrial Park. There will be some delay in getting the building ready for Teck Parts Inc. to move in. However, Teck Parts has had a delay in receiving some of their equipment so their urgency to move in has decreased somewhat.

Charles Trask motioned to recess from the Board of Commission meeting into executive session for 10 minutes to discuss a legal issue concerning a contract with Tower Metals. Marty Read seconded the motion. The motion passed 2-0. The commission, clerk, county counselor, Arnold and commissioner-elect Herb Pemberton attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Charles Trask motioned to recess from the Board of Commission meeting into executive session for 15 minutes for a legal issue to discuss the towing lawsuit against the county with Jana Richards, attorney with Blackwell Sanders. Marty Read seconded the motion. The motion passed 2-0. The commission, clerk, county counselor, Sheriff Stites and Herb Pemberton attended the executive session. The discussion with Richards was made by phone.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commission meeting. Charles Trask seconded the motion. The motion passed 2-0. No action taken as a result of the executive session.

Sheriff Stites reported that a patrol car had hit a cow. It was a car that has been traded to Cox Motor for a new patrol car to be purchased in 1999. After the insurance company adjusted the vehicle the county will receive approximately \$954.00.

Jerry Bedgood, courthouse maintenance met with the commissioners to discuss the purchase of a table saw and dado blade for \$751.00 from Big Sugar Lumber. Marty Read seconded the motion. The motion passed 2-0.

Marty Read motioned to hire Whitney Damron as lobbyist for 1999 for \$2,500.00 for the year. Charles Trask seconded the motion. The motion passed 2-0.

Marty Read motioned to approve the Pleasanton Senior Center Quarterly Report. Charles Trask seconded the motion. The motion passed 2-0.

The commission reviewed the elderly receipts for November. The commission asked that the expenditures be added to the report also.

Marty Read motioned to change the pay schedule for employees to 2 times per month the 15th and the last day of the month. Charles Trask seconded the motion. The motion passed 2-0.

Marty Read motioned to increase the hourly road and solid waste employees by .05 cents per hour and to change them from hourly to monthly pay effective January 1, 1999. The .05 cents per hour is to compensate for the extra days pay they will lose each year. Charles Trask seconded the motion. The motion passed 2-0.

The commission chairman signed the contract with Mo-Kan Siding to install vinyl siding on the LaCygne Senior Center.

Charles Trask motioned to send Notice to Lincoln Township Board the requests for 1999 Cereal Malt Beverage License for the Linn County Park Marina and the Stat Stop for their recommendation. The motion died for lack of a second.

With nothing further on the agenda, Charles Trask motioned to adjourn until 9:00 a.m., Monday, December 21st. Marty Read seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

December 9, 1998

At 1:00 p.m. the Board of Linn County Commissioners met in a special session called by the chairman. Those present were Marty Read, chairman; Charles Trask, vice chairman; Harold Mooney Jr., member; and Donald L. Proffitt, county clerk.

Chairman Read called the meeting to order.

Harold Mooney Jr. motioned to approve sending cereal malt beverage license renewal application request to the Lincoln Township board for recommendation for the Linn County Park Marina, the Stat Stop and Smokin Double Stacks. After discussion, Marty Read seconded the motion. The motion passed 3-0.

With nothing further on the agenda, Marty Read motioned to adjourn. Harold Mooney Jr. seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board

December 21, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Donald L. Proffitt, county clerk; Gary Thompson, county counselor. Commissioner Mooney was absent due to illness.

Charles Trask motioned to approve the minutes of the last regular meeting and the December 9th special called meeting. Marty Read seconded the motion. The motion passed 2-0.

The commission approved the following pays/special pays: December 14: General, \$6,586.31; Rural Fire, \$469.07; Road & Bridge, \$611.06; Elderly, \$686.79. December 21: General, \$89,417.73; Employee Benefit, \$89,326.62; Community Policing, \$2,139.89; Appraiser, \$15,042.60; Rural Fire \$5,542.89; Road & Bridge, \$59,852.83; Community Corrections, \$33,405.51; DARE, \$1,375.29; Crime Victim Assistance, \$1,481.99; Elderly, \$12,511.46.

The commission chairman signed the following add/abate/refund order numbers: Real Estate 985 and Personal Property 1768 through 1784.

The commission reviewed and approved the Sheriff monthly fee report for the month of November.

Charles Trask motioned to approve the following purchase order numbers: 1998-1 through 1998-5. Marty Read seconded the motion. The motion passed 2-0.

The counselor and commission discussed comp. time for county employees. The counselor agreed that the present comp. policy the county uses is legal. No action taken.

The counselor and the commission discussed cereal malt beverage license applications. It was approved by the commission that in the future the clerk will send notice to Township Boards of cereal malt beverage applications as soon as it is made and will no longer wait for the commission to vote on sending it to the Township.

Marty Read motioned to add a 3% cost of living increase to 1999 wages for all full-time and part-time county employees. Charlie Trask seconded the motion. The motion passed 2-0.

