

January 3, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Rick James, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Rick James led the Pledge of Allegiance. Jeff Fulk opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve the following pays/special pays, totaling \$342,383.39: General, \$146,468.98; Employee Benefit, \$128,886.83; Appraiser, \$12,140.37; Rural Fire, \$3,397.89; Road and Bridge, \$38,568.00; 911 Telephone Tax, \$8.44; County Health Dept., \$9,232.67; and Elderly, \$3,680.21. Rick James seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-81 and #2021-82. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk reported the prisoner count. There are currently 10 prisoners in house and 4 farmed out to other Counties.

Bill Matlock, River City Construction gave an update on the building project.

Missy Lancaster presented copies of the new CDC guidelines for COVID Isolation and Quarantine. Lancaster also reported on the weekly COVID tests that were performed by the Health Dept.

Jeff Boyd, AMR, reported on their calls for the past month and their activities for the past week.

Doug Barlet reported that the new software is now being used and reported on fire calls for the past week.

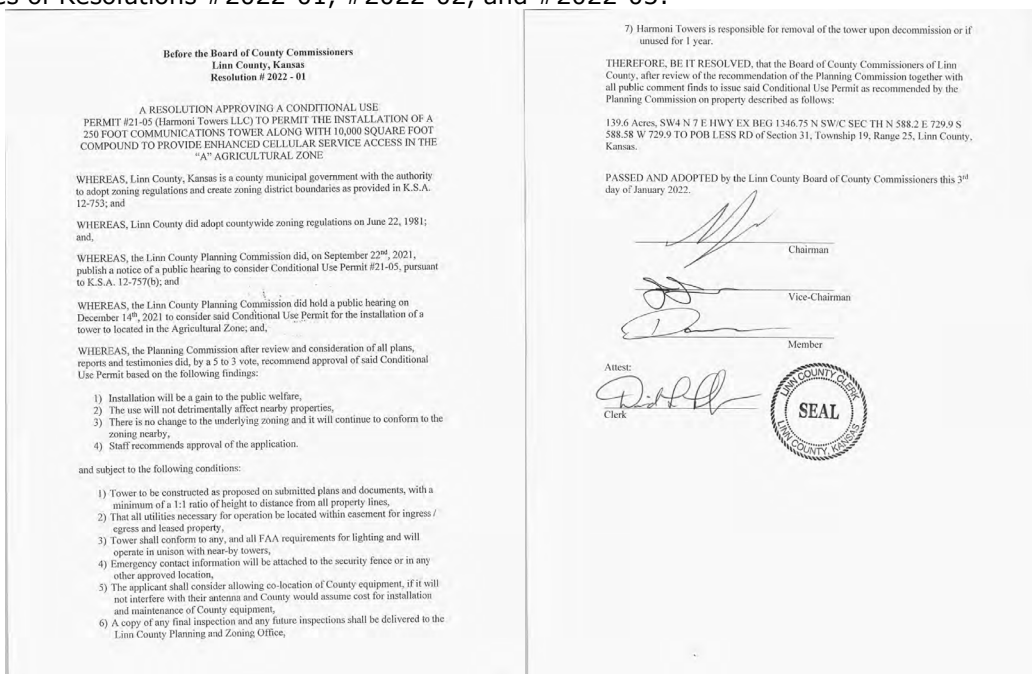
Gary Thompson presented a proposed Minimum Maintenance Agreement for 1250 Lane, near Phillips Road. The property owners will need to sign the agreement before we publish a notice to hold a hearing to declare the road minimum maintenance. Thompson then presented letters and contracts with the school districts concerning funding for the SRO programs. Danny McCullough moved to sign the letters and send the proposed agreements to the school districts. Jim Johnson seconded the motion. The motion passed 3-0.

Bobby Young presented the following Conditional Use Permits:

CUP #21-05, Harmoni Towers, 250' Communications Tower: CUP #21-05 was approved by the Planning Commission by a 5 to 3 vote with the findings and conditions listed in Resolution #2022-01. Chris Sevedge, Attorney for SBA that has towers in the area, spoke against the CUPs for communication towers. Steve Ward, Ward Development, spoke in favor of the CUPs. Ward Development is the company that would be building the new towers. After listening to the public comments and reviewing the findings and conditions of the Planning Commission, Rick James moved to adopt Resolution #2022-01, adopt the findings of the Planning Commission, and approve CUP #21-05. Jim Johnson seconded the motion. The motion passed 3-0.

CUP #21-06, Harmoni Towers, 320' Communications Tower: CUP #21-06 was approved by the Planning Commission by a 5 to 3 vote with the findings and conditions listed in Resolution #2022-02. Chris Sevedge, Attorney for SBA that has towers in the area, spoke against the CUPs for communication towers. Steve Ward, Ward Development, spoke in favor of the CUPs. Ward Development is the company that would be building the new towers. After listening to the public comments and reviewing the findings and conditions of the Planning Commission, Rick James moved to adopt Resolution #2022-02, adopt the findings of the Planning Commission, and approve CUP #21-06. Danny McCullough seconded the motion. The motion passed 3-0.

CUP #21-09, Hawbaker Stroage, Camper/Boat, RV Storage: CUP #21-09 was approved by the Planning Commission by an 8 to 0 vote with the findings and conditions listed in Resolution #2022-03. After reviewing the findings and conditions of the Planning Commission, Rick James moved to adopt Resolution #2022-03, adopt the findings of the Planning Commission, and approve CUP #21-09. Danny McCullough seconded the motion. The motion passed 3-0. Following are copies of Resolutions #2022-01, #2022-02, and #2022-03:



**Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 2022 - 02**

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #21-06 (Harmoni Towers LLC) TO PERMIT THE INSTALLATION OF A 320 FOOT COMMUNICATIONS TOWER ALONG WITH 10,000 SQUARE FOOT COMPOUND TO PROVIDE ENHANCED CELLULAR SERVICE ACCESS IN THE "A" AGRICULTURAL ZONE

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

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

WHEREAS, the Linn County Planning Commission did, on September 27<sup>th</sup>, 2021, publish a notice of a public hearing to consider Conditional Use Permit #21-06, pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on December 14<sup>th</sup>, 2021 to consider said Conditional Use Permit for the installation of a tower to be located in the Agricultural Zone; and,

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimonies did, by a 5 to 3 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) Installation will be a gain to the public welfare,
- 2) The use will not detrimentally affect nearby properties,
- 3) There is no change to the underlying zoning and it will continue to conform to the zoning nearby,
- 4) Staff recommends approval of the application.

and subject to the following conditions:

- 1) Tower to be constructed as proposed on submitted plans and documents, with a minimum of a 1:1 ratio of height to distance from all property lines,
- 2) That all utilities necessary for operation be located within easement for ingress / egress and leased property,
- 3) Tower shall conform to any, and all FAA requirements for lighting and will operate in unison with near-by towers,
- 4) Emergency contact information will be attached to the security fence or in any other approved location,
- 5) The applicant shall consider allowing co-location of County equipment, if it will not interfere with their antenna and County would assume cost for installation and maintenance of County equipment,
- 6) A copy of any final inspection and any future inspections shall be delivered to the Linn County Planning and Zoning Office.

7) Harmoni Towers is responsible for removal of the tower upon decommission or if unused for 1 year.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit as recommended by the Planning Commission on property described as follows:

165.7 S 60A NE4 7 E2 SE4 7 NW4 SE4 7 E 16' OF SW4 EX BEG 317 E 7 20 N SW/C SE4 SE4 TH N 100 E 100 S 100 W TO POB LESS RD of Section 24, Township 22, Range 24, Linn County, Kansas.

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 3<sup>rd</sup> day of January 2022.

  
Chairman  
  
Vice-Chairman  
  
Member

Attest:

  
Clerk



**Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 2022 - 03**

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #21-09 (Hawbaker Storage, LLC) TO PERMIT THE INSTALLATION AND OPERATION OF CAMPER/ BOAT/RV STORAGE IN THE "A" AGRICULTURAL ZONE

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

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

WHEREAS, the Linn County Planning Commission did, on October 20<sup>th</sup>, 2021, publish a notice of a public hearing to consider Conditional Use Permit #21-09, pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on December 14<sup>th</sup>, 2021 to consider said Conditional Use Permit for the installation and operation of a Camper/Boat/RV Storage in the Agricultural Zone; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimonies did, by a 8 to 0 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) The application conforms to the adopted Comprehensive Plan.
- 2) Application is in a Urban Transition Area.
- 3) The application will not negatively affect nearby properties to any great extent.
- 4) Staff recommends approval of the application.



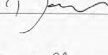
and subject to the following conditions:

- 1) The use shall be operated as proposed on submitted plans and documents,
- 2) Lighting will not interfere with nearby properties or traffic.
- 3) Applicant shall maintain a secured fencing and gated access to storage compound,
- 4) Applicant shall maintain vector control and property maintenance,
- 5) Gravel access and compound shall be dust limiting,
- 6) Ingress / egress shall share with residential driveway,
- 7) Conditions set forth in Article 10.03 of Zoning Regulations .


THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit as recommended by the Planning Commission on property described as follows:


37.6 Acres, SW4 SE4 EX RD of Section 20, Township 19, Range 25 Linn County, Kansas.

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 3<sup>rd</sup> day of January, 2022.

  
Chairman  
  
Vice-Chairman  
  
Member

Attest:

  
Clerk



Shaun West reported that the Public Works Dept. was called out over the weekend for weather related issues. West stated that his shops would like to order 150 culvert tubes. West will solicit bids for the tubes. West also discussed the building of Cabin #8 at the County Park. West will get bids from contractors for finishing the project.

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, January 10, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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

Attest:

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

January 10, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Rick James, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; Morgan Northcutt, Deputy County Clerk; and Gary Thompson, County Counselor. Rick James led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James moved to nominate Jim Johnson as the Commission Chair for 2022. Danny McCullough seconded the motion. The motion passed 3-0. Rick James moved to nominate Danny McCullough as the Commission Vice Chair for 2022. Jim Johnson seconded the motion. The motion passed 3-0.

Danny McCullough moved to reschedule the next regular meeting to Tuesday, January 18<sup>th</sup>, due to the Martin Luther King, Jr. holiday. Rick James seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve the following pays/special pays, totaling \$266,020.01: General, \$99,783.96; Employee Benefit, \$80,091.06; Appraiser, \$285.44; Rural Fire, \$3,949.07; Road and Bridge, \$41,118.95; Special Road & Bridge, \$32,680.00; 911 Telephone Tax, \$1,502.93; County Health Dept., \$4,634.16; Elderly, \$1,909.68; and Sewer Dist. #1, \$64.76. Rick James seconded the motion. The motion passed 3-0.

Danny McCullough moved to approve add/abate/refund orders: #2021-83 through #2021-95. Rick James seconded the motion. The motion passed 3-0.

Jim Johnson moved to accept the Sheriff's Monthly Fee Report for December 2021 in the amount of \$13,372.00. Danny McCullough seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for December 2021. 2021 Income was \$294,531.29 and 2021 Expenses were \$258,515.47. (2021 Expenses do not include Employee Benefits.)

The Clerk presented copies of the Sheriff's Annual Report for 2021. There were 372 inmates booked into jail, 7179 911 calls, 10,202 total calls for service, 1163 civil service papers served, and 1301 new cases opened.

The Clerk then presented a request from Doug Barlet for Barlet and Linda Simons to attend an Operations Based Exercise training in Wichita at the end of March. The only costs to the County will be food and fuel. Jim Johnson moved to allow Barlet and Simons to attend the training. Danny McCullough seconded the motion. The motion passed 3-0.

Bill Matlock, River City Construction gave an update on the building project. Matlock discussed the power supply to the Annex, since we are keeping the Annex. Matlock asked if the Commission wants to bury the power lines to the Annex.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week. Anderson also presented a written report for the month of December.

Missy Lancaster reported that we do have cases of COVID Omicron in the County. The Commission stated that they will bring their choices for the Health Advisory Board to the Commission meeting two weeks from today.

Gary Thompson presented the River City Construction Pay Request #16 in the amount of \$1,430,557.22 for the Commission's review. The Clerk's office will process the payment with the next Claims run.

Shaun West reported that there is a Planning & Zoning meeting tomorrow night. West presented 2 permits to bury water lines requested by Anderson County Rural Water District #1. Rick James moved to approve Burial Permit #BP2022-01 located at 5264 W 1600 Road. Jim Johnson seconded the motion. The motion passed 3-0. Danny McCullough moved to approve Burial Permit #BP2022-02 located at 18720 Campbell Road. Rick James seconded the motion. The motion passed 3-0. West and the Commission discussed bids for culvert tubes. West will bring the bids to the Commission next week.

Deputy Clerk Morgan Northcutt reported on the County Wide Job Fair that was held this weekend. Northcutt reported that we had a good turnout and interviewed for some Sheriff's Office positions.

At 9:48 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:03 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Deputy Clerk, Counselor, and Shaun West attended the executive session.

At 9:54 AM Shaun West left the executive session.

At 10:03 AM the executive session ended. No action was taken as a result of the executive session.

At 10:05 AM the Commission toured the Justice Center.

Rick James moved to approve River City Construction's Pay Request #16 in the amount of \$1,430,557.22. Jim Johnson seconded the motion. The motion passed 3-0.

At 10:48 AM Jim Johnson moved to recess until 11:00 AM. Rick James seconded the motion. The motion passed 3-0.

Ryan Ferguson, Linn County Conservation District, discussed the services offered by their office and introduced new employee Alex Cattani. Stacy Reagan invited the Commission to their annual meeting on January 19<sup>th</sup> at Prairie View High School.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Tuesday, January 18, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

Attest:

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

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

January 18, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; Katie Parscale, Deputy Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve River City Construction's Application for Payment #16 in the amount of \$1,430,557.22. Danny McCullough seconded the motion. The motion passed 3-0. (Payment #16 is included in this week's Claims.)

Rick James moved to approve the following pays/special pays, totaling \$1,745,720.09: General, \$153,973.86; Employee Benefit, \$78,218.82; Appraiser, \$12,154.57; Rural Fire, \$3,457.75; Road and Bridge, \$51,547.52; County Health Dept., \$10,659.46; Capital Improvement, \$1,430,557.22; and Elderly, \$5,150.89. Jim Johnson seconded the motion. The motion passed 3-0.


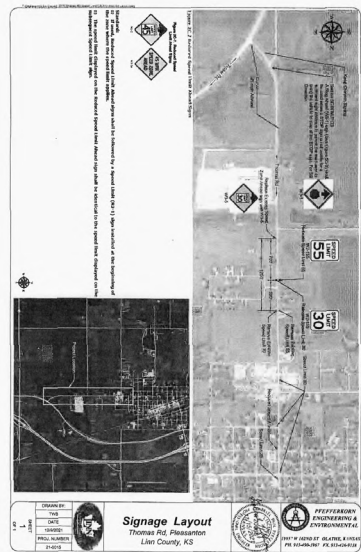
Louis Aloï, AMR, reported on their calls for the past month and their activities for the past week.

Jim Johnson moved to appoint Cindi Bodine to the Airport Committee. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to accept the resignation of Mike VanVlack as Lincoln Township Trustee and appoint VanVlack as Lincoln Township Clerk. Jim Johnson seconded the motion. The motion passed 3-0. Rick James moved to appoint Bryan Turpen as the Lincoln Township Trustee. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented the Fire report provided by Doug Barlet. There were 15 total incidents for the period of January 1<sup>st</sup> through January 17<sup>th</sup>.

Gary Thompson presented Resolution #2022-04, setting speed limits and installing speed limit signs on a portion of Thomas Road near Pleasanton. Jim Johnson moved to adopt Resolution #2022-04 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-04:

<p style="text-align: center;">RESOLUTION NO. 2022-04</p> <p>A RESOLUTION AUTHORIZING THE INSTALLATION OF SPEED LIMIT SIGNS ON THOMAS ROAD IN LINN COUNTY, KANSAS, AND AUTHORIZING THE ENFORCEMENT OF A 30 MILE PER HOUR SPEED LIMIT ON A PORTION OF SAID ROAD.</p> <p>WHEREAS, the Board of County Commissioners of Linn County, Kansas, pursuant to KSA 8-2002, has the authority to regulate traffic on all streets, roads and highways within its jurisdiction; and</p> <p>WHEREAS, the Board of County Commissioners have determined, after due consideration and study, and on the basis of the recommendation of law enforcement and traffic officials, and after reviewing a traffic engineering study of the affected area, that it would enhance public safety to establish a speed limit of 30 miles per hour on Thomas Road in Linn County, between the south City Limit of Pleasanton, Kansas and a point 500' South of said City Limit, and to place speed limit signs and warning signs in appropriate locations, based on said traffic engineering study, to give notice of said speed limits;</p> <p>NOW THEREFORE, it is the Finding and Resolution of the Board of County Commissioners of Linn County, Kansas, that:</p> <ol style="list-style-type: none"><li>1. In order to enhance public safety within the County, a speed limit of 30 miles per hour is hereby established on Thomas Road in Linn County, beginning at the south City Limit of Pleasanton, Kansas, and continuing South to a point 500 feet South of said City Limits.</li><li>2. Speed Limit signs and warning signs shall be placed on Thomas Road, at appropriate locations on the described segment of the road, based on the recommendations of the attached report of Traffic Engineering study, to give notice of the speed limit herein established and for use in the enforcement thereof.</li><li>3. Linn County traffic control personnel are hereby directed to</li></ol>	<p>immediately install said Speed Limit Signs and Warning Signs at said appropriate locations, following the installation standards laid out in the Manual of Uniform Traffic Control Devices or the Kansas Handbook of Traffic Control Guidance for Low-Volume Rural Roads, said installation to occur no later than 10 days from the date of the approval of this Resolution.</p> <ol style="list-style-type: none"><li>4. This Resolution shall become effective upon the posting of said signs. The Resolution shall be published once in the official county newspaper.</li></ol> <p style="text-align: center;">RESOLVED THIS 18<sup>TH</sup> DAY OF JANUARY, 2022.</p> <p style="text-align: center;">BOARD OF COUNTY COMMISSIONERS LINN COUNTY, KANSAS</p> <p>_____ Jim Johnson, Chairman</p> <p>_____ Danny McCullough, Member</p> <p>_____ Rick James, Member</p> <p>ATTEST: _____ David Lamb, County Clerk</p> <div style="text-align: center;"></div>	 <p style="text-align: center;"><b>Signage Layout</b> Thomas Rd. Pleasanton Linn County, KS</p> <p style="text-align: right;"><small>PROFESSIONAL ENGINEERING ENVIRONMENTAL PLANNING CONSULTANTS, P.C. 1000 W. 17<sup>TH</sup> AVENUE, SUITE 400 PLEASANTON, KS 66051 PHONE: 785-842-1111 WWW.PEPCONKS.COM</small></p>
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Thompson then discussed an agreement that has been signed by the property owners on 1200 Lane east of Phillips Road to the east line of Section 21 road concerning declaring the road minimum maintenance.

At 9:22 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 20 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:52 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Deputy Clerk attended the executive session.

At 9:52 AM the executive session ended. No action was taken as a result of the executive session.

At 9:53 AM Rick James moved to recess from the Board of Commission meeting into executive session until 10:00 AM for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:00 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission, Clerk, Deputy Clerk, and Counselor attended the executive session.

At 10:00 AM the executive session ended. No action was taken as a result of the executive session.

School Superintendents Travis Laver, Shawn Thomas, and Rex Bollinger met with the Commission to discuss the SRO program. The Superintendents discussed their fixed budgets and issues they have contributing money to the program. The Commission stated that they are in favor of the program but believe the schools should contribute. The Superintendents stated that they would like to negotiate, and their biggest problem is how to structure the payments so they wouldn't affect their General or Supplemental General Funds. The Commission and Superintendents will meet again on February 22<sup>nd</sup> to discuss options.

At 10:32 AM Jim Johnson moved to take a 5 minute recess. Danny McCullough seconded the motion. The motion passed 3-0.

Rick Castle addressed the Commission concerning equipment for the Maintenance Dept. Castle would like to get a snow blade for a 4WD pickup. It could be used for the new Justice Center parking lot and for other County parking lots. Castle would also like to look into purchasing a new lawn mower. Castle then discussed other maintenance issues he is dealing with on various County buildings. The Commission discussed going out for bids for mowing of County properties.

At 11:05 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 11:20 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Deputy Clerk Morgan Northcutt attended the executive session.

At 11:20 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, January 24, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

January 24, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Rick James led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$471,879.22: General, \$317,637.36; Appraiser, \$3,133.24; Rural Fire, \$60,293.81; Road and Bridge, \$74,829.53; County Health Dept., \$7,486.81; Elderly, \$8,313.47; and Sewer Dist. #1, \$185.00. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-96 through #2021-97. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 13 prisoners in house and 3 farmed out to other Counties. The Clerk also presented copies of the Fire Dept. calls for the week.

Bill Matlock, River City Construction gave an update on the building project. There have been some delays, but they are still planning to complete the project in March.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week.

Missy Lancaster reported that she was out last week and COVID cases are continuing to rise. The Commission and Lancaster discussed the Health Dept. Advisory Board. The Commission is planning on appointing the Board next Monday.

Jessica Hightower reported on last week's Economic Development Committee meeting. The Committee recommends continuing the following grant programs: Summer Youth Employment Grant, 10 \$1,200.00 grants; Community Development Grant, 4 \$250.00 grants; and Continuing Education Grant, 4 \$250.00 grants. Jim Johnson moved to approve the grant programs as presented. Danny McCullough seconded the motion. The motion passed 3-0.

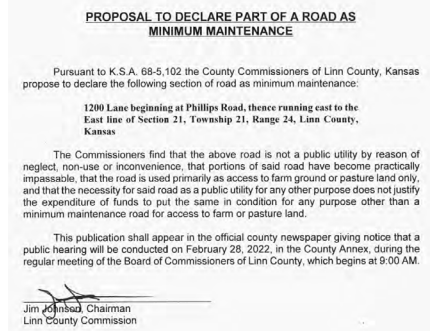
At 9:30 AM the Commission opened bids for the engineering for the Botkin Road Bridge Project. Bids received were: L. Underwood LLC, \$191,501.62; Dondlinger Construction, 160,927.75; Marbery Concrete, Inc., 275,831.00; and Bryan-Ohlmeier Construction Co., 147,881.00. West will review the bids and make a recommendation to the Commission.

Shaun West recommended purchasing 275 tons of road salt for \$115.00 per ton (\$31,625.00). Danny McCullough moved to approve the purchase of road salt for a total of \$31,625.00. Rick James seconded the motion. The motion passed 3-0. West presented information about the Contractor link on our website. West then asked to purchase 97 culverts from Olathe Winwater Works for \$71,556.46. Rick James moved to approve the purchase of culvert tubes in the amount of \$71,556.46. Jim Johnson seconded the motion. The motion passed 3-0. West discussed bids for a mower at the County Park. The Commission hasn't decided what they want to do about mowing yet. West then presented bids for an 8' snow plow blade for the Maintenance Dept. (There is a truck available that could be used at the South R&B Shop, but it needs some repairs.) Bids received were: American Equipment Co., \$6,782.00; Knapheide Truck Equipment, \$6,848.00; and Kranz of Kansas City, \$6,567.00. All bids include installation. Rick James moved to approve purchasing a snow blade, including installation, from Kranz of Kansas City in the amount of \$6,567.00. Danny McCullough seconded the motion. The motion passed 3-0.