At the request of County Engineer Richard Long, Marty Read motioned to sign a service and repurchase agreement for the 12G Motor Grader the county purchased from Martin Tractor Company. Charlie Trask seconded the motion. The motion passed 2-0.

Charlie Trask motioned to allow Heartland Electric Company to move their electric pole to within 24' of the roadway on the road to the new Boicourt Bridge. Marty Read seconded the motion. The motion passed 2-0.

Long reported that the concrete has been poured for the addition to the transfer station.

The hazardous waste collection was discussed. Commissioner Trask reported he would like to keep the number of people used down as much as possible.

Darrell Lane, Solid Waste Coordinator reminded the commission that the Solid Waste contract will be up for renewal in March of 1999 and that we should have the county counselor review the contract.

Nutrition Director, Marilyn Augur asked the commission to approve a \$300.00 addition to the contract to install vinyl siding on the LaCygne Senior Center Building due to the need to put new fascia on the rear of the building. The commission gave approval by consensus.

At Augur's request, Marty Read motioned to purchase a 20 cubic foot freezer from Randall's Hardware for \$559.00. Charlie Trask seconded the motion. The motion passed 2-0.

Sharon Barnes, Register of Deeds and Don Davis with Danka discussed the lease of a new Toshiba 4560 copier. The lease on the old Lanier Copier is ready to expire. After discussion, Marty Read motioned to lease the 4560 Toshiba with a sorter at \$360.75 per month plus \$103.77 per month for a maintenance contract. Charlie Trask seconded the motion. The motion passed 2-0.

Zoning Administrator, Andy Mayhugh presented the commission with a subdivision plat located on 7 Highway north of Mound City named Morning Side Hudson/Likely. Mayhugh reported the Planning Commission had approved the subdivision by a 7-1 vote. After lengthy discussion, Marty Read motioned to approve the plat. Charlie Trask seconded the motion. The motion passed 2-0.

Mayhugh reported that K.S.A. 58-2005 required that the County Engineer or Surveyor review all plats unless the county has a Planning Commission. Mayhugh stated he feels we should have a surveyor review the plats.

The commission asked Mayhugh to contact Schmitz Surveying and Springer Surveying see if they would be interested in doing this for the county.

Mayhugh asked if the county counselor will be available to file charges on 2 county code violations, and also asked if the counselor could attend the next Planning Commission meeting. The commission and counselor agreed to the request.

Planning Commission Chairman, Tom Swan, discussed the large animal confinement operations that are being put in across the state and the possibility of a request to put one in Linn County. The commission reported they feel we need to do everything possible to be able to keep these large confinement operations out of Linn County.

Swan also reported he feels the county needs a capital improvement plan to include roads, bridges and water lines etc.

Charlie Trask motioned to recess from the Board of Commission meeting into executive session for five minutes to discuss a legal issue with the county counselor. Marty Read seconded the motion. The motion passed 2-0. The commission, clerk and the county counselor attended the executive session.

Charlie Trask motioned to adjourn the executive session and reconvene the Board of Commission meeting. Marty Read seconded the motion. The motion passed 2-0.

The county counselor went over the criteria for a cereal malt beverage license renewal request.

Charlie Trask motioned to approve 1999 cereal malt beverage licenses for Linn Valley Lakes Property Owners Association, the Stat Stop, Smok'n Double Stacks and the Linn County Park Marina. Marty Read seconded the motion. The motion passed 2-0.

Marty Read motioned to approve Resolution #98-18 1999 official Holidays, Resolution #98-20 designating the Linn County News as the official county newspaper and Resolution #98-21 designating the official depositories for 1999. Charlie Trask seconded the motion. The motion passed 2-0. Following are copies of Resolution #98-18, 98-20 and 98-21:

The clerk reported that his office had contacted Wilbur Kennedy to see if they had repaired the fence between his property and Mona Lee Johnson's property as the commission instructed according to their fence view. Kennedy feels the fence is a legal fence.

After discussion with the clerk, Marty Read motioned to hire a hearing officer for 1999. Calvin Hughes if possible. Charlie Trask seconded the motion. The motion passed 2-0.

The commission reviewed the park receipts and expenses report through November 1998. No action taken.

The commission and the clerk discussed the upcoming renewal of the county's insurance. It was agreed to increase some of the coverage on some buildings at the park.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 a.m., Monday, December 28th. Charlie Trask seconded the motion. The motion passed 2-0.

---

County Clerk

---

Chair of Board

December 28, 1998

The Board of Linn County Commissioners met in a regular session. Those present were Marty Read, chairman, Charles Trask, vice chairman; Harold Mooney, Jr., member; Donald L. Proffitt, county clerk; Gary Thompson, county counselor.

Charles Trask motioned to approve the minutes of the last regular meeting. Marty Read seconded the motion. The motion passed 3-0.

The commission chairman signed the following add/abate/refund order numbers: Personal Property 1785 through 1791.