County Attorney Burton Harding reported on activities in his office. Harding also discussed a computer program in his office that will probably need to be replaced next year.

Rick James discussed the proposal from Enterprise for managing our fleet of vehicles. James would like to have a representative from Enterprise come to a Commission meeting to present a proposal.

Gary Thompson presented a Proposal to Declare Minimum Maintenance Road for a portion of 1200 Lane, east of Phillips Road. Rick James moved to approve publishing the notice, setting a public hearing for February 28<sup>th</sup>. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of the proposal:



At 10:07 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss trade secrets, pursuant to the trade secrets exception, K.S.A. 75-4319(b)(4), concerning a potential business; and for 50 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:07 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 10:14 AM Shaun West entered the executive session.

At 10:31 AM Jessica Hightower and Shaun West left the executive session.

At 11:07 AM the executive session ended. No action was taken as a result of the executive session.

Shaun West and Matthew Landes, Pfefferkorn Engineering, discussed the bids for the engineering services on the Botkin Road Bridge Project. Landes recommends approving the bid from Bryan-Ohlmeier Construction Co. in the amount of \$147,881.00. Jim Johnson moved to accept the bid from Bryan-Ohlmeier Construction Co. in the amount of \$147,881.00, and to approve the contract. Rick James seconded the motion. The motion passed 3-0.

The Clerk, Deputy Clerk Morgan Northcutt, Shaun West, and the Commission discussed the need for a Housekeeping/Cleaning employee when the new Justice Center is finished.

The Commission and Counselor discussed the parking lot changes on the Justice Center project and the cost to the County.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, January 31, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

January 31, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; Morgan Northcutt, Deputy Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$364,835.45: General, \$134,490.81; Employee Benefit, \$151,836.66; Appraiser, \$12,196.62; Rural Fire, \$13,418.21; Road and Bridge, \$39,198.31; Law Enforcement Trust, \$47.16; County Health Dept., \$10,470.01; and Elderly, \$3,177.67. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-98 and #2021-99. Rick James seconded the motion. The motion passed 3-0.

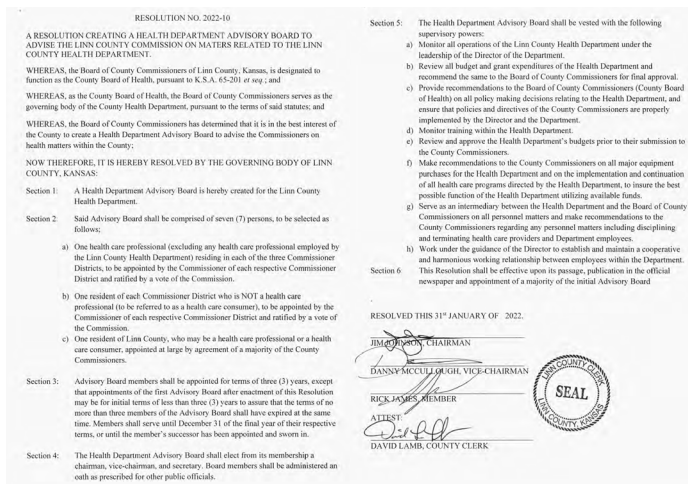
The Clerk presented copies of the prisoner count. There are currently 10 prisoners in house and 3 farmed out to other Counties.

Bill Matlock, River City Construction gave an update on the building project.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week.

The Clerk reported on the Fire calls for the week.

Missy Lancaster reported that COVID numbers are going down. The Commission and Lancaster discussed the new Health Dept. Advisory Board. The Commission announced the following choices for Board Members: Dist. 1: Michelle Bollinger, RN, 3 Year Term; Pam Christen, 1 Year Term; Dist. 2: Annie Roberts, Dentist, 2 Year Term; Lacy Earnest, RN, 3 Year Term; Dist. 3: Megan Roedel, 3 Year Term; Carol Beckwith, RN, 2 Year Term; and At-Large: DeAnn Dawson, 1 Year Term. Rick James moved to appoint the Health Dept. Advisory Board Members as listed above, and to adopt Resolution #2022-10 establishing the Health Dept. Advisory Board. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-10:



Jessica Hightower discussed the Rural Opportunity Zone Program. The Commission asked for more information before approving the resolution. Hightower also discussed current issues with the airport.

Chris Martin and Lori Simmons presented information on the audio/visual system for the new courtrooms. Martin included a quote from Heartland AV in the amount of \$24,186.31. District Court has \$20,000.00 in the Equipment Reserve Fund that could be used for the purchase, the balance could be taken from the District Court Budget. Rick James moved to accept the quote from Heartland AV for up to \$26,242.15. Danny McCullough seconded the motion. The motion passed 3-0.

Shaun West presented Surplus Property Resolution #2022-06 for items from the Public Works Dept. Rick James moved to adopt Resolution #2022-06 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-06:





West then discussed replacing fuel tanks in various locations. West would like to go out for bids for replacement of fuel tanks. Jim Johnson moved to take bids for the tanks. Rick James seconded the motion. The motion passed 3-0. West also presented the following burial permits: Burial Permit #BP22-03 requested by Chad Page, RWD #3, to bury a 3" water line on E 1650 Road near County Road 1095; and Burial Permit #BP22-04 requested by Chad Page, RWD #3 to bury a 3" water line on Peterson Lane near E 1650 Road. Rick James moved to approve Burial Permit #BP22-03 and Burial Permit #BP22-04 as presented. Jim Johnson seconded the motion. The motion passed 3-0. West gave the Commission information on mowing County property for their review.

Bobby Young presented two Conditional Use Permit Applications. CUP #21-07 requested by RB Towing & Recovery, LLC for a Truck/Auto Towing, Recovery, & Repair Lot in the "I-2" Heavy Industrial Zone, was approved by the Planning Commission by a 5-0 vote with the following Findings: 1) The application conforms to the adopted Comprehensive Plan, 2) Application is in a Heavy Industrial Area, 3) Property has not been previously developed since being zoned I-2 (Heavy Industrial), 4) Property is suitable for proposed use, 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent, and 6) Staff recommends approval of the application; and the following Conditions: 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03, 10.05, 13.04§ 1, and all local, State, and Federal Regulations affecting such businesses, 2) Proper collection, storage, and disposal of all fluid leakage so as not to propose a hazard to the safety and/or health of citizens and/or environment, and in accordance with Fire Safety and Hazardous Materials Regulations, 3) Applicant shall maintain a secured fencing and gated access to compound, 4) All wrecked or incomplete vehicles must be stored within the fenced compound, 5) Lighting will not interfere with nearby properties or traffic, and 6) Applicant shall maintain property so as not to pose a nuisance. After reviewing the Findings and Conditions listed by the Planning Commission, Danny McCullough moved to approve CUP #21-07, adopt the Findings of the Planning Commission, and to adopt Resolution #2022-07. Jim Johnson seconded the motion. The motion passed 3-0.

CUP #22-01 requested by Skyview Farm & Creamery for a Retail Sales Point in the "A" Agricultural Zone, was approved by the Planning Commission by a 5-0 vote with the following Findings: 1) The application conforms to the adopted Comprehensive Plan, 2) Application is in an Agricultural Area, 3) Property has been operating as a permissible Farm & Creamery since being zoned Agricultural, 4) Property is suitable for proposed use, 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent, 6) No change or additional infrastructure is required, and 7) Staff recommends approval of the application; and the following Condition: 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03, 10.05, and all local, State, and Federal Regulations affecting such businesses. After reviewing the Findings and Conditions listed by the Planning Commission, Rick James moved to approve CUP #22-01, adopt the findings of the Planning Commission, and to adopt Resolution #2022-08. Danny McCullough seconded the motion. The motion passed 3-0. Following are copies of Resolution #2022-07 and Resolution #2022-08:

**Before the Board of County Commissioners**  
Linn County, Kansas  
Resolution # 2022 - 07

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #21-07 FOR TOWING & RECOVERY, LLC TO PERMIT THE INSTALLATION AND OPERATION OF TRUCK/AUTO TOWING, RECOVERY, & REPAIR LOT IN THE "I-2" HEAVY INDUSTRIAL ZONE

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

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

WHEREAS, the Linn County Planning Commission did, on October 20<sup>th</sup>, 2021, publish a notice of a public hearing to consider Conditional Use Permit #21-07, pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on January 11<sup>th</sup>, 2022 to consider said Conditional Use Permit for the installation and operation of a Truck/Auto Towing, Recovery, & Repair Lot in the Heavy Industrial Zone; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimony did, by a 5 to 0 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) The application conforms to the adopted Comprehensive Plan.
- 2) Application is in a Heavy Industrial Area.
- 3) Property has not been previously developed since being zoned I-2 (Heavy Industrial).
- 4) Property is suitable for proposed use.
- 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent.
- 6) Staff recommends approval of the application.

and subject to the following conditions:

- 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03, 10.05, 13.04§ 1, and all local, State, and Federal Regulations affecting such businesses.
- 2) Proper collection, storage, and disposal of all fluid leakage so as not to propose a hazard to the safety and/or health of citizens and/or environment, and in accordance with Fire Safety and Hazardous Materials Regulations.
- 3) Applicant shall maintain a secured fencing and gated access to compound.
- 4) All wrecked or incomplete vehicles must be stored within the fenced compound.
- 5) Lighting will not interfere with nearby properties or traffic.
- 6) Applicant shall maintain property so as not to pose a nuisance.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit as recommended by the Planning Commission on property described in Section 1:

SECTION 1: 10.24 Acres, BEG 40 E NWC S3 SW4 TH E 760 S 589.99 W 736.14 N 70.82 NWLY 72.86 N 450.86 TO POB of Section 6, Township 22, Range 25 Linn County, Kansas.

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 31<sup>st</sup> day of January, 2022.

  
Chairman  
  
Vice-Chairman  
  
Member  
  
Clerk



**Before the Board of County Commissioners**  
Linn County, Kansas  
Resolution # 2022 - 08

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #22-01 (Skyview Farm & Creamery) TO PERMIT THE ESTABLISHMENT AND OPERATION OF RETAIL SALES POINT IN THE "A" AGRICULTURAL ZONE

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

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

WHEREAS, the Linn County Planning Commission did, on December 22<sup>nd</sup>, 2021, publish a notice of a public hearing to consider Conditional Use Permit #22-01, pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on January 11<sup>th</sup>, 2022 to consider said Conditional Use Permit for the authorization to establish and operate a retail sales point within the Agricultural Zone; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimony did, by a 5 to 0 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) The application conforms to the adopted Comprehensive Plan.
- 2) Application is in an Agricultural Area.
- 3) Property has been operating as a permissible Farm & Creamery since being zoned Agricultural.
- 4) Property is suitable for proposed use.
- 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent.
- 6) No change or additional infrastructure is required.
- 7) Staff recommends approval of the application.

and subject to the following conditions:

- 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03, 10.05, and all local, State, and Federal Regulations affecting such businesses.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit # 22-01, as recommended by the Planning Commission on property described in Section 1:

SECTION 1:  
78.6 Acres, S2 SE4 LESS RD ROW, of Section 08, Township 22, Range 25 Linn County, Kansas.

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 31<sup>st</sup> day of January, 2022.

  
Chairman  
  
Vice-Chairman  
  
Member  
  
Clerk



Bobby Young then presented Exception #E22-01 requested by David & Beverly Inloes, to install a second dwelling on a property located at 16220 Kansas Highway 7, Centerville. The Planning Commission approved the application by a 5-0 vote with the following findings: 1) The application conforms to the adopted Comprehensive Plan and with Article 17.04 (Exceptions), 2) Property is zoned as Agricultural and will remain as zoned, 3) Property has not been vacant and is currently occupied, by applicant, as zoned, 4) Property is suited for the uses to which it is restricted, 5) Application will not detrimentally affect current infrastructure, 6) Granting exception does not adversely affect surrounding properties; and the

following conditions: 1) Applicant will obtain all required building and sanitation permits, 2) Applicant will maintain property in compliance with Linn County Sanitation and Nuisance regulations, 3) Exception will be reviewed once every three years while conditions exist, 4) Upon non-existence of condition, second dwelling will either be removed or repurposed to other than dwelling, in compliance to Article 17.04 (Exceptions). After reviewing the findings and conditions of the Planning Commission, Danny McCullough moved to adopt the findings of the Planning Commission and approve Exception #E22-01. Rick James seconded the motion. The motion passed 3-0. Following is a copy of Exception #E22-01:

**APPLICATION FOR EXCEPTION**

As provided in Article 5, Section 5-01, of the Linn County Subdivision Regulations, this application is for the purpose of the exception of a rule due to hardship caused by size, location, configuration of land, topography or other factors that affect specific tract, subdivisions or parcels thereof. The Governing Body may approve an exception if, in its judgment, such action will not violate the public interests, unnecessarily burden the County, or annul the intent and purpose of the Subdivision Regulations of Linn County.

**APPLICATION NAME:** David R. & Beverly J. Wilson  
**ADDRESS:** 16230 Kansas Highway 7  
 Centerville, Kansas 66014

**PROPERTY DESCRIPTION:** 82.3 Acres beginning 879.31 S NW/4 SW/4 TH E 834.94 NELY 296.88 SELY ALG W ROW LN HWY 7 TO S SEC 14 N W 2341.56 TO SW/4 SEC 14 TO POB, of Section 34, Township 20, Range 23 (PDH: 088340000004020).

**RULE EXCEPTION REQUESTED FROM:** Article 12.06 (One Dwelling Per Lot)

**REASON EXCEPTION REQUESTED:** For the purpose of building and occupying a second dwelling upon the property to attend to the daily care and needs of elderly handicapped relative/ward, while still allowing an independent living style.

**FINDINGS:**

- 1) The application conforms to the adopted Comprehensive Plan and with Article 17.04 (Exceptions).
- 2) Property is zoned as Agricultural and will remain as zoned.
- 3) Property has not been vacant and is currently occupied, by applicant, as zoned.
- 4) Property is suited for the uses to which it is restricted.
- 5) Application will not detrimentally affect current infrastructure.
- 6) Granting exception does not adversely affect surrounding properties.

**CONDITIONS:**

- 1) Applicant will obtain all required building and sanitation permits.
- 2) Applicant will maintain property in compliance with Linn County Sanitation and Nuisance regulations.
- 3) Exception will be reviewed once every three years while conditions exist.
- 4) Upon non-existence of condition, second dwelling will be either removed or repurposed to other than dwelling, in compliance to Article 17.04 (Exceptions).

I, the undersigned, do hereby certify that all information listed above is true and correct.

*David R. Wilson*      1-25-22  
 Applicant's Signature      Date

*Beverly J. Wilson*      1-25-22  
 Co-Applicant Signature      Date

The above requested Rule Exception shall be  granted  denied. Vote: 3-0

Reason:

LINN COUNTY COMMISSIONERS

*[Signature]*  
 Chair

*[Signature]*  
 Vice Chair

Attest: *[Signature]*  
 County Clerk

Date: January 31, 2022

**SEAL**  
 LINN COUNTY COMMISSIONERS

Pam Cannon and the Commission discussed fees for access to the Secure Portal and Connect Explorer in the GIS Dept. Cannon explained the benefits of access to the program for Cities and Lake Developments. Cannon suggested charging \$500.00 per year for Cities and Lake Developments with a population of 600 and below and \$1,000.00 for Cities and Lake Developments with a population of 601 and above. After discussion, Danny McCullough moved to adopt Resolution #2022-05, setting the fees for access to the program. The motion died for lack of a second. Rick James moved to allow the Cities and Lake Developments to use the programs at no cost. Jim Johnson seconded the motion. The motion passed 2-1. (Danny McCullough voted no.)

At 10:16 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:36 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Deputy Clerk, Shaun West, and Counselor attended the executive session.

At 10:34 AM Shaun West left the executive session.

At 10:36 AM the executive session ended. No action was taken as a result of the executive session.

Craig Mallory and Kate Brenner from the Marais des Cygnes National Wildlife Refuge gave an update on the National Wildlife Refuge.

At 10:57 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 30 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:27 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Deputy Clerk, and Counselor attended the executive session.

At 11:27 AM the executive session ended. No action was taken as a result of the executive session.

At 11:28 AM Rick James moved to recess from the Board of Commission meeting into executive session for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:43 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission, Clerk, Deputy Clerk, and Counselor attended the executive session.

At 11:43 AM the executive session ended. No action was taken as a result of the executive session.

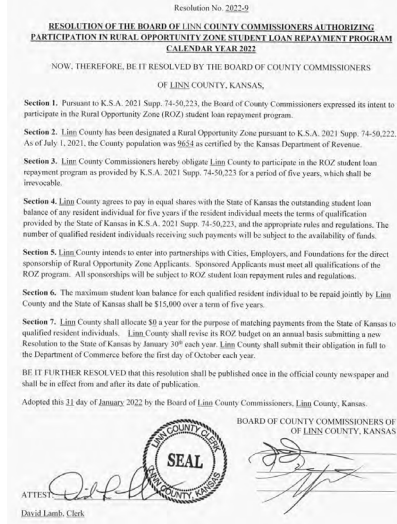
At 11:45 AM Jim Johnson moved to take a 10 minute break and then recess from the Board of Commission meeting into executive session for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 12:10 PM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Deputy Clerk, and Counselor attended the executive session.

At 12:10 PM the executive session ended. No action was taken as a result of the executive session.

At 12:12 PM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 12:17 PM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Deputy Clerk, and Counselor attended the executive session.

At 12:17 PM the executive session ended. As a result of the executive session, Rick James moved to approve Change Order #13 on the Justice Center Project, increasing our Construction Contingency Fund by \$108,865.38. Jim Johnson seconded the motion. The motion passed 3-0.

The Commission discussed putting County money into the ROZ Program next year, but decided to go ahead and approve resolution for this year with no money from the County. Rick James moved to enter into the ROZ Program without contributing money this year and to adopt Resolution #22-09. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-09:



The Commission, Clerk, and Deputy Clerk discussed the cleaning positions for Justice Center, Health Dept., and Courthouse. The Commission agreed to advertise for a full-time position and discuss an additional part-time position later.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, February 7, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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

Attest:

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

February 7, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; Morgan Northcutt, Deputy County Clerk; and Gary Thompson, County Counselor. JM led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$97,213.06: General, \$60,650.28; Employee Benefit, \$273.06; Appraiser, \$870.28; Rural Fire, \$4,543.66; Road and Bridge, \$22,404.22; Law Enforcement Trust, \$73.96; 911 Telephone Tax, \$1,444.92; County Health Dept., \$2,981.84; Elderly, \$3,901.82; and Sewer Dist. #1, \$69.02. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James moved to accept the Sheriff's Monthly Fee Report for January 2022 in the amount of \$6,417.50 approved with the pays and special pays. Jim Johnson seconded the motion. The motion passed 3-0.

The Deputy Clerk, Morgan Northcutt presented copies of the prisoner count. There are currently 16 prisoners in house and 3 farmed out to other Counties. The Deputy Clerk also presented copies of the Fire Dept. calls for the week.

Bill Matlock, River City Construction gave an update on the building project. Weather slowed down some crews. Interior finishes, drywall completed ceramic flooring with be completed this week, Cells should be complete this week. Start permanent heat start up next couple of weeks. Exterior at a standstill.

Virgil Swanson, AMR, reported on their calls for the past month and their activities for the past week. Anderson also presented a written report for the month of January.

Jessica Hightower reported the ROS update can allocate whatever want as budget and state is \$700 total.

Pam Cannon presented Resolution #2022-05 showing that no fees will be charged to Cities and Lake Developments for access to the Secure Portal and Connect Explorer program in the GIS/Mapping Dept. Requested that the resolution be signed. There was no motion. Following is a copy of Resolution #2022-05:



Shaun West reported Noxious weeds department went for their last 9A test and scheduled for Noxious Weed school in March. Truck should be back from Freightliner this week. Spent most of the week on clearing roads.

Gary Thompson presented the Contract Bonds for the Botkin Road Bridge Project. Rick James motioned to approve the chair to sign the documents as presented in the amount of \$147,881.00. Danny McCullough seconded the motion. The motion passed 3-0.

Gary Thompson presented request for assistance on dumping fees on demolition by Tanglewood Property owners' association. Danny McCullough moved to accept the reduced dumping fees. Rick James second the motion. The motion passed 3-0

Gary Thompson presented request for reduced dumping fees for individual in Prescott. Rick James moved to approve the request of reduced dumping fees. Danny McCullough second the motion. The motion passed 3-0

At 9:39 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 9:56 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Deputy Clerk, Counselor, and Shaun West attended the executive session.

At 9:56 AM the executive session ended. As a result of the executive session, Rick James moved to eliminate a position and re-distribute the funds among the other Public Works operators pay scale, 4 steps for Equipment operators and operators. Danny McCullough second the motion. The motion passed 3-0.

At 10:03 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 30 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:28 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Deputy Clerk, and Counselor attended the executive session.

At 10:28 AM the executive session ended.

At 10:28 AM Jim Johnson moved to extend executive session for 5 minutes for legal. Dany McCullough seconded the motion. The motion passed 3-0. The same people attended this portion of the executive session.

At 10:33 AM the executive session ended. No action was taken as a result of the executive session.

Rick James Moved to sign authorizing the release of funds on Change order #5 of \$196,129.03. Danny McCullough seconded the motion. The motion passed 3-0

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, February 14, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

February 14, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; Katie Parscale, Deputy Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

The Clerk and Commission discussed the resolution that was signed last week. When the Deputy Clerks reviewed the recording of the meeting, they found that no motion was made to adopt the resolution. Jim Johnson moved to adopt Resolution #2022-05, effective February 7, 2022. Rick James seconded the motion. The motion passed 3-0. A copy of Resolution #2022-05 is included in last week's minutes.

The Clerk presented copies of last week's minutes with some adjustments since the draft copy was sent out. Jim Johnson moved to approve the minutes of the last regular meeting as amended. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to reschedule the next regular meeting to Tuesday, February 22<sup>nd</sup>, due to President's Day. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James moved to approve River City Construction's Application for Payment #17 in the amount of \$1,407,183.07. Jim Johnson seconded the motion. The motion passed 3-0. (Payment #17 is included in this week's Claims.)

Rick James moved to approve the following pays/special pays, totaling \$1,714,963.01: General, \$142,912.19; Employee Benefit, \$87,460.78; Appraiser, \$12,659.06; Rural Fire, \$7,278.60; Road and Bridge, \$43,238.16; County Health Dept., \$10,534.72; Capital Improvement (Construction), \$1,407,183.07; and Elderly, \$3,696.43. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 18 prisoners in house and 3 farmed out to other Counties.

Bill Matlock, River City Construction gave an update on the building project.

Missy Lancaster reported that the first Advisory Board Meeting has been scheduled for February 22<sup>nd</sup> at 7:00 PM at the Health Dept. Office.

Virgil Swanson, AMR, reported on their calls for the past month and their activities for the past week.

Doug Barlet reported on the Fire calls for the week and the year. Barlet also discussed the weather for the week. Barlet then asked for permission to spend up to \$7,500.00 for a transmission repair in one of the fire trucks. Danny McCullough moved to allow Barlet to spend up to \$7,500.00 for the transmission repair. Rick James seconded the motion. The motion passed 3-0.

Shaun West presented bids for two skid steers. Bids received were: Murphy Tractor & Equipment, John Deere, \$87,658.74 each; Foley Caterpillar, \$74,570.00 each; KanEquip, Case, \$77,942.00 each; and KC Bobcat, \$72,044.18 each. Rick James moved to approve the purchase of two skid steers in the amount of \$72,044.18 each from KC Bobcat, plus an addition for tempered glass. Jim Johnson seconded the motion. The motion passed 3-0.

West reported that he is waiting on a response on a Park lease and is looking into replacing some road graders. West reported on various other issues the Public Works Dept. is working on. West also reported that he is interviewing applicants for the Planning & Zoning position. West then presented bids for mowers. Bids received were: Neal Manufacturing, \$13,165.55; Roman's Outdoor Equipment, \$17,220.00; R&R Equipment, \$12,874.00; and Heritage Tractor, John Deere, \$11,825.15. Rick James moved to purchase a mower from Heritage Tractor (John Deere) in the amount of \$11,825.15. Jim Johnson seconded the motion. The motion passed 3-0.

Jessica Hightower discussed a Base Grant from the State of Kansas for developing industrial parks.

Klayton Parscale addressed the Commission concerning the SRO program. Parscale stated that the SRO program is very important and needs to continue, regardless of the money issues. Parscale would like the Commission to schedule a special meeting so people can come in and discuss the program.

Gary Thompson presented information on a water line issue near La Cygne. The Rural Water District will not put in the line but will relinquish the authority to the City of La Cygne. The City would like to run a line in our right of way. Rick James moved to support an application for burying a water line in our right of way and intend to approve the application when the application is received. Jim Johnson seconded the motion. The motion passed 3-0.

Thompson then discussed the parking lot area for the Justice Center. The new parking area will increase the cost by \$42,992.00, making the total \$208,708.00. Rick James moved to approve the increased cost of the parking lot. Danny McCullough seconded the motion. The motion passed 3-0.

Thompson informed the Commission that the cost to bury the phone line for Justice Center project is approximately \$6,700.00. Danny McCullough moved to approve burying the phone line for approximately \$6,700.00. Rick James seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

The Commission and Counselor then discussed having Evergy move the utility pole that is in front of the Justice Center for \$14,330.00. Danny McCullough moved to approve having the utility pole moved for \$14,330.00. Rick James seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

The Commission and Counselor also discussed bids for burying the electric service to the Annex. The Counselor is still waiting on additional bids.

At 10:00 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 40 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor; and for 20 minutes to discuss trade secrets, pursuant to the trade secrets exception, K.S.A. 75-4319(b)(4), concerning a potential new business. The open meeting will resume in the Commission Room at 11:00 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Deputy Clerk, Jessica Hightower, and Counselor attended the executive session.

At 10:18 AM Jessica Hightower left the executive session.

At 10:44 AM Katie Parscale left the executive session.

At 11:00 AM the executive session ended. No action was taken as a result of the executive session.

At 11:03 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss trade secrets, pursuant to the trade secrets exception, K.S.A. 75-4319(b)(4), concerning a potential new business. The open meeting will resume in the Commission Room at 11:13 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 11:13 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Tuesday, February 22, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

February 22, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve the following pays/special pays, totaling \$16,659.41: General, \$8,261.91; Appraiser, \$163.89; Road and Bridge, \$6,540.22; and Elderly, \$1,693.39. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$251,919.86: General, \$190,226.94; Rural Fire, \$4,352.65; Road and Bridge, \$55,810.22; 911 Telephone Tax, \$55.42; County Health Dept., \$1,168.86; and Elderly, \$305.77. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to reappoint Charlene Sims to the Tri-Ko Board of Directors. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 20 prisoners in house and 3 farmed out to other Counties. The Clerk also presented copies of the Fire Dept. calls for the week.

Jeff Boyd, AMR, reported on their calls for the past month and their activities for the past week.

Missy Lancaster reported that tonight is the first Health Dept Advisory Board Meeting.

Gary Thompson presented River City's Change Order #14 in the amount of \$39,080.94. Danny McCullough moved to approve Change Order #14 as presented. Rick James seconded the motion. The motion passed 3-0.

Thompson then presented a transmittal letter from the electrical contractor on the Justice Center project showing that they have sent us \$77,972.44. Additional payments will be made later.

Thompson stated that the contract signed last week was for the construction of the smaller bridge project (Botkin Road Bridge). Thompson also discussed having a policy concerning how the various departments handle weather emergency days. Thompson stated that we may need a little more clarity on that policy. Thompson then stated that he was contacted by Goldberg Group Architects about holding a grand opening for the Justice Center.

At 9:17 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 30 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:47 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 9:40 AM Shaun West left the executive session.

At 9:47 AM the executive session ended. As a result of the executive session, Jim Johnson moved to authorize the Counselor to approve installing the underground electric service to the Annex for up to \$32,000.00. Rick James seconded the motion. The motion passed 3-0.

Also, as a result of the executive session, Jim Johnson moved to adopt Resolution #2022-11, amending the General Permit Terms and Conditions for Utility Construction in County Road Right of Ways. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-11:



Janet Kleweno presented her 2021 4<sup>th</sup> Quarter Interest Report. 2021 4<sup>th</sup> Quarter Interest was \$8,017.23. Kleweno also presented the Delinquent Tax Report. December 31, 2021 Delinquent Real Estate Taxes are \$890,426.33 and Delinquent Personal Property Taxes are \$29,919.43.



Jessica Hightower presented a Sexual Harassment Policy Statement that is required for the BASE Grant application. Danny McCullough moved to allow the Chair to sign the policy. Rick James seconded the motion. The motion passed 3-0.

Shaun West reported that the skid steers were ordered last week and the new mower will be picked up on March 7<sup>th</sup>. West presented a Cost Summary by Task for Public Works for January 2022. West then discussed the fuel and waste oil tanks at our sites around the county. Jessica Hightower presented bids for 2 fuel tanks and a pump system for the Pleasanton location. The only bid received was from P. B. Hoidale Co. The Commission asked West and Hightower to try to get additional bids.

West then discussed the signage that was adjusted at CR 1077 & 2100 Road and the possible need for rumble strips. The Commission is in favor of installing rumble strips. West also presented a bid for a cabin at the County Park from Rockin' H Construction, but he would like to wait another week or two until some other issues are resolved. West then presented prices for trash dumpsters for the County Park, Health Dept., and Justice Center. West recommends Option A with County owned and to set up contracts for disposal with East Central Kansas Refuse. Rick James moved to approve Option A with ECKR owned dumpsters in the amount of \$6,930.00 per year. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk reported that he received an email from Doug Barlet stating that the repairs have been made to Truck #953 and the transmission did not have to be replaced. The cost of the repairs was \$1,271.07, much lower than the \$7,500.00 estimate.

At 10:41 AM, Rick James moved to recess until 11:00 AM. Jim Johnson seconded the motion. The motion passed 3-0.

At 11:01 AM Rick James moved to recess for an additional 20 minutes. Jim Johnson seconded the motion. The motion passed 3-0.

At 11:21 AM Jim Johnson moved to recess for an additional 15 minutes. Rick James seconded the motion. The motion passed 3-0.

Taylor Hogue, Southeast Kansas Regional Planning Commission, discussed the final ruling for ARPA funds. Hogue stated that we can now claim lost revenue by choosing a standard allowance without a detailed listing of what was lost. We can elect a standard allowance of our entire ARPA funding, because our funds are under the limit of \$10,000,000.00.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, February 28, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

February 28, 2022

The Board of Linn County Commission met in regular session at 9:02 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 2-0.

Jim Johnson moved to approve the following pays/special pays, totaling \$326,086.68: General, \$153,281.65; Employee Benefit, \$98,895.97; Appraiser, \$12,186.17; Rural Fire, \$5,013.05; Road and Bridge, \$41,554.18; County Health Dept., \$11,072.70; and Elderly, \$4,082.96. Rick James seconded the motion. The motion passed 2-0.

Rick James moved to approve add/abate/refund order: #2021-100. Jim Johnson seconded the motion. The motion passed 2-0.

The Clerk presented copies of the prisoner count. There are currently 17 prisoners in house and 3 farmed out to other Counties.

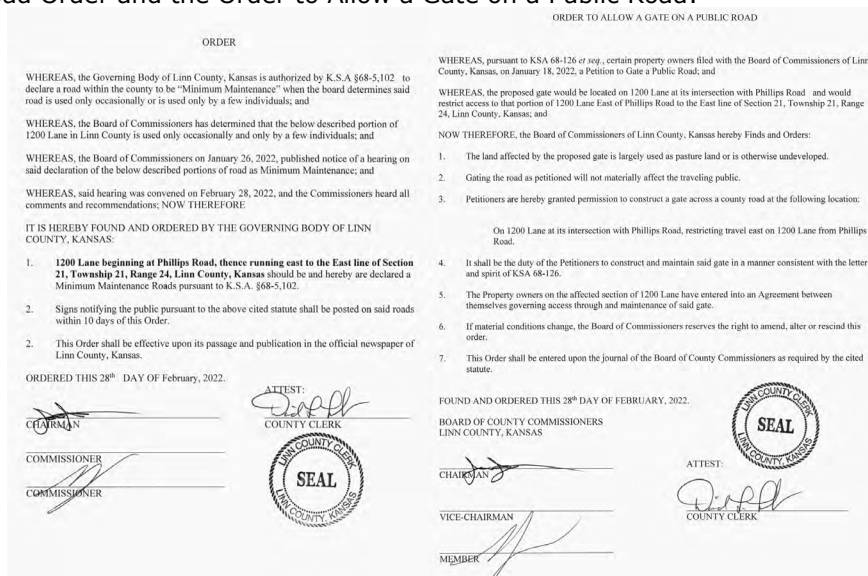
Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week. Anderson also presented a written report of the January calls and response times.

Doug Barlet reported on the Fire calls for the week. Barlet then asked to hire two Firefighters, Tommy More, Station 920; and Kyle Ackerman, Station 950. (More is already an employee in the Sheriff's Dept.) Rick James moved to hire More and Ackerman as Probationary Firefighters and to waive the physical/drug screen requirement on Tommy More. Jim Johnson seconded the motion. The motion passed 2-0.

Gary Thompson reported that we received 3 bids for the electrical service to the Annex. Bids received were: Fat Boy Electric, \$48,600.00 for aluminum wire or \$52,950.00 for copper wire; Apple Electric, \$30,336.00 (wire type not specified); and Kelly Electric, \$12,000.00 for aluminum wire. Rick James moved to approve the bid and sign the contract with Kelly Electric in the amount of \$12,000.00. Jim Johnson seconded the motion. The motion passed 2-0.

Thompson also stated that we need to advertise for the lease on the farm ground at the Industrial Park near Pleasanton. The total acreage is 163.2 acres, but only 140.52 acres is tillable/hayable. Rick James moved to advertise for a 3-year lease on 140.52 acres usable ground. Jim Johnson seconded the motion. The motion passed 2-0.

At 9:25 AM the Chair opened a public hearing concerning declaring a portion of 1200 Lane near Phillips Road a Minimum Maintenance Road. The Counselor explained the process for the minimum maintenance hearing and the details about this case. The Chair asked for public comment, none was given. At 9:26 AM the Chair closed the public hearing. Jim Johnson moved to approve the Order declaring 1200 Lane beginning at Phillips Road, thence running east to the East line of Section 21, Township 21, Range 24, Linn County, Kansas a Minimum Maintenance Road pursuant to K.S.A. §68-5,102. Rick James seconded the motion. The motion passed 2-0. The Commission then discussed an order to allow a gate to be placed on a public road. Jim Johnson moved to approve the Order to allow a gate located on 1200 Lane at its intersection with Phillips Road and restrict access to that portion of 1200 Lane East of Phillips Road to the East line of Section 21, Township 21, Range 24, Linn County, Kansas. Rick James seconded the motion. The motion passed 2-0. Following are copies of the Minimum Maintenance Road Order and the Order to Allow a Gate on a Public Road:



County Attorney Burton Harding discussed the software he needs for his office. He will need to pay \$5,000.00 this year for the license fees.

Bobby Young presented CUP #2022-02 for a Spa/Resort within the (A) Agricultural Zone that was approved by the Planning Commission by an 8-1 vote. The proposed owner, Karen Ann Webster gave a power point presentation to the Commission describing her proposed business. After reviewing the following findings: 1) The application conforms to the adopted Comprehensive Plan, 2) Application is in an Agricultural Area, 3) Property has been operating as unused agricultural land since being zoned, 4) Property is suitable for proposed use, 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent, 6) Water supply will be obtained by applicant at applicant's expense, and 7) Staff recommends approval of the application; and the following conditions: 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03 and all local, State, and Federal Regulations affecting such businesses, 2) That all applicable required licensing

be obtained and remain current in compliance with and local, state, and federal regulations, governing such businesses, 3) That property remains in full compliance with all Fire and Safety Regulations, and Linn County Sanitation Regulations, 4) That construction of facilities will begin within one (1) year from approval of Conditional Use Permit, 5) That Conditional Use be reviewed/renewed at the end of five (5) years from approval date, and 6) That Conditional Use Permit applies to only the East 47 Acres of property described in Section 1; Rick James moved to approve CUP #2022-02, adopt the findings of the Planning Commission, and adopt Resolution #2022-12. Jim Johnson seconded the motion. The motion passed 2-0. Following is a copy of Resolution #2022-12:

Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 2022 - 12

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #22-02 (HOLISPA, LLC) TO PERMIT THE ESTABLISHMENT AND OPERATION OF SPA RESORT IN THE "A" AGRICULTURAL ZONE

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

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

WHEREAS, the Linn County Planning Commission did, on January 19<sup>th</sup>, 2022, publish a notice of a public hearing to consider Conditional Use Permit #22-02, pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on February 8<sup>th</sup>, 2022 to consider said Conditional Use Permit for the authorization to construct and operate a spa resort with a main house structure and six (6) cabins within the Agricultural Zone; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimonies did, by a 8 to 1 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) The application conforms to the adopted Comprehensive Plan.
- 2) Application is in an Agricultural Area.
- 3) Property has been operating as unused agricultural land since being zoned.
- 4) Property is suitable for proposed use.
- 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent.
- 6) Water supply will be obtained by applicant at applicant's expense.
- 7) Staff recommends approval of the application.

and subject to the following conditions:


- 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 13.03 and all local, State, and Federal Regulations affecting such businesses.
- 2) That all applicable required licensing be obtained and remain current in compliance with any local, state, and federal regulators, governing such businesses.
- 3) That property remains in full compliance with all Fire and Safety Regulations, Linn County Nuisance Regulations, and Linn County Sanitation Regulations.
- 4) That construction of facilities will begin within one (1) year from approval of Conditional Use Permit.


5) That Conditional Use be reviewed/ renewed at the end of five (5) years from approval date.  
6) That Conditional Use Permit applies to only the East 47 Acres of property described in Section 1.

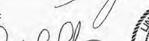
THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit # 22-02, as recommended by the Planning Commission on property currently described in Section 1:

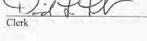
SECTION 1:  
127.3 Acres, N2 NE4 & LOT 1 LESS RD ROW, of Section 36, Township 22, Range 22, Linn County, Kansas.


PASSED AND ADOPTED by the Linn County Board of County Commissioners this 28<sup>th</sup> day of February, 2022.

  
 \_\_\_\_\_  
 Chairman

  
 \_\_\_\_\_  
 Vice-Chairman

  
 \_\_\_\_\_  
 Member

  
 \_\_\_\_\_  
 Clerk



Jessica Hightower reported on the Base Grant Application that is due today. The project would cost approximately \$1,400,000.00, with \$490,000.00 in matching funds from the County's ARPA money. Rick James moved to approve the Base Grant Application for \$1,400,000.00. Jim Johnson seconded the motion. The motion passed 2-0.

Hightower then discussed a childcare initiative with Miami, Anderson, and Franklin Counties. There will be a meeting in Miami County on Friday concerning the project.

Shaun West discussed the parking lot for the Justice Center. West stated that we have had some equipment issues, but we should be able to finish our part of the project this week. West discussed various projects his departments are working on.

At 10:01 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:06 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 10:06 AM the executive session ended. No action was taken as a result of the executive session.

At 10:07 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:17 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 10:17 AM the executive session ended. No action was taken as a result of the executive session.

Donna Gray, Executive Director of the Miami County United Way, met with the Commission to discuss their program. The Miami County United Way also covers part of Linn County. They help fund agencies that service Health, Financial Stability, and Education. They have received applications and plan on distributing \$37,000.00 this year. United Way Board Member Jason Camis also described their services and fund-raising efforts. The Commission is interested in getting the rest of Linn County included in the Miami County United Way.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, March 7, 2022. Rick James seconded the motion. The motion passed 2-0.

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

Attest:

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

March 7, 2022

The Board of Linn County Commission met in regular session at 9:01 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$221,867.34: General, \$128,796.33; Appraiser, \$1,410.27; Rural Fire, \$2,088.42; Road and Bridge, \$81,243.24; County Health Dept., \$3,031.60; Elderly, \$5,233.17; and Sewer Dist. #1, \$64.31. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to accept the Sheriff's Monthly Fee Report for February 2022 in the amount of \$2,595.00. Danny McCullough seconded the motion. The motion passed 3-0.

The Commission then reviewed the YTD Park Report.

The Clerk presented copies of the prisoner count. There are currently 17 prisoners in house and 3 farmed out to other Counties.

Bill Matlock, River City, gave an update on the Justice Center project.

Louis Aloï, AMR, reported on their calls for the past month and their activities for the past week.

Doug Barlet reported on the Fire Dept. calls for the past week. Barlet also discussed the weather for the week. Barlet then asked to send Dee Horttor to a Draeger SCBA Recertification Course in Wichita for approximately \$750.00. The Commission agreed to allow Horttor to attend the training.

Jessica Hightower discussed current projects she is working on. Hightower asked for permission to create a committee concerning child-care needs in the County. She has a \$1,500.00 grant available to assist with the set-up and recruitment for this project. Rick James moved to authorize Hightower to set up a Linn County Child-Care Action Committee. Jim Johnson seconded the motion. The motion passed 3-0. Rick James moved to allow Hightower to submit a grant application for \$1,500.00 for recruitment of the committee. Danny McCullough seconded the motion. The motion passed 3-0. Rick James moved to elect to enforce the final rule as of 4/1/2022 and move our entire ARPA grant in the amount of \$1,884,694.00 to the standard allowance expenditure category of revenue loss. Jim Johnson seconded the motion. The motion passed 3-0.

At 9:27 AM the Commission toured the Justice Center.

At 10:02 AM the Commission returned from the Justice Center tour.

Shaun West discussed the parking lot project. There have been some equipment issues, but it is ready for the electrical installation. West also discussed the buy-back on maintainers and the dust control program. West then discussed the city-wide cleanup program and road projects with the Cities. West stated that we are ready to take bids for our road oil for the year. Rick James asked West to look into the costs associated with maintenance of gravel roads and asphalt roads. James also asked about the costs for paving an existing gravel road.

West presented a permit to bury (bore) water line located on CR 1077, ¼ miles north of K152. Rick James moved to approve Burial Permit #BP2022-05 requested by RWD #3 as presented. Jim Johnson seconded the motion. The motion passed 3-0.

West then asked to hire Darin Wilson to work with Bobby Young in the Planning & Zoning/Codes Enforcement Dept. at a wage of \$18.7115 per hour (Range 11, Step A). Danny McCullough moved to hire Darin Wilson as requested. Jim Johnson seconded the motion. The motion passed 3-0.

Morgan Northcutt updated the Commission on upcoming interviews and stated that we are having another Job Fair on April 23<sup>rd</sup>. Kansas Works is assisting us with the Job Fair at no cost to the County.

At 10:30 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 25 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:10 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Missy Lancaster attended the executive session.

At 10:42 AM Missy Lancaster left the executive session and Shaun West entered.

At 11:00 AM Shaun West left the executive session.

At 11:10 AM the executive session ended. No action was taken as a result of the executive session.

Missy Lancaster presented information on 8 grants available for the Health Dept., totaling \$318,961.91. Rick James moved to approve and sign the grant applications as presented. Danny McCullough seconded the motion. The motion passed 3-0.

The Commission and Counselor discussed dates for moving into the new Justice Center. Rick James discussed the need for plans to remodel the old District Court building. Rick James also discussed the demolition of the old jail building after everyone moved into the new building.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, March 14, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

March 14, 2022

The Board of Linn County Commission met in regular session at 9:02 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice-Chair; Rick James, Member; David Lamb, County Clerk; Morgan Northcutt, Deputy Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Jeff Fulk opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Doug Barlet reported on the Fire calls for the week. Barlet then announced his retirement effective July 1, 2022. The Commission thanked Barlet for his service to the County.

Jim Johnson moved to approve add/abate/refund orders: #2021-101 through #2021-129. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 18 prisoners in house and 2 farmed out to other Counties.

The Clerk presented a resolution for surplus property from the Public Works Dept. Jim Johnson moved to adopt Resolution #2022-13 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-13:



Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week. Anderson also presented a written report of the February Calls and Call Times.

Missy Lancaster reported that her grants were submitted last week. Lancaster reported on upcoming events for the Health Dept.

County Attorney Burton Harding presented a proposal for an update to the Case Management software. Harding has reached out to two other software companies but has had no response. The price for the software is \$45,475.00 with an initial down payment of \$5,000.00. It will take approximately 14 months to get the software installed. The Commission would like to wait a week or two to see if any other software companies respond.

Rick James moved to approve the following pays/special pays, totaling \$1,701,476.47: General, \$223,660.85; Employee Benefit, \$127,445.45; Appraiser, \$15,470.37; Rural Fire, \$12,495.79; Road and Bridge, \$62,883.20; 911 Telephone Tax, \$1,444.92; County Health Dept., \$11,377.10; Capital Improvement (Construction), \$1,241,589.37; Elderly, \$4,321.92; and Sewer Dist. #1, \$787.50. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough moved to approve River City Construction's Application for Payment #18 in the amount of \$1,241,589.37. Rick James seconded the motion. The motion passed 3-0. (Payment #18 is included in this week's Claims.)

Gary Thompson presented Change Order #15 in the amount of \$59,296.53 for the parking lot changes. Rick James moved to approve Change Order #15 as presented. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk reminded the Commission about the SEK County Officials Meeting that will be held in Anderson County this Thursday.

Jessica Hightower presented a draft of the Broadband RFP. Rick James moved to allow Hightower to send out the RFP as presented. Danny McCullough seconded the motion. The motion passed 3-0.

John Harry, Kwikom, stated that their offer is still open for the Broadband RFP.

Shaun West reported on issues the Public Works Dept. has been dealing with for the past week. West also reported on the motor grader accident that occurred last week. The motor grader should be removed from the ditch today. West presented a list of roads that could be worked on this year. West stated that he would like to hire two part-time employees for the Park. The Commission agreed to allow West to advertise for a year-round part-time position at the Park.

West then asked to hire Jackie Schlesener as a Full-Time Custodian at a rate of \$14.0862 per hour (Range 7, Step D). Danny McCullough moved to hire Jackie Schlesener as requested. Jim Johnson seconded the motion. The motion passed 3-0.

The Commission and West discussed the old Congregate Meal site in Pleasanton. Rick James discussed the cost of converting roads from gravel to paved. Commissioner James would like to know what it costs in other Counties. Commissioner James also asked about the cost of using a walking floor trailer for Solid Waste. Commissioner McCullough asked several questions about our asphalt program and how it effects the rest of the Road & Bridge duties. West stated that he will have Tod Moeller come in next week to discuss road projects.

Jessica Hightower introduced Ken Baugh. Baugh proposed extending his current lease for one year so the County could take the time to discuss development of the land before leasing it out for another 3 year period. The Commission agreed to allow Baugh to put in a bid today for the 3 year period, and then they will consider options for the property.