The commission approved the following pays/special pays: General, \$153,221.11; Appraiser, \$3,430.01; Rural Fire \$182,729.28; Road & Bridge, \$144,154.15; Community Corrections, \$5,301.50; Law Enforcement Trust, \$23.90; DARE, \$5.25; Special Alcohol, \$2,300.00; Elderly, \$12,047.82; Economic Development Grant, \$14,736.57; Zoning LEPP Grant, \$159.25.

Charles Trask motioned to approve Purchase Orders #1998-6 & #1998-7. Marty Read seconded the motion. The motion passed 3-0. Purchase Orders #1998-6 & #1998-7 are for Solid Waste Transfer Station addition.

The commission appointed Charles Trask as a member of the Sixth Judicial District Committee to study the issue of a Juvenile Sanction House.

At Sheriff Marvin Stites request, Harold Mooney, Jr. motioned to approve Purchase Order #1998-8 to purchase shot guns and flashlights from Law Enforcement Equipment Co. in the amount of \$6,860.00. Charles Trask seconded the motion. The motion passed 3-0.

Marty Read motioned to recess from the Board of Commissioners meeting into executive session for 5 minutes to discuss a personnel issue related to a non elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor, Sheriff Stites, and commissioner-elect Herb Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Sheriff Stites received approval to hire Lee Ann Johnson as a dispatcher. Johnson will have a pre-employment physical and be on the standard county probation for six months.

Marty Read motioned to recess from the Board of Commissioners meeting into executive session for 20 minutes to discuss a personnel issue related to a non elected employee. Charles Trask seconded the motion. The motion passed 3-0. The commission, clerk, county counselor, commissioner-elect Herb Pemberton, Tuesdee Stark, John Black, Harry Wisdom, and Danny Morris attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Charles Trask seconded the motion. The motion passed 3-0. As a result of the executive session, beginning next week, the commission at 9:00 AM will meet with Road Foremen, Sign Technician, Noxious Weed Director, Solid Waste Coordinator and Tuesdee Stark. The regular commission meeting will start at 10:00 AM.

At 10:00 AM bids were opened to extend the sewer to the east side of the La Cygne Industrial Park. Bids received were:

Pemberton Excavating, La Cygne	\$70,740.00
Benton Excavating, Emporia	\$63,043.57
Brake Excavating, Mound City	\$26,265.84
Halls Backhoe, Osawatomie	\$49,976.00.

The commission will give the bids to Economic Development Director Dennis Arnold to study and report to the commission next week.

Marty Read motioned to approve a solid waste permit for Sullivan Service for 1999 on the condition that he cleans up his yard and does not continue to accumulate items in his yard. Charles Trask seconded the motion. The motion passed 3-0.

Harold Mooney, Jr. motioned to approve a permit to bury a water line located 1½ miles north of Tanglewood Lakes, requested by Joe Teagarden. Marty Read seconded the motion. The motion passed 3-0.

The commission reviewed a letter from K.D.O.T. regarding the 15% Cap on Participating Construction Engineering, KSA 68-402E.

The commission reviewed a geo-technical report on the bridge S.E. of La Cygne, from Mid Continent Engineering. The letter discusses the soil compaction in the approach areas to the bridge.

Zoning Administrator, Andy Mayhugh, presented a request for a cellular tower south of Sugar Valley Lakes requested by Western Wireless, Bellevue, WA. The planning commission approved the tower with 3 conditions. After discussion and finding no opposition, Harold Mooney, Jr. motioned to approve C.U.P. 119833 with the listed conditions. Marty Read seconded the motion. The motion passed 3-0.

At the request of Marilyn Augur, Nutrition Director, Charles Trask motioned to recess from the Board of Commissioners meeting into executive session to discuss a personnel issue related to a non elected employee. Marty Read seconded the motion. The motion passed 3-0. The commission, clerk, county counselor, Pemberton, and Augur attended the executive session.

Charles Trask motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Marty Read seconded the motion. The motion passed 3-0. No action was taken as a result of the executive session.

Marty Read motioned to recess from the Board of Commissioners meeting into executive session for 10 minutes to discuss a personnel issue related to a non elected employee. Harold Mooney, Jr. seconded the motion. The motion passed 3-0. The commission, clerk, county counselor, and Pemberton attended the executive session.

Marty Read motioned to adjourn the executive session and reconvene the Board of Commissioners meeting. Charles Trask seconded the motion. The motion passed 3-0.

As a result of the executive session, Marty Read motioned to give Jerry Bedgood and Dan Smith \$.50 per hour increase as a result of them satisfactorily completing their 6 month probation, and to give Charlene Smith \$.18 shift differential. These raises to be effective Jan. 1, 1999 and then to be followed by their 3% Cost of Living increase. Charles Trask seconded the motion. The motion passed 3-0.

The commission agreed by consensus to close county offices at noon on Dec. 31st for New Years Eve.

With nothing further on the agenda, Marty Read motioned to adjourn until 9:00 AM Monday, Jan. 4th. Charles Trask seconded the motion. The motion passed 3-0.

---

County Clerk

---

Chair of Board