At 10:48 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:58 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Deputy Clerk, and Counselor attended the executive session.

At 10:58 AM the executive session ended. No action was taken as a result of the executive session.

Chris Martin and Sheriff Friend discussed 911 System Upgrades. Sheriff Friend discussed joining a consortium instead of operating on our own. Currently we are 1 of 2 Counties in the State that operate on their own as opposed to being part of a 911 group. Sheriff Friend proposed joining the Mid-America Regional Council for 911. It would cost us approximately \$40,670.12 per year to be part of the Mid-America Regional Council.

Chris Martin explained the details of the proposal to join the Mid-America Regional Council and explained the current system we are using. Martin also discussed the costs of upgrading our current system and compared various options to joining the Mid-America Regional Council. We will need to upgrade our system, no matter what option we choose. To upgrade to the MARC system requirements, it will cost us approximately \$61,584.90. Our cost could be lower because of our current GIS Dept. The Commission agreed that the MARC system looks like the best option.

The Sheriff and Clerk discussed the need for a searchable index of County Resolutions. Sheriff Friend also discussed a Resolution he and the County Counselor are working on concerning fees for housing prisoners.

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, March 21, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

March 21, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-130 and #2021-132 through #2021-141. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 17 prisoners in house and 5 farmed out to other Counties. The Clerk also presented copies of the Fire calls for the week.

The Clerk informed the Commission that Kristy Schmitz would like to have a credit card for her office added to the County account. Jim Johnson moved to add a credit card to the account for the Register of Deeds. Danny McCullough seconded the motion. The motion passed 3-0.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week.

Missy Lancaster reported on upcoming meetings for her department.

Rick James moved to approve the following pays/special pays, totaling \$466,485.74: General, \$230,806.19; Rural Fire, \$731.66; Road and Bridge, \$134,817.84; Equipment Reserve, \$4,063.69; County Health Dept., \$84.33; Capital Improvement, \$94,840.52; and Elderly, \$1,141.51. Danny McCullough seconded the motion. The motion passed 3-0.

Jessica Hightower informed the Commission that the Comprehensive Plan Open House is this Saturday at the 4-H Building from 2:00 to 4:00 PM. Hightower then asked for permission to sign a grant acceptance for the Community in Action Grant in the amount of \$1,500.00. Rick James moved to accept the grant and allow Jessica Hightower to sign the grant contract. Danny McCullough seconded the motion. The motion passed 3-0. Hightower also presented bids for two fuel/oil tanks at the Pleasanton Public Works location. Bids received were: Double Check Company, Inc., \$68,888.00; and P. B. Hoidale, \$62,616.77. Danny McCullough moved to accept the low bid from P. B. Hoidale in the amount of \$62,616.77. Rick James seconded the motion. The motion passed 3-0.

Shaun West updated the Commission on the parking lot project and other upcoming projects. West presented a printed copy of the hours worked on Public Works tasks/jobs for the month of February. West also gave the Commission copies of asphalt estimates.

Tod Moeller discussed the asphalt estimates. The asphalt cost of material estimate is \$213,000.00 per mile. Moeller stated that we can chip/seal roads for \$17,000.00 to \$18,000.00 per mile. The Commission stated that we need to do a lot of ditch work to improve our roads. The Commission would also like to check into doing more chip/seal on our roads. Shaun West discussed projects that Tod Moeller is working on.

Shaun West then discussed projects the Maintenance Dept. is working on. West informed the Commission that Johnny Taylor and Carl Wieberg have both passed their Noxious Weed Director's Classes and Tests.

At 9:56 AM the Commission opened bids for the farm ground at the Pleasanton Industrial Park. Bids received were: Ken Baugh, \$18,500.00 per year; and Mine Creek Feed/Heck Farms, \$13,333.00 per year. Rick James moved to accept the bid of \$18,500.00 for a 3-year lease from Ken Baugh. Jim Johnson seconded the motion. The motion passed 3-0.

At 10:03 AM, Rick James moved to recess for 5 minutes. Jim Johnson seconded the motion. The motion passed 3-0.

County Appraiser Kathy Bridges presented information on the County Valuation and Taxes. Bridges explained how the appraisal process works and how it fits in the taxing process for the County.

Gary Thompson discussed the generator plans for the new Justice Center. Rick James moved to move the generator from Emergency Management to a temporary location near the existing jail, to use a mobile generator at Emergency Management until a permanent replacement is found, to seek prices to buy and install a permanent 25 KW gen at Emergency Management, and to authorize the permanent installation of the former Emergency Management generator at a new location to power the remaining buildings in the Courthouse block. Jim Johnson seconded the motion. The motion passed 3-0. Rick James moved to authorize Chris Martin to go out for bids for the generator work. Jim Johnson seconded the motion. The motion passed 3-0.

Noxious Weed Director Johnny Taylor discussed the certifications he and Carl Weiberg have received and presented the Annual Noxious Weed Plan. Rick James moved to approve and submit the Annual Noxious Weed Management Plan for 2022. Danny McCullough seconded the motion. The motion passed 3-0.

At 11:35 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 25 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 12:10 PM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 11:46 AM Morgan Northcutt entered the executive session.

At 11:51 AM Shaun West left the executive session.

At 12:10 PM the executive session ended. As a result of the executive session, Rick James moved to increase Carl Wieberg's wages to \$18.7115 per hour (Range 11, Step A) as the Assistant Noxious Weed Director, and to increase Noxious Weed Director Johnny Taylor's wages to \$20.2084 per hour (Range18 Step A), effective 3/7/22. Danny McCullough seconded the motion. The motion passed 3-0. Both Wieberg and Taylor have passed all their classes to be Noxious Weed Directors.

The Clerk and Commission reviewed the population in the Commission Districts after the 2020 Census. After reviewing the Census figures, Jim Johnson made a motion stating that the Commission has reviewed the population of the Commission Districts and the Commission believes that they are in compliance with K.S.A. 19-204, and they are voting to make no changes to the current Commission Districts. Danny McCullough seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, March 28, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk



March 28, 2022

The Board of Linn County Commission met in regular session at 9:02 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice-Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$416,525.44: General, \$224,939.92; Employee Benefit, \$85,458.25; Appraiser, \$12,063.60; Rural Fire, \$3,383.59; Road and Bridge, \$77,618.77; County Health Dept., \$9,961.07; Elderly, \$3,037.34; and Sewer Dist. #1, \$62.90. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-142 through #2021-145. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 21 prisoners in house and 4 farmed out to other Counties.

Bill Matlock, River City Construction gave an update on the building project. Matlock stated that they are ready for the punch list on April 12<sup>th</sup> and our furniture should be here on April 25<sup>th</sup>. Matlock's biggest concern right now is the parking lot. They are also waiting on the water heaters and the BFDs that run the fans on the roof.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week.

Doug Barlet reported on the Fire calls and the weather for the week.

Danny McCullough moved to sign the farm lease with Kenneth Baugh that was approved at last week's meeting. Rick James seconded the motion. The motion passed 3-0.

Burton Harding updated the Commission on his office and stated that he has decided to go with the software program he had previously discussed with the Commission.

Jessica Hightower gave an update on her department.

Shaun West presented the following resolutions: Resolution #2022-14, Surplus Property; and Resolution #2022-15, Traffic Control Signs. Rick James moved to adopt Resolution #2022-15 and instructed the Clerk to publish the Resolution when the signs are available. Danny McCullough seconded the motion. The motion passed 3-0. Rick James then moved to adopt Resolution #2022-14. Danny McCullough seconded the motion. The motion passed 3-0. Following are copies of Resolution #2022-14 and Resolution #2022-15:

RESOLUTION # 2022-14

DECLARATION OF SURPLUS PROPERTY

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LINN COUNTY KANSAS

BE IT RESOLVED: that the following property from the Linn County South Road Shop be declared as surplus property and the Public Works Director be directed to dispose of it in the manner most beneficial to the County:

1996 Ford F800 Dump Truck, VIN#1P1998E7A11500 (Unit #RE31), Ser. Cmb: 453

Front End mower (PE1), Ser. code: 163 John Deere 727 Serial #M0144383042

2012 Zero Turn mower (PE1), Ser. code: 153 John Deere 727 Serial #TC5940CR02024

APPROVED AND ADOPTED THIS 21<sup>ST</sup> DAY OF MARCH, 2022

BOARD OF COUNTY COMMISSIONERS,  
LINN COUNTY, KANSAS

Jim Johnson, Chairman

Rick James, Member

Danny McCullough, Member

ATTEST:  
David L. Lamb, County Clerk

• Install Stop sign for eastbound traffic on the southwest corner of the intersection of West 900 Road and Bokin Road

• Install Stop sign for westbound traffic on the northeast corner of the intersection of West 925 Road and Bokin Road

• Install Stop signs for eastbound and westbound traffic at the southwest corner and northeast corner of the intersection of West 1100 Road and Bokin Road

• Install Stop sign for westbound traffic at the northeast corner of the intersection of West 1200 Road and Bokin Road

• Install Stop Sign for northbound traffic at the southeast corner of the intersection of West 1250 Road and Bokin Road

• Install Stop sign for eastbound traffic at the southwest corner of the intersection of West 1700 Road and Baskerville Road

• Install Stop sign for southbound traffic at the northwest corner of the intersection of West 800 Road and Cassida

• Install Stop sign for northbound traffic at the southeast corner of the intersection of West 600 Road and Cassida

• Install Stop sign for northbound traffic at the southeast corner of the intersection of West 900 Road and Cassida Road

• Install Stop sign for northbound traffic at the southeast corner of the intersection of West 1250 Road and Cassida Road

• Install Stop sign for northbound traffic at the southeast corner of the intersection of West 1600 Road and Diggins Road

• Install Stop sign for southbound traffic at the northwest corner of the intersection of West 1525 Road and Keitel Road

Section 2- That the Traffic Control Director is hereby directed to post appropriate traffic control devices, in accordance with the standards and requirements established for such signs in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD), for and upon the locations and streets and roadways designated in this Resolution.

Section 3- That authorized emergency vehicles as defined under K.S.A. 8-1404, and any amendments thereto, and such other publicly or privately owned and operated vehicles as are designated by a Board of County Commissioners as a authorized emergency vehicle pursuant to K.S.A. 8-2010, and any amendments thereto, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, or when responding to, but not returning from, a fire alarm, shall be exempt from any violations of the STOP and YIELD signs established herein so long as such vehicle is making use of an audible signal meeting the requirements of K.S.A. 8-1738, and any amendments thereto, and the visual signals meeting the requirements of K.S.A. 8-1720, and any amendments thereto.

Section 4- That from and after the effective date of this Resolution, no person shall fail to stop a motor vehicle at the STOP signs or fail to yield right-of-way at the YIELD signs established by this Resolution and any violation of the provisions of this Resolution by any person, unless exempted as provided for herein, shall be a public offense for disobeying a traffic control device under K.S.A. 8-1507 or failure to yield right of way under K.S.A. 8-1528 and shall be punishable upon conviction by a fine in an amount and in accordance with the provisions of K.S.A. 8-2116(c) and

RESOLUTION NO. 2022-15

A RESOLUTION ESTABLISHING STOP SIGNS AT CERTAIN INTERSECTIONS ON ROADS WITHIN LINN COUNTY AND PROVIDING FOR ENFORCEMENT THEREOF

WHEREAS, the Director of Public Works for Linn County, Kansas, along with the Traffic Control Director, have reviewed the road conditions, sight distance, and vehicle use at the intersections cited below on County Roads in Linn County, Kansas; and

WHEREAS, following the road condition review the Director of Public Works has determined that it is necessary; and he therefore recommends, that certain STOP signs, YIELD signs and other traffic control devices be posted at the cited locations to control traffic as described; and

WHEREAS, K.S.A. 19-101a, 19-212 and 8-2002 authorize the Board to enact resolutions regarding the establishment of traffic control devices upon roads within its jurisdiction; and

WHEREAS, the Board has determined, after reviewing all the evidence presented it, that it is in the best interest of the public's health, safety and welfare to post STOP signs, YIELD signs and other traffic control devices as recommended by the Public Works Director of Linn County, Kansas;

NOW THEREFORE BE IT RESOLVED:

**Section 1- That the following traffic control devices be installed:**

- Install Yield sign for eastbound traffic at the southwest corner of the intersection of West 700 Road and Arthur Road
- Install Stop Signs for eastbound and westbound traffic at the southwest corner and northeast corner of the intersection of West 800 Road and Arthur Road
- Install Yield sign for eastbound traffic at the southwest corner of the intersection of West 900 Road and Arthur Road
- Install Yield sign for westbound traffic at the northeast corner of the intersection of West 1100 Road and Arthur Road
- Install a Double Directional Arrow at the intersection of West 1175 Road and Andrews Road (Dead End)
- Install Stop signs for northbound and southbound traffic at the southeast corner and northwest corner of the intersection of West 1230 and Andrews Road
- Install a Stop sign for westbound traffic at the northeast corner of the intersection of West 1475 road and Arthur Road
- Install a Stop sign for eastbound traffic at the southwest corner of the intersection of West 1500 Road and Arthur Road
- Install Stop signs for southbound and northbound traffic at the northwest corner and southeast corner of the intersection of West 600 Road and Bokin Road
- Install Stop signs for eastbound and westbound traffic on the southwest corner and northeast corner of West 700 Road and Bokin Road
- Install Stop sign for westbound traffic on the northeast corner of the intersection of West 800 Road and Bokin Road

any amendments thereto.

THIS RESOLUTION shall become effective upon its approval by the Board of Commissioners and its publication once in the official county newspaper, and the prohibition and restrictions provided in this Resolution shall become effective, after publication, upon the posting of traffic control signs as required by this Resolution.

APPROVED AND ADOPTED THIS 28TH DAY OF MARCH 2022

BOARD OF COUNTY COMMISSIONERS,  
LINN COUNTY, KANSAS

Jim Johnson, Chairman

Rick James, Member

Danny McCullough, Member

ATTEST:  
David L. Lamb, County Clerk

West then asked to hire Zachery Daniels as an Equipment Operator I for the South Shop at a wage of \$14.8538 per hour (Range 8, Step A). Rick James moved to hire Daniels as requested. Danny McCullough seconded the motion. The motion passed 3-0.

West discussed the maintainer that was damaged and the plans for buy-backs on other maintainers. West also asked for permission to go out for bids on a 5.5 mile overlay project on Ungeheuer Road between KS 239 Highway and 850 Road. West then discussed an estimate from Custom Truck to repair our boom truck in the amount of \$11,891.58. Danny McCullough moved to allow Custom Truck to repair the boom truck for \$11,891.58. Rick James seconded the motion. The motion passed 3-0.

Randy Adams, Tanglewood Lakes POA, discussed enforcement of County Codes within the lake development. The Commission, Counselor, and Bobby Young discussed the process for our Codes Court and cases that are pending.

At 10:33 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:43 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Sheriff, Treasurer, and Counselor attended the executive session.

At 10:43 AM the executive session ended. No action was taken as a result of the executive session.

Kenneth Olsen, Enterprise Fleet Management, discussed their program for managing the vehicle fleet for the County. After listening to the presentation and comments from Jesse Secrest, the Commission asked Olsen for additional information before making a decision.

At 11:37 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 12:02 PM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 11:45 AM Shaun West left the executive session.

At 12:02 PM the executive session ended. As a result of the executive session, the Clerk stated that he has hired Michelle Kelly for the Accounts Payable position in the Clerk's Office at a wage of \$15.0924 per hour (Range 8, Step C).

Jessy Willard discussed the old nursing home property that he owns and asked if the County was willing to partner with him or help with a non-profit business on the property or provide some of our ARPA funds toward a nursing home.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, April 4, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

April 4, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; Morgan Northcutt, Deputy County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$314,386.37: General, \$250,151.26; Employee Benefit, \$75.00; Appraiser, \$1,147.17; Rural Fire, \$7,225.64; Road and Bridge, \$50,744.45; Equipment Reserve, \$150.00; County 911 Telephone Tax, \$1,507.29; Sheriff's Seizure Fund, \$710.00; Health Dept., \$1,084.16; Elderly, \$1,457.77; and Sewer Dist. #1, \$133.63. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-146 and #2021-147. Rick James seconded the motion. The motion passed 3-0.

The Deputy Clerk presented copies of the prisoner count. There are currently 21 prisoners in house and 4 farmed out to other counties.

River City is still on track, hot water heater still an issue with gas valves slipping again. We are still on track for furniture delivery on the 25<sup>th</sup>.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week.

Missy Lancaster reported last week 2 others went to governor's conference. State of Kansas reported there will be a 4<sup>th</sup> COVID booster. The health Dept will still be providing COVID shots and Boosters on Wednesdays. State 2.0 contract can start spending funds in the amount of \$7,000 by June 30<sup>th</sup>. The health department will be spending on landscaping and painting. Community Baby Shower is June 24<sup>th</sup>.

Doug Barlet reported a total of 20 incidents, 8 grass fires, 4 brush fires, 2 medical assists, 1 service call, 1 fire and 1 building fire, 1 Windstorm, 1 dispatched and canceled in route, and 1 unauthorized burning.

Jessica Hightower has the list of people who agreed to be on childcare committee. Danny McCullough motioned to approve the approval of the childcare committee members. Rick James second the motion. The motion passed 3-0

Jessica Hightower also stated that RFP's are due the 15<sup>th</sup> for the fiber optic cable contracts.

Doug Barlet stated he has some concerns about moving his generator during the prime weeks of storm season. Chris Martin stated that the electrician will hook the temporary generator if there was one.

Chris Martin reported there was a total of 1 bid for the generator. The road department has a wheel loader that could pick it up and load it up on pad. The plan is still in place for the move. Danny McCullough motioned to approve the Generator bid Option A in the amount of \$3,975.00 with Kelly Electric. Rick James Second the motion. The motion passed 3-0. Chris Martin will go out for bids on step 2 for the Generator for Pleasanton

Shaun West reported the water line issue in the yard and was able to get it repaired and sleeved and a meter based was put in the back of the building. Flagger training was last week for road crews. Road grater estimate was approved by insurance and work has begun on it. Buy back amount on each unit is \$115,500.00.

Todd Grant a concerned county citizen reported that he lives at 600 Road and 52 Highway and would like to put a speed limit sign and a bus stop to protect his kids due to the speeding on the roadway.

At 9:50 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:10 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Deputy County Clerk, and Counselor attended executive session.

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

Jim Johnson motioned to recess for 10 minutes. Rick James second the motion. The motion passed 3-0.

Jessy Willard came back to continue conversation from last week. He wants to put something on the ballot for the nursing home to see what the people think. Jim Johnson moved that Jesse Willard gets 51% voters' signed petition. Rick James second the motion. The motion passed 2-1.

At 10:58 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:03 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Deputy County Clerk, and Counselor, Todd Schneider attended the executive session.

At 11:03 AM the executive session ended. No action was taken as a result of the executive session.

Todd Schneider with Schneider Funeral homes proposed a new postmortem examination service. At the end of the year the district coroner will be retiring.

At 11:15 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:25 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Deputy County Clerk, and Counselor, Todd Schneider attended the executive session.

At 11:25 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, April 11, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

April 11, 2022

The Board of Linn County Commission met in regular session at 9:02 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$385,965.47: General, \$158,432.01; Employee Benefit, \$126,407.96; Appraiser, \$12,132.93; Rural Fire, \$17,818.76; Road and Bridge, \$53,089.56; County Health Dept., \$11,708.56; Elderly, \$6,307.84; and Sewer Dist. #1, \$67.85. Jim Johnson seconded the motion. The motion passed 2-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-148 through #2021-154. Rick James seconded the motion. The motion passed 2-0.

Rick James moved to accept the Sheriff's Monthly Fee Report for March 2022 in the amount of \$2,685.00. Jim Johnson seconded the motion. The motion passed 2-0.

At 9:07 AM Vice Chair Danny McCullough arrived.

The Clerk presented copies of the prisoner count. There are currently 20 prisoners in house and 4 farmed out to other Counties.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week. Anderson also presented a printed copy of the March Calls and Response Times.

Missy Lancaster reported on current activities at the Health Dept.

Doug Barlet reported on the Fire calls and the weather for the week. We have a chance of severe weather for the next few days. Barlet asked to send some Firefighters to the Parsons Fire School, it will cost around \$600.00 per Firefighter. The Commission agreed to allow Barlet to send some Firefighters to the training. Barlet then asked the Commission to rescind the Emergency Declaration for COVID-19. The Counselor will prepare a Resolution to rescind the Emergency Declaration next week.

Gary Thompson discussed Pay Request #19 from River City Construction in the amount of \$1,083,685.89. Danny McCullough moved to approve River City Construction Pay Request #19 in the amount of \$1,083,685.89. Rick James seconded the motion. The motion passed 3-0. Thompson then discussed the need for remediation for the parking lot behind the Annex because the soil was not suitable for the parking lot. The estimate for this service is \$35,898.15. Rick James moved to tentatively approve the work on the parking lot in the amount of \$38,898.15. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James announced that he will not seek a third term as County Commissioner.

Gary Thompson presented the following requests for reduced dumping fees from the Cities of Prescott and Pleasanton: Tim Howlingcrane, 245 E 3<sup>rd</sup>, Prescott; Dale Freidline, 415 E Walnut, Prescott; and James Schreckhise, 409 Center, Pleasanton. Rick James moved to approve the requests as presented. Danny McCullough seconded the motion. The motion passed 3-0.

Gary Thompson discussed an issue with utility poles being installed in our right of way. West will be on-site with Evergy today to show them where the poles need to be installed.

At 9:42 AM Danny McCullough moved to recess from the Board of Commission meeting into executive session for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:52 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Shaun West, and Counselor attended the executive session.

At 9:52 AM the executive session ended. No action was taken as a result of the executive session.

At 9:52 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:07 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:07 AM the executive session ended. No action was taken as a result of the executive session.

Shaun West presented the following Burial Permits: #BP2022-06 from Zook Excavating, and #BP2022-07 through #BP2022-09 from Chad Page. Rick James moved to approve the Burial Permits as requested. Danny McCullough seconded the motion. The motion passed 3-0.

West then discussed the values and buy-back amounts on our maintainers. West also discussed other projects the Public Works Dept. is working on including wing walls on a bridge at 1350 Road & Ross Lane, the hoop building at the airport, asphalt projects, and a request from the lake communities for our old traffic control signs. Shaun West stated that he passed his Wastewater Exam and is taking over the reporting on our wastewater operations.

At 10:30 AM the Chair asked for public comment. A gentleman addressed the Commission concerning an issue with a Sheriff's Deputy in the Parker area. The Counselor advised the gentleman that he should talk to Sheriff Friend about the issue, because the Commission has no control over the Sheriff's Office.

At 10:35 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:45 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Morgan Northcutt attended the executive session.

At 10:45 AM the executive session ended. As a result of the executive session, Rick James moved to increase Shaun West's salary to \$28.6108 per hour (Range 16, Step F), due to West receiving his Wastewater Certification. Danny McCullough seconded the motion. The passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, April 18, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

April 18, 2022

The Board of Linn County Commission met in regular session at 9:02 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$1,401,067.86: General, \$256,059.18; Employee Benefit, \$273.06; Appraiser, \$206.94; Rural Fire, \$9,544.28; Road and Bridge, \$48,406.79; Law Enforcement Trust, \$172.90; 911 Telephone Tax, \$313.22; County Health Dept., \$1,731.94; Capital Improvement, \$1,083,685.89; and Elderly, \$673.66. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-155 and #2021-156. Rick James seconded the motion. The motion passed 3-0.

The Commission then reviewed the YTD Park Report for March 2022.

The Clerk presented copies of the prisoner count. There are currently 16 prisoners in house and 3 farmed out to other Counties.

The Clerk also presented the Treasurer's Interest Report and Delinquent Tax Report. 2022 1<sup>st</sup> Quarter Interest was \$12,090.36. Delinquent Real Estate Tax as of March 31, 2022 is \$820,565.15. Delinquent Personal Property Tax as of March 31, 2022 is \$52,698.94.

Jim Johnson moved to adopt Resolution #2022-16, repealing Resolution #2020-15 and ending the Public Health State of Emergency for COVID-19. Rick James seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-16:



Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week.

Bill Matlock, River City Construction gave an update on the building project. Matlock stated that some of the equipment they have been waiting on has come in. The punch list will be done by the Architect tomorrow.

Doug Barlet reported on the Fire calls and the weather for the week.

Missy Lancaster reported that the Health Dept. is still doing COVID vaccines on Wednesdays, all other services are available on a walk-in basis.

Jessica Hightower reported that she will be out next week for training. Hightower also reported on her childcare committee meeting last week and an airport committee meeting scheduled this week.

Hightower then presented the following bids:

Asphalt Overlay, 5 ½ miles: The only bid received was from Bettis Asphalt. Bettis submitted a bid with the following options: Option #1 with KDOT's index pricing, \$594,589.50 (total price could change depending on the price of materials according to KDOT); and Option #2 with a fixed price, \$633,951.90. Jim Johnson moved to accept Option #1, using KDOT's index pricing, with Bettis Asphalt. Rick James seconded the motion. The motion passed 3-0.

Road Oil: Bids were received from Vance Brothers Inc. and Coastal Energy Corporation. Tod Moeller will review the bids and make a recommendation.

Mowing: Bids were received from Scarecrow Farms Lawn Care and Mairs Lawn & Landscape. Jessica Hightower will review the bids and make a recommendation.

Broadband Bids-ARPA: Bids were received KwiKom Communications and Peoples Telecommunications. Hightower will review the bids and ask for clarification.

Mike Nation presented service agreements with Foley Caterpillar for our maintainers. Nation would like to change to a Maintenance Plus Plan on all of our maintainers for \$8,881.59 per 1000 machine hours. Rick James moved to approve the Maintenance Plus Plan for our maintainers with Foley Caterpillar for \$8,881.59 per 1000 machine hours. Danny McCullough seconded the motion. The motion passed 3-0.

At 10:00 AM the Commission toured the Justice Center.

At 10:45 AM the Commission returned from the Justice Center tour.

At 10:47 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:07 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Morgan Northcutt, Counselor, and Shaun West (by phone) attended the executive session.

At 10:56 AM Morgan Northcutt left the executive session.

At 11:07 AM the executive session ended. No action was taken as a result of the executive session.

At 11:08 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:38 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Sheriff Friend attended the executive session.

At 11:38 AM the executive session ended. No action was taken as a result of the executive session.

Jessica Hightower presented the March Cost Summary by Task for Public Works. Hightower then presented the following Burial Permits: #BP2022-10 through #BP2022-16, all requested by Peoples Telecommunications. Rick James moved to approve the Burial Permits as presented. Danny McCullough seconded the motion. The motion passed 3-0.

The Counselor discussed a provision in our Tax-Free Bond Documents that limit the amount of revenue we can make from the Federal Government in our jail.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, April 25, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk



April 25, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough (by phone), Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$345,902.60: General, \$155,638.28; Employee Benefit, \$112,019.38; Appraiser, \$12,527.25; Rural Fire, \$7,230.95; Road and Bridge, \$44,144.81; County Health Dept., \$11,115.12; and Elderly, \$3,226.81. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund order: #2021-157. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 17 prisoners in house and 3 farmed out to other Counties. The Clerk also presented copies of the Fire Calls for the week.

Galen Anderson, AMR, reported on their activities for the past week.

Missy Lancaster reported on current activities at the Health Dept. and discussed new promotions the Health Dept. is scheduling this summer.

Jessica Hightower presented information on the road graders and the buy-back program. Hightower then informed the Commission that a dump truck repair for the North Shop will cost \$6,882.85 with Inland Truck. Rick James moved to approve the dump truck repairs in the amount of \$6,882.85. Jim Johnson seconded the motion. The motion passed 3-0. Hightower also presented a Burial Permit for a water line located on 600 Road, near K7 Highway. Jim Johnson moved to approve Burial Permit #BP#2022-17 as presented. Rick James seconded the motion. The motion passed 3-0. Hightower informed the Commission that the Bi-Annual Bridge Inspections came in last week.

Gary Thompson and Danny McCullough discussed the Punch List on the Justice Center Project. Thompson will email copies to the Commissioners. Thompson then presented copies of the proposal from Enterprise Leasing.

At 9:29 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:54 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Morgan Northcutt attended the executive session.

At 9:37 AM Morgan Northcutt left the executive session.

At 9:54 AM the executive session ended. No action was taken as a result of the executive session.

The Clerk stated that he has hired Stephen Sage for the Accounts Payable position in the Clerk's Office at a wage of \$14.9726 per hour (Range 8, Step B).

At 9:56 AM Jim Johnson moved to take a 15 minute break. Rick James seconded the motion. The motion passed 3-0.

Tod Moeller discussed the Asphalt Bid that was approved last week, Oil Bids that were received, and the Chip & Seal plans for the year. Moeller recommends accepting the bid from Coastal Energy for the oil. Moeller estimates spending \$1.2 to \$1.3 million for asphalt and oil this year. Rick James moved to approve \$655,820.00 for road oil from Coastal Energy Corporation. Jim Johnson seconded the motion. The motion passed 3-0.

The Commission discussed the mowing bids that were received last week. The total from Scarecrow Farm Mowing for 30 mowings with weed-eating and tree and bush trimming is \$23,890.00. The total from Mairs Mowing is \$32,650.00 plus \$10,900.00 for fertilizing. Rick James moved to hire Scarecrow Farm Mowing for up to 30 mowings per year for up to \$23,890.00, including weed-eating with every mowing and tree and bush trimming 2 times. Danny McCullough seconded the motion. The motion passed 3-0.

The Counselor and Commission discussed the bids from KwiKom Communications and Peoples Telecommunications for Broadband Service.

Jennifer Leach and Jim McAtee from Peoples Telecommunications discussed their bid/proposal for Broadband Service. Peoples is requesting an 80% match from the County's ARPA Funds for 150 potential connections. KwiKom Communications is requesting a 50% match for 399 potential connections. Jennifer Leach brought up the issue that KwiKom has not paid any property tax in Linn County, but Peoples has been paying taxes here for over 100 years. The Commission asked both companies to provide additional information.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, May 2, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

May 2, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$134,770.26: General, \$50,205.59; Appraiser, \$22.58; Rural Fire, \$2,644.03; Road and Bridge, \$57,993.40; Equipment Reserve, \$20,025.50; 911 Telephone Tax, \$6.27; County Health Dept., \$254.13; and Elderly, \$3,618.76. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 18 prisoners in house and 3 farmed out to other Counties.

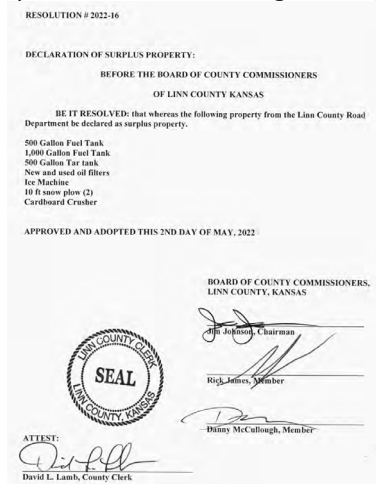
Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week.

Doug Barlet reported on the Fire calls and the weather for the week. The Commission and Barlet discussed staffing at our Fire Stations and ISO Ratings. Rick James discussed the possibility of taking over the Fire Districts for La Cygne and Pleasanton, since we already have stations in those cities. We do not have a station in Linn Valley. Commissioner James suggested putting a Full-Time Firefighter in Mound City, La Cygne, and Pleasanton.

Harry Wisdom reported that he has 3 maintainers needing repair. The maintainer at Prescott has around 6200 hours. If we want to use the buy-back program, we must do that before it goes over 7000 hours.

Mike Nation reported that he is having problems with his semi-tractor. The truck will need to be taken to International for repairs.

Jessica Hightower reported on the covers for the hoop building for the airport. The covers we have are not usable, so we will need to look for new covers. Hightower reported on the Noxious Weed Dept. and areas they sprayed last week. Hightower then presented the ESRI Renewal for GIS in the amount of \$27,500.00. The Commission would like Pam Cannon to come to next week's meeting to discuss the renewal. Hightower then presented Resolution #2022-16 declaring surplus property that will be sold on PurpleWave. Rick James moved to adopt Resolution #2022-16 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-16:



(After the meeting the Clerk discovered that this was the wrong Resolution number and will present a corrected Resolution next week.)

Hightower then reported that we were awarded Transportation Grants again for 2023. Hightower also reported on other issues the Public Works Depts. are working on. Hightower then discussed the contract for mowing with Scarecrow Farm Lawn Care. Jim Johnson moved to approve signing the mowing contract for up to 30 mowings and 2 trimmings per site. Rick James seconded the motion. The motion passed 3-0.

Deputy Clerk Morgan Northcutt asked to hire John Wateski as a Part-Time Maintenance worker at the County Park at a wage of \$13.7535 per hour for 20 hours per week (Range 7, Step A). Rick James moved to hire Wateski as requested. Danny McCullough seconded the motion. The motion passed 3-0. Northcutt also stated that we also need to advertise for a part-time Marina Clerk. The Commission agreed to advertise for the position.

Northcutt then read an email from Shaun West concerning training for CDL drivers. Under the new regulations, it would cost the County \$5,000.00 per employee for the training, but we could get certified to do the training ourselves.

Rick James started a discussion on the 2023 Budgets and the Revenue Neutral Rate. James then discussed funding of the SRO Program. James would like to see the cost of the SRO Program go back to the schools and would not like to fund the SRO Program from County Funds for 2023. Rick James moved to tentatively not allow SRO funding in the Sheriff's budget for 2023. Danny McCullough seconded the motion. The motion passed 3-0. Commissioner James proposed hiring a full-time Firefighter in Mound City, Pleasanton, and La Cygne. Commissioner James also discussed the issues associated with dispatching for the Cities. We currently do not charge the Cities for the dispatching services. James also suggested discontinuing the City Infrastructure funding for the Cities. Rick James moved to tentatively not fund the Infrastructure Grant to the Cities for 2023. Jim Johnson seconded the motion. The motion passed 3-0.

Representatives from KwiKom met with the Commission and stated that it would not be feasible for them to proceed with the project without having the Parker area included in their proposal.

At 10:35 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:45 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:45 AM the executive session ended. No action was taken as a result of the executive session.

At 10:47 AM Jim Johnson moved to take a 10 minute break. Danny McCullough seconded the motion. The motion passed 3-0.

At 10:57 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session until 12:30 PM to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 12:30 PM. Rick James seconded the motion. The motion passed 3-0. The Commission, Deputy Clerk Morgan Northcutt, and applicants for the Fire Chief/Emergency Manager position attended the executive session.

At 12:30 PM the executive session ended. No action was taken as a result of the executive session.

At 12:30 PM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 1 hour to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 1:30 PM. Rick James seconded the motion. The motion passed 2-0. The Commission, Deputy Clerk Morgan Northcutt, and applicants for the Fire Chief/Emergency Manager position attended the executive session.

At 1:30 PM the executive session ended. As a result of the executive session, Jim Johnson moved to hire Randy L. Hegwald as the Fire Chief/Emergency Manager at a salary of \$30.1698 (Range 17, Step C). Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to sign letters addressed to the School Districts concerning not funding the SRO Programs and to the Cities concerning not funding the Infrastructure Grants. Rick James seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, May 9, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

May 9, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund order: #2021-158. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$399,339.56: General, \$180,435.58; Employee Benefit, \$131,809.31; Appraiser, \$12,262.74; Rural Fire, \$14,227.14; Road and Bridge, \$40,737.93; 911 Telephone Tax, \$1,446.36; County Health Dept., \$14,052.94; Elderly, \$4,301.46; and Sewer Dist. #1, \$66.10. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented a replacement resolution for the resolution that was approved last week with an incorrect resolution number. Danny McCullough moved to adopt Resolution #2022-17, replacing Resolution #2022-16 that was adopted on May 2, 2022. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-17:



The Clerk presented copies of the prisoner count. There are currently 13 prisoners in house and 3 farmed out to other Counties.

Virgil Swanson, AMR, reported on their activities for the past week.

Doug Barlet reported on the Fire Calls for the past week.

Missy Lancaster reported on upcoming events for the Health Dept.

Pam Cannon discussed the yearly maintenance contract for the ESRI Program. Cannon also explained how the program is used. Rick James moved to approve the annual maintenance fee for ESRI in the amount of \$27,500.00. Danny McCullough seconded the motion. The motion passed 3-0.

Jessica Hightower listed the businesses that received the Youth Employment Grants for this year. The following businesses each received a \$1,200.00 grant: Avery Lumber, Coleman Hardware, D&L Services, Dreamscape Innovations, Loma Land & Cattle, Netherfield Natural Farm, Stainbrook's, Peoples Telecom, Umphenour Farms, & Wade Remodeling. Double K Construction and Barker's Corner Automotive were selected as alternates. Hightower also discussed the makeup of the Economic Development Board. Hightower then updated the Commission on the Public Works Dept.

Gary Thompson presented an application for reduced dumping fees on a property located at 115 E. Kansas St., Blue Mound. Jim Johnson moved to approve the application as presented. Rick James seconded the motion. The motion passed 3-0.

Thompson also presented River City Construction's Change Order #16 in the amount of \$84,468.63. Rick James moved to approve Change Order #16 as presented. Jim Johnson seconded the motion. The motion passed 3-0.

Sheriff Friend introduced Daniel Kiser, KDOT. Kiser presented a "People Saving People" award to Chip More for his work with setting up mock accidents and the SAFE Program in schools.

Jim Johnson moved to appoint Todd Schneider to the 6<sup>th</sup> Judicial District Nominating Committee. Rick James seconded the motion. The motion passed 3-0.

The Chair signed the Bettis Asphalt proposal that was previously approved.

Sheriff Friend gave an update on the Justice Center project. Friend also discussed VIN inspections that have been done by his department and plans for the future.

At 9:57 AM the Chair asked for public comment. Melissa Shroyer discussed the defunding of the SRO program. Klayton Parscale also discussed the de-funding of the SRO program and presented a petition containing over 500 signatures against defunding the program. Several other people including a Jayhawk Linn student, the Pleasanton Principal, and the School Superintendents also spoke in favor of keeping the SRO program.

Matt Higgins, former teacher, spoke in favor of the SRO program and the City Infrastructure grants. Tina Fenoughty, La Cygne Police Chief, spoke in favor of the SRO program.

Rick James moved to enter into the agreements with the School Districts for \$12,000.00 per SRO if all three districts agree, and to encourage the Sheriff and Superintendents to work Standard Operating Procedures to improve accountability of the program. Danny McCullough seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

At 11:35 AM Rick James moved to take a 5 minute recess. Danny McCullough seconded the motion. The motion passed 3-0.

Debra Wilson, La Cygne Mayor, spoke about the need for a City Fire Station and the City Infrastructure Grant and asked the Commission to rescind their motions from last week. Cindy Smith, Linn Valley Mayor, spoke against defunding the Infrastructure Grant and stated that she is against the County taking over the City Fire Depts., charging Cities for Dispatch services, and hiring full-time Firefighters. Jake Mattingley discussed the City/County Fire Dept. issue. Teresa Whitaker spoke about the Dispatch services to Cities and the proposed annexation of the US 69 Highway area. Pleasanton Police Chief Tristan Snyder discussed the proposed annexation and the reasons for having Police coverage in that area. Wade Doering, Mound City Mayor, asked the Commission to continue the Infrastructure Grant.

Rick James moved to sign a letter against the proposed policy changes concerning grant applications for the CDBG program. Danny McCullough seconded the motion. The motion passed 3-0.

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, May 16, 2022. Jim Johnson seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

May 16, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 15 prisoners in house and 3 farmed out to other Counties.

Danny McCullough moved to approve River City Construction's Application for Payment #20 in the amount of \$493,618.93. Rick James seconded the motion. The motion passed 3-0. (Payment #20 is included in this week's Claims.)

Rick James moved to approve the following pays/special pays, totaling \$812,795.82: General, \$243,945.42; Employee Benefits, \$99.00; Appraiser, \$1,354.02; Rural Fire, \$2,140.80; Road and Bridge, \$67,388.05; Equipment Reserve, \$760.81; County Health Dept., \$1,293.97; Capital Improvement, \$493,618.93; Elderly, \$1,267.07; Economic Development Grant, \$593.67; and Sewer Dist. #1, \$334.08. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-159 and #2021-160. Rick James seconded the motion. The motion passed 3-0.

The Commission reviewed the SRO agreements that have been signed by all three school districts. Danny McCullough moved to enter into and sign the SRO Agreements with the 3 school districts. Rick James seconded the motion. The motion passed 3-0.

Galen Anderson, AMR, reported on their calls for the past month and their activities for the past week. Anderson also presented a written report of the April calls and response times.

Doug Barlet reported on the Fire calls and the weather for the week. Barlet informed the Commission that they will need to appoint someone to the Northeast Kansas Homeland Security Regional Counsel to replace him. Barlet then introduced our new Fire Chief/Emergency Manager, Randy Hegwald. Danny McCullough moved to appoint Randy Hegwald as our representative to the Northeast Kansas Homeland Security Regional Counsel. Jim Johnson seconded the motion. The motion passed 3-0.

Missy Lancaster reported on upcoming events for the Health Dept.

Chris Martin reported on the progress at the Justice Center. Martin thanked Rick Castle, Zach Daniels, and the Linn County Fair Board for their assistance with the project. Martin also reported on the two lightning strikes that hit our tower north of Mound City and the tower by the Sheriff's Office. Martin then asked the Commission if he could take over a patrol car that is being surplus by the Sheriff's Dept. Danny McCullough moved to allow the IT Dept. to take over the surplus patrol car from the Sheriff's Dept. Rick James seconded the motion. The motion passed 3-0.

Mike Nation reported on current projects/issues with the Road & Bridge Dept.

Morgan Northcutt asked the Commission to hire Dennis Hardy, Sr. as a Seasonal Mower at a wage of \$10.3538 per hour (Range 3, Step D). Danny McCullough moved to hire Dennis Hardy, Sr. as a Seasonal Mower for the Road & Bridge Dept. Jim Johnson seconded the motion. The motion passed 3-0.

Jessica Hightower gave an update from Shaun West concerning dust control. Hightower also reported on the Comprehensive Plan progress. Hightower then reported that we are increasing our fuel price at the airport to \$5.50 per gallon. Hightower discussed the replacement of the tarp on the hoop building at the airport. We have two quotes for replacement tarps: ClearSpan, \$3,017.97, 12.5 oz tarp weight; and Big Top Manufacturing, \$6,575.00, 18 oz tarp weight. Hightower and Shaun West recommend purchasing a replacement tarp from Big Top Manufacturing. We will turn this in to KCAMP. Hightower also discussed the increasing chemical prices for Noxious Weeds.

At 9:58 AM the Chair asked for public comment. Mike White asked why Danny and Rick changed their minds about the SRO program. The Commissioners explained their reasoning for voting for the agreements with the school districts.

At 10:03 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:23 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Counselor, and Doug Barlet attended the executive session.

At 10:23 AM the executive session ended. No action was taken as a result of the executive session.

Jennifer Leach and Jim McAtee, Peoples Telecommunications, presented their revised broadband proposal. Leach stated that they can reduce their bid to \$206,000.00 for the project. Peoples still only wants to service the Parker area, not Centerville or Blue Mound. Kwikom also discussed their proposal and the services they provide. The Commission stated that they will make a decision in three weeks.

Harry Wisdom stated that the John Deere maintainer at the Landfill will probably need a new engine, but it is under warranty.

Melanie Grote, K-State Research & Extension, addressed the Commission concerning the Pleasanton Senior Center. Grote stated that the numbers at the Pleasanton site have grown over the past four years. Grote stated that this is an important service and asked what the current plans are for the site. Nancy Gustin, Site Manager, stated that the people who use the center, would like to stay where they are. Gustin stated that she would like to see what it would cost to fix the building they are in.

Jessica Hightower presented the Cost Summary by Task for Public Works for April.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, May 23, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

Attest:

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Commission Chair

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County Clerk

May 23, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 3-0.

Danny McCullough moved to reschedule the next regular meeting to Tuesday, May 31<sup>st</sup>, due to Memorial Day. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$323,453.17: General, \$188,970.27; Employee Benefit, \$60,901.50; Appraiser, \$12,138.14; Rural Fire, \$4,307.97; Road and Bridge, \$43,004.90; County Health Dept., \$10,490.76; and Elderly, \$3,639.63. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 18 prisoners in house and 3 farmed out to other Counties.

Rick James moved to allow the Chair to sign the Client Representation Letter with Diehl, Banwart, Bolton, CPAs P.A., for our 2020 Audit. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to sign the 2022 Transfer and Certification of Appraisal Rolls for Real Property. Jim Johnson seconded the motion. The motion passed 3-0.

Bill Matlock, River City Construction, updated the Commission on the Justice Center progress. The construction process is almost done, but they are still waiting on a smoke purge panel and are having trouble finding it. If they get good weather this week, the concrete work should be done in 4 or 5 days.

Galen Anderson, AMR, reported on their activities for the past week.

Doug Barlet reported on the Fire Calls for the past week and the weather for this week. Rick James moved to sign the agreement for the Regional Hazard Mitigation Plan Participation. Danny McCullough seconded the motion. The motion passed 3-0. Barlet then presented the 2023 Emergency Management Budget Request in the amount of \$144,929.00 (\$6,071.00 decrease). Rick James moved to tentatively approve the 2023 Emergency Management Budget in the amount of \$144,929.00. Danny McCullough seconded the motion. The motion passed 3-0. Barlet also presented the 2023 Rural Fire Budget Request in the amount of \$657,415.00 (\$15,365.00 increase). Fire Board Chairman Eddie Andersen discussed the budget and asked about using some money from the Rural Fire budget for a retirement reception for Doug Barlet. The Commission agreed to allow the retirement reception expense. Danny McCullough moved to tentatively approve the 2023 Rural Fire Budget in the amount of \$657,415.00. Jim Johnson seconded the motion. The motion passed 3-0.

Jessica Hightower presented a quote for road salt in the amount of \$40,000.00 (\$125.00 per ton). Rick James moved to allow up to \$40,000.00 with Kunshek Chat & Coal Co., Inc. for road salt for the winter. Jim Johnson seconded the motion. The motion passed 3-0. Hightower then presented quotes for a 60" bucket for the track hoe. The Commission wants to talk to Harry Wisdom about the bucket before making a decision.

Noxious Weed Director Johnny Taylor discussed this year's Noxious Weed cost share information. Taylor also suggested extending our current pest control contract for 6 months until his department can get certified for pest control.

County Treasurer Janet Kleweno presented her 2023 Budget Request in the amount of \$220,768.16 (\$5,246.16 increase). Jim Johnson moved to tentatively approve the 2023 Treasurer Budget in the amount of \$220,768.16. Rick James seconded the motion. The motion passed 3-0.

Kleweno then discussed grant funds that are received by the County. Kleweno stated that she frequently receives money with no explanation as to where it is coming from. The Commission will establish a policy requiring grant applications to be copied to the Treasurer.

Hightower informed the Commission that Bobby Young's last day is Friday. The new Planning & Zoning Director Darin Wilson discussed upcoming plans for the department. Hightower then discussed last week's meetings with daycare providers. Hightower informed the Commission that we raised the fuel price at the airport to \$5.50 per gallon last week. Hightower also informed the Commission that she has been receiving additional inquiries about ARPA funds. She will send applications to the interested parties.

Deputy Clerk Morgan Northcutt asked to hire Michael Shapel as an equipment operator at a wage of \$14.8942 per hour (Range 7, Step K). Danny McCullough moved to hire Shapel as requested. Rick James seconded the motion. The motion passed 3-0. Northcutt then addressed the Commission concerning CDL training for our employees.

Gary Thompson presented a Certification of Satisfaction and Release of Obligation on the Cox Motor Company property. Jim Johnson moved to sign a Certification of Satisfaction and Release of Obligation for the Promissory Note from Jesse and Kathleen Secrest, Cox Motor Company. Rick James seconded the motion. The motion passed 3-0. Thompson then discussed a tract of land near Casey's in Pleasanton that is jointly owned by Linn County and the City of Pleasanton. Thompson presented an Agreement for Grant of Easement between Linn County and the City of Pleasanton for a 75' right of way for a street. Danny McCullough moved to sign the agreement as presented. Rick James seconded the motion. The motion passed 3-0.

Joey McLiney discussed the proposal that our Bond Attorney, Kevin Cowan, will be here today to discuss today the bonds on our Justice Center project. McLiney suggested that if we want to consider the proposal, we should put it out for bids.

At 10:51 AM Jim Johnson moved to take a 15 minute recess. Rick James seconded the motion. The motion passed 3-0.

Kevin Cowan, Gilmore & Bell, met with the Commission concerning the bonds for the Justice Center. Cowan discussed the tax-exempt status of our bonds and how that affects our ability to house Federal prisoners. Currently we are limited as to how many Federal prisoners we can accept due to the tax-exempt status of our bonds. There is an option to issue taxable bonds for a portion of our bond debt that would allow us to house more Federal prisoners, but we need to get a proposal from the US Marshall's Office before making a decision about this issue.

The Clerk presented preliminary information on the Health Insurance Renewal for August 1, 2022. The renewal quote for this year shows an increase of approximately 25%. The average increase per year for the past six years, including this renewal is 7.83%, which is still below the industry average. Unfortunately, the increase is hitting Linn County all at once. The Clerk's office is working with our benefits consultant and with Blue Cross/Blue Shield to find options that could save us some money.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Tuesday, May 31, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk



May 31, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair (by phone); Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$238,322.38: General, \$153,450.20; Employee Benefits, \$415.19; Appraiser, \$1,058.61; Rural Fire, \$6,037.72; Road and Bridge, \$72,221.49; 911 Telephone Tax, \$10.00; County Health Dept., \$1,850.30; Elderly, \$2,978.87; and Sewer Dist. #1, \$300.00. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 21 prisoners in house and 3 farmed out to other Counties. The Clerk also gave the Commission copies of the Call Volume Report from AMR.

Jim Johnson moved to sign the 2022 Transfer and Certification of Appraisal Rolls for Personal Property and Oil & Gas. Rick James seconded the motion. The motion passed 3-0.

Randy Hegwald reported on the Fire calls and the weather for the week.

Missy Lancaster reported on upcoming events for the Health Dept. The Health Dept. is continuing to give COVID vaccines, and we have seen a slight increase in COVID cases.

Planning & Zoning Administrator Darin Wilson presented Subdivision Plat Application #SD22-01 requested by William J. Fields for the Fly Away Subdivision Plat consisting of 9.80 acres located in Section 8, Township 21, Range 24. The Planning Commission recommended approval by a 9-0 vote. Rick James moved to accept Subdivision Plat #SD22-01 as presented and sign the plat. Jim Johnson seconded the motion. The motion passed 3-0.

Wilson then presented the following two re-zoning cases for approval:

Re-Zoning Case #Z22-02 requested by Eugene Lanham to re-zone an 8.75 acre tract in the NW ¼ of Section 6, Township 22S, Range 23E from A-Agricultural to A-R Ag./Residential. The Planning Commission recommended approval by a 9-0 vote with the following findings:

- 1) The proposed zoning change conforms to the character of the neighborhood by providing the combined usage.
- 2) Neighboring A – Agricultural with one nearby A/R- Agricultural/Residential zoned properties.
- 3) Property is suitable for permitted uses of the proposed A/R Agricultural/Residential zoning and will not negatively affect nearby properties.
- 4) The proposal re-zoning of the land, creates no change or effect of surrounding properties and not create any additional infrastructure needs.
- 5) The proposed re-zoning will apply to only 8.75 acres located in SE corner of the SW 4 of the NW 4 of Sec 6, T 22, R 23.
- 6) The proposed change conforms to the Comprehensive Plan by allowing more land to be kept in a larger agricultural parcel and not changed to a residential designation.

Rick James moved to adopt the findings of the Planning Commission, approve Re-Zoning Case #Z22-02, and adopt Resolution #2022-20. Jim Johnson seconded the motion. The motion passed 3-0.

Re-Zoning Case #Z22-01 requested by Delores Stainbrook to re-zone a 3.50 acre tract in the SW ¼ of Section 7, Township 20S, Range 24E from A-Agricultural to A-R Ag./Residential. The Planning Commission recommended approval by a 9-0 vote with the following findings:

- 1) The proposed zoning change conforms to the character of the neighborhood by providing the combined usage.
- 2) Neighboring A – Agricultural zoned properties and are of larger size.
- 3) Property is suitable for permitted uses of the proposed A/R Agricultural/Residential zoning and will not negatively affect nearby properties.
- 4) The proposal re-zoning of the land, creates no change or effect of surrounding properties and not create any additional infrastructure needs.
- 5) The proposed change conforms to the Comprehensive Plan by allowing more land to be kept in a larger agricultural parcel and not changed to a residential designation.

Rick James moved to adopt the findings of the Planning Commission, approve Re-Zoning Case #Z22-01, and adopt Resolution #2022-19. Jim Johnson seconded the motion. The motion passed 3-0. Following are copies of Resolution #2022-19 and Resolution #2022-20:

**Before the Board of County Commissioners**  
Linn County, Kansas  
Resolution #2022-19

A RESOLUTION APPROVING A REZONING FROM THE A - AGRICULTURAL DISTRICT TO THE A/R AGRICULTURAL/RESIDENTIAL DISTRICT (CASE #22-01) (Stainbrook)

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

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

WHEREAS, the Linn County Planning Commission did, on April 29<sup>th</sup>, 2022, publish a notice of a public hearing to consider rezoning application #22-01 (Stainbrook), pursuant to K.S.A. 12-770(a); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on May 10<sup>th</sup>, 2022 to consider said rezoning; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimony did, by unanimous vote, recommend approval of said rezoning based on the following findings:

- 1) The proposed change conforms to the character of the neighborhood.
- 2) The proposed use conforms to the use and zoning class nearby.
- 3) The proposed change will not negatively affect nearby properties.
- 4) The proposed change conforms to the adopted Comprehensive Plan.
- 5) The proposed change does not affect current infrastructure.
- 6) Staff recommends approval.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to adopt the findings of the Planning Commission and pass this resolution changing zoning from the A, Agricultural District to the A/R, Agriculture/Residential on property described in Section 1:

SECTION 1: A 3.50 tract of land being part of the SW 4 of Section 7, Township 20 South, Range 24 East, Linn County, Kansas described as: Commencing at the SW Corner of said SW 4, Thence N 02°00'30" W along the west line of said SW 4, 160.32 feet, Thence N 87°04'00" E 170.29 feet to point of beginning, Thence N 01°17'12" E, 364.82 feet, Thence N 79°46'57" E 74.56 feet, Thence N 80°13'15" E 138.74 feet, Thence S 12°50'12" E 127.60 feet, Thence N 89° 07'40" E, 125.89 feet, Thence N 77°57'10" E, 80.61 feet, Thence S 83°24'20" E 30.00 feet to the center of County Highway 1095, Thence S 80°33'51" W along the center of said county highway 1095 322.83 feet, Thence N 88°15'51" W 430.45 feet to POB Linn R4 ROW and Encumbrances of record


PASSED AND ADOPTED by the Linn County Board of County Commissioners this 31<sup>st</sup> day of May, 2022.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice-Chairman

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk



**Before the Board of County Commissioners**  
Linn County, Kansas  
Resolution #2022-20

A RESOLUTION APPROVING A REZONING FROM THE A - AGRICULTURAL DISTRICT TO THE A/R AGRICULTURAL/RESIDENTIAL DISTRICT (CASE #22-02) (Lanham)

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

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

WHEREAS, the Linn County Planning Commission did, on April 29<sup>th</sup>, 2022, publish a notice of a public hearing to consider rezoning application #22-02 (Lanham), pursuant to K.S.A. 12-770(a); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on May 10<sup>th</sup>, 2022 to consider said rezoning; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimony did, by unanimous vote, recommend approval of said rezoning based on the following findings:

- 1) The proposed change conforms to the character of the neighborhood.
- 2) The proposed use conforms to the use and zoning class nearby.
- 3) The proposed change will not negatively affect nearby properties.
- 4) The proposed change conforms to the adopted Comprehensive Plan.
- 5) The proposed change does not affect current infrastructure.
- 6) Staff recommends approval.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to adopt the findings of the Planning Commission and pass this resolution changing zoning from the A, Agricultural District to the A/R, Agriculture/Residential on property described in Section 1:

SECTION 1: A 8.75 tract of land being part of the NW 4 of Section 6, Township 22 South, Range 23 East, Linn County, Kansas described as: Beginning at the SE Corner of the SW 4 of the SW 4 of fractional Section 6, Township 22 S, Range 23 E, Linn County, Kas. Thence in 62°50'02" E along East line, 590.38, Thence 89°09'55" W 407.27 ft., Thence S 1°54'55" W 182.25 ft., Thence S 64°02'30" W 512.17 ft; to POB Linn ROW and Encumbrances of record


PASSED AND ADOPTED by the Linn County Board of County Commissioners this 31<sup>st</sup> day of May, 2022.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice-Chairman

\_\_\_\_\_  
Member

Attest: \_\_\_\_\_  
Clerk



Delores Stainbrook then discussed an application that has been filed to divert water for a wetland near her property. Ms. Stainbrook stated that she has some concerns about the application. Gary Thompson stated that this is considered an agricultural use and the County has no control over the application.

Jessica Hightower discussed proposals from BG Consultants for the Geotechnical Engineering Services on the Hell's Bend Bridge project. Proposals submitted were: GSI Engineering, \$5,805.00; PSI, Inc., \$5,275.00; and Terracon, \$9,000.00. BG Consultants recommend accepting the proposal from PSI, Inc. in the amount of \$5,275.00. Rick James moved to accept the recommendation from BG Consultants to hire PSI, Inc. for \$5,275.00 and to allow the Chair to sign the agreement. Jim Johnson seconded the motion. The motion passed 3-0.

Hightower stated that we have a tractor-trailer at Inland Truck Parts Company that needs engine repairs. Jim Johnson moved to allow up to \$15,000.00 for the repairs. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to adopt Resolution #2022-18, setting a cap of \$30,000.00 on the 2022 Noxious Weed Cost Share Program. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-18:



Hightower asked about extending the pest control contract with our current vendor. Gary Thompson will look at the contract.

Harry Wisdom discussed buying a used backhoe bucket and then having J.R. Kerr modify it for our needs. The Commission asked Wisdom to try to find a bucket and talk to J.R. about modifying it for our use.

The Counselor, Commission, and Road Foremen discussed issues with Radcliff Road near the river.

At 9:49 AM Rick James moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 9:59 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 9:59 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, June 6, 2022. Jim Johnson seconded the motion. The motion passed 3-0.

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

Attest:

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

June 6, 2022

The Board of Linn County Commission met in regular session at 9:03 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Danny McCullough moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$438,935.73: General, \$167,909.40; Employee Benefit, \$178,139.23; Appraiser, \$12,391.38; Rural Fire, \$9,086.94; Road and Bridge, \$52,510.50; 911 Telephone Tax, \$1,451.89; County Health Dept., \$12,084.41; Elderly, \$4,667.31; Special Park, \$600.00; and Sewer Dist. #1, \$94.67. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to accept the Sheriff's Monthly Fee Report for May 2022 in the amount of \$2,644.00. Rick James seconded the motion. The motion passed 3-0.

The Commission then reviewed the YTD Park Report.

The Clerk presented copies of the prisoner count. There are currently 20 prisoners in house and 7 farmed out to other Counties.

Bill Matlock, River City Construction, updated the Commission on the Justice Center progress. Matlock stated that the smoke/purge panel has come in and should be installed this week. The rest of the concrete should also be done this week. The Commission would like to do a walk through on the building next week at 11:00 AM.

Galen Anderson, AMR, reported on their activities for the past week.

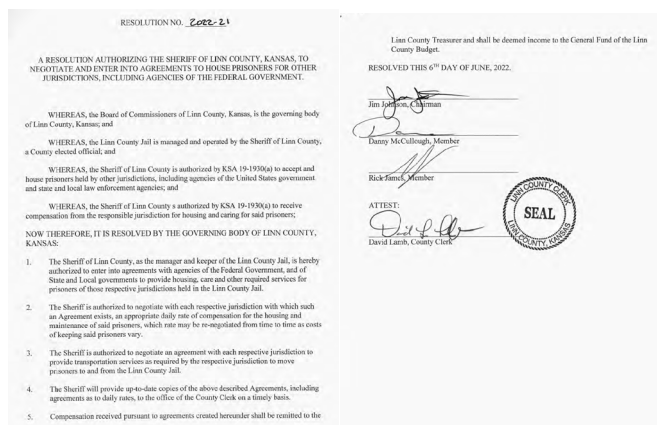
Randy Hegwald reported on the Fire Calls for the past week and the weather for this week. Hegwald then asked for permission to schedule the Pump Testing and Safety Inspections that were budgeted for the year at a cost of \$13,000.000. The Commission agreed to allow the budgeted expense for Pump Testing and Safety Inspections. Hegwald also asked to hire Phillip Smith as a Probationary Firefighter at Station 920 (Pleasanton). Jim Johnson moved to hire Smith as requested. Danny McCullough seconded the motion. The motion passed 3-0. Hegwald discussed an ISO Training in Manhattan that he would like to attend. The Commission agreed to allow Hegwald to attend the ISO Training.

Missy Lancaster reported on upcoming events for the Health Dept. Lancaster advised the Commission that COVID numbers are staying low. Lancaster then stated that they would like to start providing lab services to residents of Linn County.

Jessica Hightower stated that dust control has been rescheduled to next week because of the weather. The Road crews are working on flood damage around the County. Hightower stated that our insurance has approved the quote from Big Top for replacing the tarp on our airport hoop building in the amount of \$6,575.00. Danny McCullough moved to approve the expense of \$6,575.00, with \$5,575.00 being reimbursed by KCAMP. Jim Johnson seconded the motion. The motion passed 3-0. Hightower then asked for permission to apply for an airport grant in the amount of \$50,000.00, with \$45,000.00 being paid by the grant. Danny McCullough moved to allow Hightower to apply for the airport grant for a business plan and operational procedures. Rick James seconded the motion. The motion passed 3-0. Rick James moved to schedule a special workshop meeting with City officials at Bunker Hill tomorrow night at 7:00 PM, with no action being taken by the Commission. Jim Johnson seconded the motion. The motion passed 3-0. Hightower also asked about having a Phase 1 Environmental Study on the Industrial Park. The Commission agreed to allow Hightower to go out for bids for the study on the Pleasanton and La Cygne Industrial Parks.

Jim McAtee, Peoples Telecommunications asked the Commission about their decisions on the ARPA Grant funds. Rick James stated that he is concerned about the amount of people that would be served by the Peoples Telecommunications proposal. Danny McCullough and Jim Johnson stated that they would not be opposed to funding the \$50,000.00 proposal from Peoples Telecommunications to provide services to rural customers that would not be covered by KwiKom. Rick James moved to award APRA Funds to KwiKom in the amount of \$580,000.00 and to Peoples Telecommunications in the amount of \$50,000.00. Danny McCullough seconded the motion. The motion passed 3-0.

Sheriff Friend stated that he has his budget proposal ready, and he also has a resolution that needs to be approved concerning Prisoner Housing Fees. The Commission asked the Sheriff to give them copies of his budget proposal and then to present it at next week's meeting. Danny McCullough moved to adopt Resolution #2022-21 authorizing the Sheriff to establish fees for housing prisoners. Rick James seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-21:



At 9:53 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:03 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Pam Cannon attended the executive session.

At 9:56 AM Pam Cannon left the executive session.

At 10:03 AM the executive session ended. No action was taken as a result of the executive session.

Register of Deeds Kristy Schmitz presented her 2023 Budget Request in the amount of \$136,145.36 (\$19,215.00 decrease). Danny McCullough moved to tentatively approve the 2023 Register of Deeds Budget in the amount of \$136,145.36. Jim Johnson seconded the motion. The motion passed 3-0.

KwiKom representatives thanked the Commission for the opportunity to serve more of Linn County with the ARPA Funds.

Morgan Northcutt asked the Commission to hire Bryanne Radford as a Part-Time Marina Clerk at a wage of \$10.6043 per hour (Range 3, Step G). Rick James moved to hire Bryanne Radford as requested. Danny McCullough seconded the motion. The motion passed 3-0.

Northcutt then discussed the Open Enrollment for employees this Friday at the Baptist Church and asked the Commission if they could come and help with the project.

Gary Thompson presented Change Order #17 on the Justice Center Project in the amount of \$2,195.81. Rick James moved to approve Change Order #17 in the amount of \$2,195.81. Danny McCullough seconded the motion. The motion passed 3-0.

Thompson then discussed the flooding issues on Radcliff Road. Rick James moved to authorize Gary Thompson to negotiate an agreement for raising and blacktopping the road, contingent on receiving a copy of the engineering plan for the dike that is being built by a private party. Danny McCullough seconded the motion. The motion passed 3-0.

Thompson and the Commission also discussed an issue with utility poles and a fence on our right-of-way. The Commission agreed that the utility poles need to be moved but did not make a decision about the fence.

Danny McCullough discussed the need for ditch work on our County roads.

The Commission instructed Jessica Hightower to move tomorrow night's special workshop meeting with the Cities to the Commission Room in the Annex, instead of holding it at Bunker Hill.

The Clerk presented the following 2023 Budget Requests: EMS, \$12,000.00 (no change); Juvenile Intake, \$58,500.00 (\$500.00 increase); Ambulance, \$914,500.00 (no change); 4-H Building, \$29,000.00 (no change); Fair Building, \$3,000.00 (no change); Fair Premium, \$20,000.00 (no change); Historical Society, \$40,000.00 (no change); Special Building, \$155,000.00 (no change); 911 Telephone Tax, \$215,000.00 (no change); Debt Service-Bond Payments, \$912,031.26 (\$1,125.00 decrease); and Capital Improvement-Construction, \$1,000,000.00 (\$4,406,070.00 decrease). Rick James moved to tentatively approve the 2023 Budget Requests as presented by the Clerk. Danny McCullough seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, June 13, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

June 13, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Jeff Fulk opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$814,162.69: General, \$93,519.28; Employee Benefit, \$7,580.88; Rural Fire, \$2,551.17; Road and Bridge, \$88,281.06; 911 Telephone Tax, \$528.95; County Health Dept., \$752.70; Debt Service (Bond Payment), \$618,015.63; Elderly, \$2,835.70; Economic Development Grant, \$15.38; and Sewer District #1, \$81.94. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough moved to approve River City Construction's Application for Payment #21 in the amount of \$404,828.51. Jim Johnson seconded the motion. The motion passed 3-0. (Payment #21 will be included in next week's Claims.)

The Clerk presented copies of the prisoner count. There are currently 20 prisoners in house and 9 farmed out to other Counties.

Warren Moody, River City Construction, reported that they should be able to get the fire alarm system done this week. The parking lot should be striped within the next couple of weeks. The Commission discussed having an open house and ribbon cutting for the Justice Center.

Virgil Swanson, AMR, reported on their activities for the past week.

Randy Hegwald reported on the Fire Calls for the past week and the weather for this week.

Missy Lancaster reported that they are continuing their health promotions.

Jessica Hightower stated that she has the budget requests for Public Works if the Commission wants to go over them today. Hightower also stated that the Airport Grant Application was submitted last week.

Jessica Hightower then presented the following 2023 Budget Requests for Public Works: Road & Bridge, \$4,667,000.00 (\$73.00 decrease); Planning & Zoning, \$98,500.00 (\$6,000.00 decrease); County Park, \$354,000.00 (\$25,500.00 increase); Custodian, \$139,000.00 (\$20,500.00 increase); Noxious Weed, \$170,500.00 (\$26,200.00 increase); and Solid Waste, \$720,600.00 (\$76,000.00 increase). Rick James moved to tentatively approve the Public Works Budgets as presented. Jim Johnson seconded the motion. The motion passed 3-0.

Mike Nation reported that the semi-truck that is at Inland Truck Parts needs to have the engine rebuilt at an estimated cost \$24,000.00. Rick James moved to approve up to \$25,000.00 for the repairs. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented the following 2023 Budget Requests: Commission, \$81,000.00 (\$4,000.00 decrease); Counselor, \$158,110.00 (\$15,000.00 decrease); Clerk, \$151,150.00 (\$800.00 increase); and Election, \$102,500.00 (\$200.00 decrease). Jim Johnson moved to tentatively approve the 2023 Budget Requests as presented by the Clerk. Rick James seconded the motion. The motion passed 3-0.

Gary Thompson discussed the proposal for bids on the old jail and radio tower.

At 9:46 AM Jim Johnson moved to take a 15 minute break. Rick James seconded the motion. The motion passed 3-0.

Sheriff Friend presented his 2023 Sheriff Budget Request in the amount of \$3,386,019.00 (\$71,350.00 increase). Danny McCullough moved to tentatively approve the 2023 Sheriff Budget in the amount of \$3,386,019.00. Jim Johnson seconded the motion. The motion passed 3-0.

Stacy Reagan presented the 2023 Conservation District Budget Request in the amount of \$43,000.00 (no change). Rick James moved to tentatively approve the 2023 Conservation District Budget in the amount of \$43,000.00. Jim Johnson seconded the motion. The motion passed 3-0.

Lori Simmons introduced our new District Court Judge Andrea Purvis. Simmons then presented the 2023 District Court Budget Request in the amount of \$200,500.00 (no change). Rick James moved to tentatively approve the 2023 District Court Budget in the amount of \$200,500.00. Danny McCullough seconded the motion. The motion passed 3-0.

At 10:47 AM the Commission toured the Justice Center. After touring the Justice Center and with nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, June 20, 2022. Rick James seconded the motion. The motion passed 3-0.

Attest:

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

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County Clerk

June 20, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$839,302.20: General, \$213,073.60; Employee Benefit, \$138,806.52; Appraiser, \$13,094.02; Rural Fire, \$9,186.10; Road and Bridge, \$41,851.66; County Health Dept., \$15,093.77; Capital Improvement (Construction), \$404,828.51; and Elderly, \$3,368.02. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 20 prisoners in house and 3 farmed out to other Counties.

The Clerk informed the Commission that the owner of Xpress Fuel has asked about selling beer on Sunday. The Counselor has prepared a resolution to allow Sunday beer sales in Linn County if the Commission wants to allow it. Rick James moved to adopt Resolution #2022-22, expanding the hours for Cereal Malt Beverage sales to include Sundays. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-22:



Galen Anderson, AMR, reported on their activities for the past week.

Randy Hegwald reported on the Fire Calls for the past week and the weather for this week.

Chris Martin presented the 2023 IT Budget Request in the amount of \$158,450.00 (\$3,000.00 increase). Rick James moved to tentatively approve the 2023 IT Budget in the amount of \$158,450.00. Danny McCullough seconded the motion. The motion passed 3-0.

Harry Wisdom discussed a water issue on State Line Road. There were repairs done by the Mined Land Reclamation Board, but they did not put a tube back in. Gary Thompson stated that we need to contact the Mined Land Reclamation Board about the issue.

Jessica Hightower reported that we have an issue with receiving payment for a culvert on 600 Road between Scott Road and US 69 Highway. Gary Thompson will work on the issue. BG Consultants is still trying to get permits from the railroad for the Hell's Bend Bridge Project. Hightower reported that we should receive our new fuel tanks for the airport on July 18<sup>th</sup>. Hightower also reported that most of the dust control chemical was sprayed last week.

Jessica Hightower then presented the following 2023 Budget Requests: Elderly, \$245,161.00 (\$332.00 increase); and Airport, \$65,700.00 (\$10,500.00 increase). Jim Johnson moved to tentatively approve the 2023 Elderly and Airport Budgets as presented. Rick James seconded the motion. The motion passed 3-0.

Hightower then gave an update on the Noxious Weed and Maintenance Depts. Hightower also presented a contract with KwiKom Communications for their ARPA Grant. The Commission would like to hold back a percentage of the grant until a later time. Hightower will check with the SEK Regional Planning Commission about requirements for the agreement.

Pam Cannon presented the 2023 GIS Budget Request in the amount of \$152,300.00 (no change). Danny McCullough moved to tentatively approve the 2023 GIS Budget in the amount of \$152,300.00. Jim Johnson seconded the motion. The motion passed 3-0.

At 9:53 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:03 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and County Appraiser Kathy Bridges attended the executive session.

At 10:03 AM the executive session ended.

At 10:05 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:15 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Kathy Bridges attended the executive session.

At 10:15 AM the executive session ended. As a result of the executive session, Danny McCullough moved to make the following changes to salaries in the Appraiser's Office due to additional training and appointments to new positions: Rachel Jackson, \$15.0924 per hour (Range 8, Step C, Appraiser I); Jason Parker, \$16.6067 per hour (Range 8, Step O, Appraiser I); Suzanne Purvis, \$18,8135 per hour (Range 9, Step U, Appraiser II); Dustin Schuler, Appraiser Supervisor, \$19.9431 per hour (Range 11, Step I); and Lisa Kellstadt, Deputy Appraiser, \$22.4140 per hour (Range 12, Step N). All of the changes will be effective on the start of the next pay period. Jim Johnson seconded the motion. The motion passed 3-0.

Kathy Bridges then presented the 2023 Appraiser Budget Request in the amount of \$389,500.00 (\$8,000.00 decrease). Rick James moved to tentatively approve the 2023 Appraiser Budget in the amount of \$389,500.00. Danny McCullough seconded the motion. The motion passed 3-0.

Jason Webber discussed heating & air conditioning needs for the Pleasanton Senior Center. The total of Webber's proposal would cost \$18,634.00. If we only replaced units in the dining and kitchen areas, it would cost \$11,381.00. Webber also reported that there are issues with a compressor at the AMR Station 2 building in La Cygne that would cost \$4,608.00.

John Platt presented the 2023 Tri-Ko Budget Request in the amount of \$82,499.00 (no change). Rick James moved to tentatively approve the 2023 Tri-Ko Budget in the amount of \$82,499.00. Danny McCullough seconded the motion. The motion passed 3-0.

Darin Wilson and members of the Planning & Zoning Commission met with the Commission to discuss the proposed new Comprehensive Plan. Richard Morrell discussed the draft plan that was received last week. David Berglund discussed the need for commercial and highway retail zoning near the exits from US 69 Highway. Berglund stated that the proposed Comprehensive Plan does not address the needs of the Planning & Zoning Commission. The Commission asked the Planning & Zoning Commission to come back in three weeks to discuss needed regulations.

Morgan Northcutt asked the Commission to hire April Powell as a Part-Time Marina Clerk at a wage of \$10.6043 per hour (Range 10, Step G). Jim Johnson moved to hire Powell as requested. Danny McCullough seconded the motion. The motion passed 3-0.

Job Springer, SEK Mental Health, met with the Commission to discuss an ARPA application and present the 2023 Budget Request. Rick James moved to tentatively approve the 2023 Mental Health Budget in the amount of \$118,459.00 (\$1,662.00 increase). Jim Johnson seconded the motion. The motion passed 3-0. Springer and the Commission then discussed the application submitted by SEK Mental Health for \$217,500.00 in ARPA Funds. The Commission did not make a decision on the ARPA application at this time. SEK Mental Health also still needs an additional board member from Linn County.

David Fisher addressed the Commission concerning stop signs at 1250 & Andrews Road. The stop signs were installed on Andrews Road, but Fisher believes the signs should be on 1250 Road. Kevin Amer explained the reasoning behind placing the signs on Andrews Road. The Commission suggested making the intersection a four-way stop.

The Clerk presented the following 2023 Budget Requests: Courthouse, \$392,500.00 (\$187.00 increase); Contingency, \$2,000,000.00 (\$400,000.00 decrease); Windfall, \$1,500,000.00 (\$1,500,000.00 decrease); and Fair Association, \$130,000.00 (\$62,000.00 increase). Jim Johnson moved to tentatively approve the 2023 Budget Requests as presented by the Clerk. Rick James seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, June 27, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

June 27, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough moved to reschedule the next regular meeting to Tuesday, July 5<sup>th</sup>, due to Independence Day. Jim Johnson seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$197,859.99: General, \$113,996.37; Appraiser, \$267.26; Rural Fire, \$3,333.36; Road and Bridge, \$73,672.78; 911 Telephone Tax, \$2,500.00; County Health Dept., \$743.03; and Elderly, \$3,347.19. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 17 prisoners in house and 3 farmed out to other Counties.

Galen Anderson, AMR, reported on their activities for the past week. Anderson stated that he has arranged a helicopter fly over for the service Wednesday.

Randy Hegwald read a statement from the ATF concerning last week's fire and Firefighter fatality. Hegwald asked the Commission to close County offices Wednesday for Josh Haynes' funeral and asked the Commission to permanently retire Josh's Fire Number, 9203. Gary Thompson will prepare a resolution to retire the number. Rick James moved to allow employees to attend the funeral Wednesday and to allow Dept. Heads to close their offices if necessary. Danny McCullough seconded the motion. The motion passed 3-0.

The Commission then opened bids for bunker gear for the Fire Dept. Bids received were: Jerry Ingram Fire & Rescue, \$30,180.50; Municipal Equipment Services, \$33,419.30; and Ed M. Feld Equipment, \$29,317.70. Weis Fire & Safety Equipment returned a letter stating that they were not going to bid this time. Randy Hegwald will review the bids and make a recommendation to the Commission.

Kristy Schmitz and Janet Kleweno discussed the need to keep our P.O. Box instead of installing mail boxes for delivery. The Commission agreed to leave it up to the Department Heads/Elected Officials in the Courthouse to decide how to handle the mail for their offices.

Burton Harding presented the 2023 Attorney Budget Request in the amount of \$365,600.00 (\$51,100.00 increase). Rick James moved to tentatively approve the 2023 Attorney Budget in the amount of \$365,600.00. Danny McCullough seconded the motion. The motion passed 3-0.

KwiKom Communications explained that due to lead times on equipment, they need to have money for their project up front. The Commission stated that they want to have some type of retainage on the project. Rick James moved to approve the project with a 10% retention of the total cost. Danny McCullough seconded the motion. The motion passed 3-0.

Mike Nation informed the Commission that Truck #108 is broken down again. Nation thinks it is probably the computer module.

At 9:37 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:47 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Road Foreman Mike Nation attended the executive session.

At 9:47 AM the executive session ended. No action was taken as a result of the executive session.

Missy Lancaster reported on upcoming events for the Health Dept. Lancaster then presented the 2023 Health Dept. Budget Request in the amount of \$702,283.84 (\$287,389.00 increase). The Clerk and Lancaster will discuss work on the line items of the budget.

Jessica Hightower informed the Commission that the tarp for the hoop building at the airport has been ordered and it was less than the quoted price. Hightower reported on activities in the Public Works Dept. Hightower stated that after Shaun West discussed A/C issues with the Commission Chair, they had to replace the A/C unit at AMR Station 2 (La Cygne) for \$8,700.00. Danny McCullough moved to approve \$8,700.00 for new A/C unit at AMR Station 2 in La Cygne. Jim Johnson seconded the motion. The motion passed 3-0.

Hightower then presented proposals for the Phase I Environmental Studies for the Industrial Parks. Proposals received were: Terracon Consultants, Inc., \$4,700.00; Olsson Engineering, \$7,000.00; and Environmental Works, \$4,800.00. No action was taken by the Commission at this time.

At 10:08 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 30 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the



Commission Room at 10:48 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 10:16 AM Jessica Hightower left the executive session.

At 10:36 AM Morgan Northcutt entered the executive session.

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

Jessica Hightower presented the 2023 Economic Development Budget Request in the amount of \$106,344.00 (\$14,344.00 increase). Rick James moved to tentatively approve the 2023 Economic Development Budget in the amount of \$106,344.00. Danny McCullough seconded the motion. The motion passed 3-0.

Gary Thompson presented Resolution #2022-23 establishing a four-way stop at the intersection of 1250 Road and Andrews Road. Rick James moved to adopt Resolution #2022-23 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-23:



Thompson also discussed a culvert issue on State Line Road and presented applications from the City of Linn Valley for reduced dumping fees on 6 condemned properties in Linn Valley. Rick James asked for an executive session for legal advice before approving the applications

At 10:04 AM Rick James moved to recess from the Board of Commission meeting into executive session for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor concerning the applications for reduced dumping fees. The open meeting will resume in the Commission Room at 10:09 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:09 AM the executive session ended. As a result of the executive session, Rick James moved to approve the applications from the City of Linn Valley for reduced dumping fees on properties located at the following locations in Linn Valley: 46 Black Oak Dr., 93 N. Linn Valley Dr., 238 Fawn Valley, 9 Linn Valley Dr., and 86 Silver Shadow Lane. Danny McCullough seconded the motion. The motion passed 3-0. (The Commission did not approve the application for the property located at 61 Spruce Dr.)

Danny McCullough discussed a need for gravel behind Eric Jaeger's property near the alley, where there was damage because of our building project. The Commission agreed to gravel Jaeger's parking area. Gary Thompson discussed a request for renting Bunker Hill on Friday nights for dances. The Commission agreed to allow the rental on a temporary/trial basis.

The Clerk asked for approval to allow him to sign the Blue Cross/Blue Shield renewal contracts. Jim Johnson moved to allow the Clerk to sign the Blue Cross/Blue Shield renewal contracts. Rick James seconded the motion. The motion passed 3-0.

With nothing further on the agenda Danny McCullough moved to adjourn until 9:00 AM Tuesday, July 5, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

July 5, 2022

The Board of Linn County Commission met in regular session at 9:01 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.



Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$889,846.20: General, \$161,023.71; Employee Benefit, \$101,957.81; Appraiser, \$12,357.44; Rural Fire, \$28,790.95; Road and Bridge, \$44,266.57; 911 Telephone Tax, \$5.53; County Health Dept., \$15,045.57; SPARK/Cares Act/ARPA, \$522,000.00; and Elderly, \$4,398.62. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to accept the Sheriff's Monthly Fee Report for June 2022 in the amount of \$2,575.00. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 20 prisoners in house and 2 farmed out to other Counties.

The Clerk presented the following Resolutions: Resolution #2022-24, retiring Call Sign 9203 in honor of Firefighter Joshua Haynes and Resolution #2022-25 establishing stop signs at the intersections of Iliff Road & 2000 Road, and at Inman Road & 2000 Road. Rick James moved to adopt Resolution #2022-24 and Resolution #2022-25 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Following are copies of Resolution #2022-24 and Resolution #2022-25:

<p style="text-align: center;">RESOLUTION NO. 2022-24</p> <p>A RESOLUTION RETIRING THE CALL SIGN OF JOSHUA C. HAYNES, LINN COUNTY FIREFIGHTER, IN HONOR OF HIS SERVICE AND SACRIFICE.</p> <p>Whereas, Firefighter Joshua C. (Josh) Haynes dedicated many years of service to the Linn County Rural Fire District; and</p> <p>Whereas, Firefighter Haynes was injured fighting a fire in Linn County on June 20, 2022, and died of his injuries on June 22, 2022; and</p> <p>Whereas, it is the desire of the Board of County Commissioners and the Linn County Rural Fire District to honor his many years of dedicated service to the District and the sacrifice of Firefighter Haynes;</p> <p>NOW THEREFORE IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF LINN COUNTY, KANSAS:</p> <ol style="list-style-type: none"> <li>The Board of Commissioners of Linn County, Kansas, expresses the sincere appreciation of the Board and the County to Firefighter Joshua C. Haynes for the dedicated service he rendered to the Linn County Rural Fire District as a volunteer Firefighter.</li> <li>The Board of Commissioners hereby orders that Firefighter Haynes' Fire District call sign, "9203", is hereby retired from all future use and assignment in honor of Firefighter Haynes' dedication and sacrifice.</li> </ol> <p>RESOLVED THIS 5<sup>TH</sup> DAY OF JULY, 2022.</p> <p><i>Jim Johnson</i>, Chairman  <i>Danny McCullough</i>, Member  <i>Rick James</i>, Member    ATTEST:  <i>David Lamb</i>, County Clerk</p> 	<p style="text-align: center;">RESOLUTION NO. 2022-25</p> <p>A RESOLUTION ESTABLISHING STOP SIGN AT CERTAIN INTERSECTIONS LINN COUNTY AND PROVIDING FOR ENFORCEMENT THEREOF</p> <p>WHEREAS, the Director of Public Works for Linn County, Kansas, along with the Traffic Control Director, have reviewed the road conditions, sight distance, and vehicle use at the intersection cited below on County Roads in Linn County, Kansas; and</p> <p>WHEREAS, following the road condition review the Director of Public Works has determined that it is necessary; and he therefore recommends, that STOP signs be posted at the cited location to control traffic as described; and</p> <p>WHEREAS, K.S.A. 19-101a, 19-212 and 8-2002 authorize the Board to enact resolutions regarding the establishment of traffic control devices upon roads within its jurisdiction; and</p> <p>WHEREAS, the Board has determined, after reviewing all the evidence presented it, that it is in the best interest of the public's health, safety and welfare to post STOP signs, recommended by the Public Works Director of Linn County, Kansas;</p> <p style="text-align: center;"><b>NOW THEREFORE BE IT RESOLVED:</b></p> <p>Section 1- That the following traffic control devices be installed:</p> <ul style="list-style-type: none"> <li>-A Stop sign shall be established for North-bound and South-bound traffic on Iliff Road at its intersection with 2000 Road in Linn County.</li> <li>-A Stop sign shall be established for North-bound traffic on Inman Road at its intersection with 2000 Road in Linn County.</li> </ul> <p>Section 2- That the Traffic Control Director is hereby directed to post appropriate traffic control devices, in accordance with the standards and requirements established for such signs in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD), for and upon the locations and streets and roadways designated in this Resolution.</p> <p>Section 3- That authorized emergency vehicles as defined under K.S.A. 8-1404, and any amendments thereto, and such other publicly or privately owned and operated vehicles as are designated by a Board of County Commissioners as an authorized emergency vehicle pursuant to K.S.A. 8-2010, and any amendments thereto, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, or when responding to, but not returning from, a fire alarm, shall be exempt from any violations of the STOP and YIELD signs established herein so long as such vehicle is making use of an audible signal meeting the requirements of K.S.A. 8-1738, and any amendments thereto, and the visual signals meeting the requirements of K.S.A. 8-1720, and any amendments thereto.</p> <p>Section 4- That from and after the effective date of this Resolution, no person shall fail to stop a motor vehicle at the STOP signs established by this Resolution and any violation of the provisions</p>	<p>of this Resolution by any person, unless exempted as provided for herein, shall be a public offense for disobeying a traffic control device under K.S.A. 8-1507 or failure to yield right of way under K.S.A. 8-1228 and shall be punishable upon conviction by a fine in an amount and in accordance with the provisions of K.S.A. 8-2118(c) and any amendments thereto.</p> <p>THIS RESOLUTION shall become effective upon its approval by the Board of Commissioners and its publication once in the official county newspaper, and the prohibition and restrictions provided in this Resolution shall become effective, after publication, upon the posting of traffic control signs as required by this Resolution.</p> <p style="text-align: center;">APPROVED AND ADOPTED THIS 5<sup>TH</sup> DAY OF JULY, 2022</p> <p style="text-align: center;">BOARD OF COUNTY COMMISSIONERS, LINN COUNTY, KANSAS</p> <p><i>Jim Johnson</i>, Chairman  <i>Rick James</i>, Member  <i>Danny McCullough</i>, Member</p>  <p>ATTEST:  <i>David L. Lamb</i>, County Clerk</p>
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Louis Aloji, AMR, reported on their activities for the past week.

Randy Hegwald reported on Fire Dept. calls for the past two weeks.

Danny McCullough moved to approve and sign the Employee Assistance Program for the General Public Transportation Dept. Rick James seconded the motion. The motion passed 3-0.

Mike NATION reported on repairs on two trucks that have been completed. Gary Thompson discussed an issue on Radcliff Road and presented a proposed agreement for work we are planning on doing at that location. The project will cost around \$130,000.00. Rick James moved to approve and sign the agreement for work on Radcliff Road as presented, and to authorize Mike Nation to proceed with the project. Danny McCullough seconded the motion. The motion passed 3-0.

Missy Lancaster reported on upcoming events for the Health Dept. Lancaster and the Clerk discussed the Health Dept. Budget request with the Commission. The 2023 Health Dept. Budget as presented would be an increase of \$125,105.00, making the 2023 Health Dept. Budget \$540,000.00. Rick James moved to tentatively approve the 2023 Health Dept. Budget in the amount of \$540,000.00. Danny McCullough seconded the motion. The motion passed 3-0.

Brenda Conner addressed the Commission concerning the streets in Centerville. Conner stated that the street right-of-ways need to be mowed. Conner also discussed issues with low-water bridges on her bus route and line of sight issues at several intersections.

Darin Wilson discussed issuing an RFP for updating our Zoning Regulations. The Commission discussed some of their concerns about the regulations. The Commission agreed to issue a Request for Proposals.

Rick James moved to sign the agreement with JMZ Corporation dba KwiKom Communications for the ARPA Grant, holding back 10% until the project is completed. Danny McCullough seconded the motion. The motion passed 3-0.

At 10:07 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A.

75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:42 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:24 AM Morgan Northcutt entered the executive session.

At 10:42 AM the executive session ended. No action was taken as a result of the executive session.

A KwiKom Communications employee met with the Commission and discussed their broadband project. He also picked up a signed copy of the agreement for the ARPA Funds and the check for 90% of the project.

The Clerk presented the 2023 Employee Benefit Budget Request in the amount of \$3,941,000.00 (\$618,500.00 increase). Jim Johnson moved to tentatively approve the 2023 Employee Benefit Budget in the amount of \$3,941,000.00. Rick James seconded the motion. The motion passed 3-0. The Commission discussed using some of the ARPA Funds to help fund the Employee Benefit Budget. The Clerk and Jessica Hightower will check into the allowed expenditures of those funds.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, July 11, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

July 11, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$207,466.07: General, \$110,425.01; Employee Benefit, \$273.06; Appraiser, \$518.85; Rural Fire, \$6,240.55; Road and Bridge, \$82,098.59; 911 Telephone Tax, \$3,553.48; County Health Dept., \$1,013.13; Elderly, \$3,262.79; and Sewer Dist. #1, \$80.61. Danny McCullough seconded the motion. The motion passed 3-0.

The Commission then reviewed the YTD Park Report.

The Clerk presented copies of the prisoner count. There are currently 20 prisoners in house and 3 farmed out to other Counties. The Clerk also reported AMR's call numbers for the week.

Randy Hegwald reported on the Fire Dept. calls for the past week.

Gary Thompson presented a request for a waiver of dumping fees from Chase & Tara Carpenter on their property at 714 Main St., Pleasanton. Danny McCullough moved to approve the request for a waiver of dumping fees as requested. Jim Johnson seconded the motion. The motion passed 3-0.

Gary Thompson reported that the Fire Marshall found a few issues with last week's inspection on the Justice Center. Most of the issues have already been completed and we should have the rest of the required paperwork later today.

Gary Thompson discussed holding the Justice Center Open House this Friday and Saturday. The Commission agreed to plan on the open house this week.

Shaun West discussed the Getter Farms roadway levy issue and the State Line Road culvert issue. West reported that the truck repair that was approved for \$25,000.00 ended up costing \$18,000.00. West informed the Commission that we are no longer able to accept mattresses in the C&D Landfill. West also reported on the activities of the Noxious Weed Dept. for the past week.

At 9:25 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss trade secrets, pursuant to the trade secrets exception, K.S.A. 75-4319(b)(4); 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor; and 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 9:40 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 9:33 AM Jessica Hightower left the executive session and Shaun West entered.

At 9:35 AM Shaun West left the executive session.

At 9:40 AM the executive session ended. No action was taken as a result of the executive session.

Gary Thompson reported that after discussion with the Sheriff, we will have the Justice Center Open House Public Tours on Friday at 10:00 AM, Noon, 2:00 PM, and 4:00 PM; and on Saturday at 8:00 AM, 10:00 AM, and Noon.

The Clerk and Commission discussed the County Budget.

Rick James moved to schedule a special meeting on Friday at 8:00 AM, to discuss the budget with the Elected Officials and Dept. Heads. Jim Johnson seconded the motion. The motion passed 3-0.

Missy Lancaster presented a report of the services provided by the Health Dept. and the time staff spends on those services.

At 10:28 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:48 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Missy Lancaster attended the executive session.

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

At 10:49 AM Rick James moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:59 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Missy Lancaster attended the executive session.

At 10:59 AM the executive session ended. As a result of the executive session, Danny McCullough moved to name Amanda Snyder as the Assistant to the Administrator of the Health Dept. with no change in her current salary. Rick James seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 8:00 AM Friday, July 15, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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

Attest:

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

July 15, 2022

The Board of Linn County Commission met in special session at 8:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Several Elected Officials and Dept. Heads also attended the meeting. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Following is a copy of the Notice of Special Meeting:

LINN COUNTY, KANSAS  
P.O. Box 350, 315 Main St.  
Mound City, KS 66056-0350  
913-795-2668  
Fax: 913-795-2210



COUNTY COMMISSIONERS  
Tara Dumas  
Rick James  
Sueann Dumas  
Daniel McCullough  
Jim Johnson

NOTICE OF SPECIAL MEETING  
BOARD OF LINN COUNTY COMMISSIONERS

You are hereby notified that a special meeting of the Board of Linn County Commissioners has been called and will be held at 8:00 AM on Friday, July 15, 2022 at the Linn County Courthouse Annex, 306 Main St., Mound City, KS 66056. This special meeting has been called to discuss the 2023 County and Special Districts Budgets and to take any necessary action on the issue.

10:11:23 AM, 4<sup>th</sup> day of July, 2022.

*David L. Lamb*  
David L. Lamb  
Linn County Clerk



David L. Lamb, County Clerk  
Janel Overton, County Treasurer  
Bursley Harshbarger, County Attorney  
Kevin Hanson, Sheriff  
Krisztina Schmidt, Register of Deeds  
Gary Thompson, County Coordinator  
Kathy Bridges, County Appraiser  
Adriana Torkler, Noxious Weed  
Jessica Hightower, Economic Development  
Randy Hegwald, Rural Fire / Emergency Mgt.  
Shaun West, Public Works

The Clerk informed the Commission of the following changes to the budget: Register of Deeds, -\$4,900.00 from Capital Outlay; and Employee Benefits, -\$57,000.00 from Unemployment Insurance due to the County receiving a lower rate for next year.

Fire Chief Randy Hegwald stated that he could cut 2023 Rural Fire expenses by \$33,100.00. Wade Teagarden stated that the Fair Association could reduce next year's request some if needed. Sheriff Friend stated that he could probably reduce the out-of-county housing to \$25,000.00. Rick James stated that the County Attorney is willing to cut \$2,500.00 from his budget. Kathy Bridges stated that she could reduce the \$20,000.00 transfer to Reappraisal this year. Roger Medlin stated that the Conservation District has held their budget steady for several years. Stacy Reagan explained the benefits the Conservation District gives to the County. Pam Cannon stated that she did not increase her budget this year, but she could reduce this year's expenses by \$4,000.00. Jessica Hightower reported that the Airport Budget needs to stay where it is. (But we can increase the fuel sales amount.) Hightower did say that she can reduce the Economic Development Contractual Expenses by \$5,000.00. Chris Martin stated he could cut around \$3,000.00 to \$4,000.00 from the IT Budget. Lori Simmons stated that she could cut around \$5,000.00 from District Court Budget between janitorial supplies and cleaning and \$10,000.00 from utilities. Nathan Faucet stated they could cut the increase of \$2,741.00 from the Southeast Kansas Mental Health request. John Platt stated that Tri-KO could reduce their budget request approximately \$2,400.00. Janet Kleweno stated that her increases are due to things that are out of her control, and she pays about \$7,500.00 from Motor Vehicle back to the County General Fund each year. Kleweno also stated that our levy is going down, just not to Revenue Neutral. Shaun West discussed the Custodian budget for the new building, but he believes it is a conservative increase. West also stated that the Noxious Weed Budget increased for having employees in place full time and for an increase in chemical costs, the Planning & Zoning Budget already decreased \$6,000.00, Elderly/Transportation fuel costs have increased, the Park increase is due to utilities and contractual, and the Solid Waste increase is due to increased fees, testing, and increased fuel cost. Al Doan suggested raising our tipping fees at the landfill. West does not recommend any changes in the Road & Bridge Budget due to increased rock and fuel costs.

At 9:34 AM Danny McCullough moved to take a 10 minute recess. Jim Johnson seconded the motion. The motion passed 3-0.

Janet Kleweno explained the valuation and levies over the past 5 years. Our valuation has continued to increase and our mill levy has decreased. The Clerk stated that we still would need to find approximately \$400,000.00 to stay Revenue Neutral if a 5% COLA is approved, but we could decrease the mill levy by around 4 mills and fund our budget. The Clerk stated that he is in favor of going over Revenue Neutral this year and that he does not believe Revenue Neutral is sustainable long term, because costs continue to rise.

At 10:10 AM Jim Johnson moved to take a 5 minute recess. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James stated that he is in favor of a 5% COLA, and that Shaun West should be instructed to find \$50,000.00 to cut from his Public Works budgets. Jim Johnson stated that he thinks a 5% COLA is too much, especially since our health insurance went up 25% this year. The Clerk discussed the Average County Levy, Linn County is in the lowest 10 in the State. Danny McCullough stated that he does not think we should stay revenue neutral, but he is in favor of a 5% COLA. McCullough also stated that we need to develop our County to attract more businesses. The Clerk stated that we would have to reduce our reserves to stay revenue neutral and that could cause problems in the future.

After more discussion, Rick James moved to stay Revenue Neutral for 2023, and to instruct Shaun West to reduce the Public Works Budgets by \$50,000.00. Jim Johnson seconded the motion. The motion passed 2-1. (Danny McCullough voted no.)

Danny McCullough moved to allow a 5% COLA for 2023. Rick James seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, July 18, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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

Attest:

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

July 18, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Jeff Fulk opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting and the July 15<sup>th</sup> special meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$415,720.05: General, \$184,051.56; Employee Benefit, \$91,518.92; Appraiser, \$13,005.64; Rural Fire, \$5,586.30; Road and Bridge, \$76,666.86; County Health Dept., \$41,275.96; Elderly, \$3,564.26; and Sewer Dist. #1, \$50.55. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-161 through #2021-167. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 16 prisoners in house and 2 farmed out to other Counties.

Louis Aloï, AMR, reported on their activities for the past week.

Randy Hegwald reported on Fire Dept. calls for the past week. Hegwald asked to hire Bobby England and Kayleigh England as Firefighters at Station 920 (Pleasanton). Jim Johnson moved to hire Bobby England and Kayleigh England as Probationary Firefighters at Station 920. Danny McCullough seconded the motion. The motion passed 3-0.

Mike Nation asked for permission for the Road & Bridge Dept. to help with the Fair & Rodeo. The Commission agreed to allow our employees to use our equipment to help with the Fair & Rodeo.

Shaun West presented the Cost Summary by Task for June 2022. West also updated the Commission on projects for the Public Works Departments, including a map of Noxious Weed spraying that has been completed. West announced that there will be a public hearing for the Comprehensive Plan on August 9, 2022, at 8:00 PM.

Danny McCullough moved to approve River City Construction's Application for Payment #22 in the amount of \$75,855.64. Rick James seconded the motion. The motion passed 3-0. (Payment #22 will be included in next week's Claims.)

At 9:30 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 9:40 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 9:35 AM Shaun West left the executive session.

At 9:40 AM the executive session ended. No action was taken as a result of the executive session.

Shaun West informed the Commission that the bridge work on Botkin Road is starting today and that section of Botkin Road north of K31 Highway will be closed for approximately 60 days.

The Clerk and Commission discussed the County and Special Districts budgets. The Clerk stated that after adjusting income items in the budgets, it appears that we will need to use around \$170,000.00 from our reserve funds to stay revenue neutral this year. The Clerk also stated that he would like to publish the budget next week so that the Budget Hearing could be held on August 8<sup>th</sup>. The Election Canvass will be held on August 15<sup>th</sup>, and he would rather not have the Budget Hearing on the same day. The Clerk will be meeting with several Elected Officials and Department Heads this week to finalize their budgets with the 5% COLA.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, July 25, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

July 25, 2022

The Board of Linn County Commission met in regular session at 9:02 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$226,147.46: General, \$114,536.77; Employee Benefit, \$674.58; Appraiser, \$81.73; Rural Fire, \$797.98; Road and Bridge, \$30,969.85; County Health Dept., \$2,693.53; Capital Improvement, \$75,855.64; Elderly, \$486.83; and Sewer Dist. #1, \$50.55. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-169 through #2021-171. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 15 prisoners in house and 2 farmed out to other Counties. The Clerk also presented copies of the AMR Call Volume Report.

Randy Hegwald reported on the Fire Dept. calls for the week.

Missy Lancaster reported on the Health Dept. activities for the past week.

Shaun West reported that Public Works is starting to move some items to the new Justice Center. West and the Commission discussed items that are in the rented Attorney and Community Corrections offices that will not be needed in the new building. Jim Johnson moved to offer the items to other County departments and then surplus whatever is left, giving Shaun West permission to dispose of the items as necessary. Danny McCullough seconded the motion. The motion passed 3-0. West also stated that he needs to solicit bids for maintainer and truck tires. The Commission agreed to allow West to go out for bids for the tires. West stated that we need to order 4000 gallons of fuel for the airport for approximately \$23,000.00. We will also need to adjust our sale price on the fuel. The Commission agreed to allow the purchase of the fuel and the increase in our sale price. West then asked for permission to upgrade our asphalt tank to a 3" connection to match our truck for \$5,480.32. The Commission asked West to check into cheaper options. West then reported on activities of the Noxious Weed Dept.

Gary Thompson presented an application for reduced dumping fees from the City of La Cygne on a property owned by the City located at 602 N. 5<sup>th</sup> St, La Cygne. Rick James moved to approve the application as presented. Danny McCullough seconded the motion. The motion passed 3-0.

Thompson then presented information on the Southeast Kansas Regional Juvenile Detention Center. Rick James moved to appoint Danny McCullough as the Linn County Delegate to the SEKRJDC Board. Jim Johnson seconded the motion. The motion passed 3-0.

At 9:50 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 30 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:30 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, Shaun West, and Darin Wilson attended the executive session.

At 10:13 AM Darin Wilson left the executive session.

At 10:17 AM Shaun West left the executive session.

At 10:30 AM the executive session ended. No action was taken as a result of the executive session.

Dave Berglund stated that he is impressed with Planning & Zoning Director Darin Wilson and then addressed the Commission concerning hiring a County Engineer and increasing our Commission to five members instead of three.

The Clerk presented the Audit Contract and the Client Representations Letter with Diehl, Banwart, Bolton, CPAs, PA for the 2021 County Audit. Rick James moved to allow the Chair to sign the Contract and Letter as presented. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk then presented the 2023 County and Special Districts Budgets and asked for approval to publish the Notice of Budget Hearing, scheduling the hearing for August 8, 2022 at 11:00 AM. Rick James moved to approve the publication as requested. Jim Johnson seconded the motion. The motion passed 3-0.

County Attorney Burton Harding discussed setting up a fund for using the Diversion Funds for the County Attorney's office.

Eddie Andersen, Rural Fire District Board Chairman, discussed placing a memorial on the Courthouse property for Firefighters/Officers/Responders line-of-duty deaths. The Commission agrees with the idea but will need additional information before any action is taken.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, August 1, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

August 1, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve the following pays/special pays, totaling \$371,889.70: General, \$165,962.65; Employee Benefit, \$42,429.63; Appraiser, \$13,162.38; Rural Fire, \$12,852.97; Road and Bridge, \$56,689.10; County Health Dept., \$10,985.62; Capital Improvement, \$64,145.10; and Elderly, \$5,662.25. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund order: #2021-172. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 15 prisoners in house and 2 farmed out to other Counties.

Galen Anderson, AMR, reported on their activities for the past week and for the month of July.

Missy Lancaster reported on the activities of the Health Dept. for the past week. Lancaster then discussed a proposal to put an awning on the Health Dept. building. The Public Works Dept. assisted Lancaster in preparing a Request for Proposal for the project. There is a COVID grant that could be used to pay for the project. The Commission agreed to send out the RFP.

Randy Hegwald reported on Fire Dept. calls for the past week. Hegwald then asked to hire Gary Shroyer as a Probationary Firefighter for Station 960 (Prescott). Danny McCullough moved to hire Shroyer as requested. Jim Johnson seconded the motion. The motion passed 3-0. Hegwald reported that he received 4 bids for 10 sets of Bunker Gear. He would like to purchase the Bunker Gear from Ed M. Feld Fire Equipment Company for \$29,317.70. Danny McCullough moved to allow the purchase of 10 sets of Bunker Gear from Ed M. Feld Fire Equipment for \$29,317.70. Jim Johnson seconded the motion. The motion passed 3-0.

Chris Martin asked for help from the Public Works Dept. to remove a tree near the Mound City Road Shop that is impeding our network access to the County Shop. The Commission agreed to allow the Public Works Dept. to remove the tree.

Shaun West reported that the County Attorney's Office has been moved from their temporary office space to the new building. Gary Thompson reported that another exhaust fan on the new building has malfunctioned, so we are looking for a replacement. West also stated that we need to do some repairs on the Annex. West then informed the Commission that we need to go out for bids for propane for the year. The Commission agreed to seek bids for propane. West also informed the Commission that the Bobcat Skid Loaders have been received. West then reported on other projects the Public Works Dept. is working on.

The Clerk informed the Commission that the Revenue Neutral Notices are being printing this week and will be mailed by August 12<sup>th</sup>. The Clerk's office may be looking for help stuffing envelopes and preparing the mailing. The Clerk also informed the Commission that he is having trouble finding the paper for the notices. Commissioner James asked about the cost of the mailing. The Clerk estimates it will cost around \$20,000.00 to print and mail the notices. That amount will be reimbursed by the State of Kansas. The Clerk and Commission then discussed tomorrow's election.

At 10:00 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:10 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:10 AM the executive session ended. As a result of the executive session, Rick James moved to pay Chris Martin a one-time salary adjustment of \$5,000.00 for his additional work on the Justice Center Project which saved the County approximately \$132,000.00. Danny McCullough seconded the motion. The motion passed 3-0.

At 10:14 AM Rick James moved to take a 10 minute recess. Danny McCullough seconded the motion. The motion passed 3-0.

Joey McLiney discussed the County's Bond Rating with the Commission. Linn County still has an A+ Bond Rating after a review with S&P Global Ratings this year.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, August 8, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk



August 8, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; Katie Parscale, Deputy County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Jim Johnson seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$182,046.69: General, \$108,184.81; Employee Benefit, \$273.06; Appraiser, \$91.96; Rural Fire, \$8,280.95; Road and Bridge, \$57,346.65; 911 Telephone Tax, \$1,516.07; County Health Dept., \$3,211.01; Elderly, \$3,074.55; and Sewer Dist. #1, \$67.63. Jim Johnson seconded the motion. The motion passed 2-0.

The Clerk presented copies of the prisoner count. There are currently 16 prisoners in house and 1 farmed out to other Counties.

The Clerk presented Resolution #2022-26, appointing Randy Hegwald as the Linn County Emergency Management Coordinator/Director, effective August 1, 2022. Jim Johnson moved to adopt Resolution #2022-26 as presented. Rick James seconded the motion. The motion passed 2-0. Following is a copy of Resolution #2022-26:



Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Randy Hegwald reported on the Fire Dept. calls for the week.

Gary Thompson presented two applications for reduced dumping fees: Joann Newport, 20261 Taylor Road, La Cygne; and Melissa Weldon, 5971 Montgomery Road, Mound City. Rick James moved to approve the applications for reduced dumping fees as presented. Jim Johnson seconded the motion. The motion passed 2-0.

County Appraiser Kathy Bridges presented the 2021 Real Estate Appraisal/Sales Ratio Study from the Property Valuation Division. The 2021 Real Estate Sales Ratio Study was out of compliance on Residential Property. Bridges stated that we have narrowed the gap on the ratios, but we are still out of compliance. Bridges has appealed some of the sales data that was used by PVD. According to PVD, we are still too low on our values. We did not have any procedural errors on this year's report.

Gary Thompson reported that the State Fire Marshall has given approval to occupy the Justice Center.

Jessica Hightower presented an amended agreement with Scarecrow Farm Lawncare for the Justice Center. Jim Johnson moved to approve the addendum to the contract. Rick James seconded the motion. The motion passed 2-0.

Hightower then presented a Burial Permit requested by Miami County Rural Water District #3 for a boring under a County Road. Rick James moved to approve the Burial Permit as presented. Jim Johnson seconded the motion. The motion passed 2-0.

Hightower also presented a report from the landfill for recyclables that have been processed so far this year. Hightower then presented a bid from Kelly Electric for work on our fuel tank site in the amount of \$7,950.00. Rick James moved to enter into a contract with Kelly Electric in the amount of \$7,950.00. Jim Johnson seconded the motion. The motion passed 2-0. Hightower then reported on the Noxious Weed Dept. activities. Hightower also presented a bid for 5 debris baskets for the lift pumps on the Centerville Sewer in the amount of \$7,145.00. Rick James moved to approve the bid from ASC Pumping Equipment in the amount of \$7,145.00. Jim Johnson seconded the motion. The motion passed 2-0.

Hightower discussed a proposed Regional Grant for Safe Streets & Roads for All. The grant will have a 20% match, but KDOT will provide half of the matching funds plus an additional 5% of the grant, divided by County Population. Linn County's actual match will only be \$5,073.64. Rick James moved to apply for the grant. Jim Johnson seconded the motion. The motion passed 2-0.

Darin Wilson reported that he put out an RFP for updating our Zoning Regulations, but only one bid was received from the 4 companies that he requested bids from. The Commission asked Wilson to go back out for more bids. Wilson also reported that the public hearing on the Comprehensive Plan is tomorrow night.

The Clerk informed the Commission that the Election Canvas is scheduled for 9:30 AM on August 15, 2022. We have 98 Provisional Ballots. 53 of the ballots should be counted, 17 may be partially counted, and 28 should not be counted.

At 10:24 AM Jim Johnson moved to recess until 11:00 AM. Rick James seconded the motion. The motion passed 2-0.

At 11:00 AM the Chair opened the 2023 County and Special Districts Budget Hearing. The Chair asked for public comment on the budget. Mike White spoke about the 5% COLA, stating that it didn't do anything for new employees. At 11:03 AM the Chair closed the Budget Hearing. Jim Johnson moved to adopt the 2023 Linn County and Linn County Special Districts Budgets as presented. Rick James seconded the motion. The motion passed 2-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, August 15, 2022. Rick James seconded the motion. The motion passed 2-0.

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Commission Chair

Attest:

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County Clerk

August 15, 2022

The Board of Linn County Commission met in regular session at 9:01 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; Morgan Northcutt, Deputy County Clerk; and Gary Thompson, County Counselor. Danny McCullough led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Rick James moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$424,958.60: General, \$189,668.64; Employee Benefit, \$126,695.06; Appraiser, \$13,095.49; Rural Fire, \$8,565.65; Road and Bridge, \$73,035.85; County Health Dept., \$10,698.07; and Elderly, \$3,199.84. Danny McCullough seconded the motion. The motion passed 2-0.

Danny McCullough moved to approve River City Construction's Application for Payment #23 in the amount of \$55,313.13. Rick James seconded the motion. The motion passed 2-0. (Payment #23 will be included in next week's Claims.)

The Clerk presented copies of the prisoner count. There are currently 23 prisoners in house and 0 farmed out to other Counties.

The Commission then reviewed the YTD Park Report for July 2022.

The Clerk informed the Commission that he has received the Voting Delegate Forms for the KCAMP and KWORCC Annual Meetings, but he has not received the KAC forms yet. The Clerk will bring all of the forms back to the Commission when the KAC forms are received.

Randy Hegwald reported on Fire Dept. calls for the past week. Hegwald also reported on the membership on the Fire Board and reported that he has some surplus equipment that will need to be disposed of. Hegwald will get a list of equipment to the Clerk so a resolution can be prepared. Hegwald is planning on working on new Automatic Aid Agreements with our City Departments. Hegwald then asked to hire the following Firefighters: Jimmy Watts and Joshua Marshal for Station 920 (Pleasanton) and Farrah Bogan for Station 910 (Mound City). Danny McCullough moved to hire Jimmy Watts and Joshua Marshal as Probationary Firefighters at Station 920. Rick James seconded the motion. The motion passed 2-0. Rick James moved to hire Farrah Bogan as a Probationary Firefighter at Station 910. Danny McCullough seconded the motion. The motion passed 2-0. Hegwald also asked to increase Linda Simons salary to \$17.8866 per hour (Range 10, Step E) due to Simons receiving her certification in Emergency Management. Rick James moved to increase Linda Simons pay to \$17.8866 per hour effective 08/22/2022. Danny McCullough seconded the motion. The motion passed 2-0.

Galen Anderson, AMR, reported on their activities for the past week and for the month of August. Kansas EMS Association named Jeff Boyd as the Paramedic of the Year.

Rick James moved to appoint Darin Wilson as the third canvasser for the Primary Election results. Danny McCullough seconded the motion. The motion passed 2-0.

Rick James moved to schedule a special meeting of the Board of Canvassers at 8:00 AM Friday to canvas the results of a recount. Danny McCullough seconded the motion. The motion passed 2-0. (The Clerk received notice from the Secretary of State Monday evening that the recount in Linn County had been canceled. The Clerk notified the Commission and the newspapers that the special meeting was also canceled.)

At 9:30 AM Rick James moved to recess from the Board of Commission meeting and reconvene as the Board of Canvassers. Danny McCullough seconded the motion. The motion passed 3-0. Election Officer David Lamb reviewed the results of the August 2, 2022 Primary Election (including the write-in votes) and the Post-Election Audit with the Board of Canvassers. Danny McCullough moved to approve the Audit results. Rick James seconded the motion. The motion passed 3-0. The Board of Canvassers then reviewed the 98 Provisional Ballots. Danny McCullough moved to accept the recommendation of the Election Officer to not count 28 provisional ballots, and to count the remaining 70 provisional ballots provided the correct ballot style is in the envelope. (53 of the 70 ballots will be fully counted, the remaining 17 may be partially counted depending on the Ballot Style that is in the Provisional Envelope.) Rick James seconded the motion. The motion passed 3-0.

At 9:50 AM the Board of Canvassers went to the Courthouse to run the provisional ballots through the ballot scanner. (Three of the partial count ballots only voted the Constitutional Amendment, so we were able to run those ballots through the scanner.) At 10:15 AM Rick James moved to approve the Election Abstract and adjourn the Board of Canvassers' meeting and reconvene the Board of Commission meeting. Danny McCullough seconded the motion. The motion passed 3-0. The Commissioners then returned to the Commission Room.

Shaun West presented the July Cost Summary by Task for Public Works. West also presented an inspection report from KWORCC with items that need to be corrected. West then presented the following bids for tires: Conlan Tire LLC, \$14,875.84; Kansasland Tire & Service, \$19,374.28; and Goodyear Commercial Tire, \$16,701.08. (Two other company's bids were disqualified for not meeting specs.) Rick James moved to accept the bids from Conlan Tire LLC in the amount of \$14,875.84. Danny McCullough seconded the motion. The motion passed 2-0. West then reported on other projects the Public Works Departments are working on. West also presented a document concerning Nuisance Abatement in Lake Communities. The Commission wants to wait until all Commissioners are present to approve the policy.

At 10:39 AM Rick James moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:59 AM. Danny McCullough seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, and Deputy Clerk Morgan Northcutt attended the executive session.

At 10:59 AM the executive session ended. No action was taken as a result of the executive session.

Jessica Hightower and the Commission discussed the Linn County Comprehensive Plan. Hightower stated that 11 people attended the Public Hearing last week, and all were in favor of the plan. The Planning Commission recommended approval of the new Comprehensive Plan by a 6-0 vote. Jennifer Reinhardt, IBTS, spoke about the Comprehensive Plan and the positive feedback that was received from the public and from the Planning & Zoning Commission.

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, August 22, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

August 22, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Jeff Fulk opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$238,850.35: General, \$165,460.38; Appraiser, \$843.70; Rural Fire, \$5,462.53; Road and Bridge, \$18,924.01; County Health Dept., \$2,260.85; and Elderly, \$45,898.88. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 21 prisoners in house and 0 farmed out to other Counties. The Clerk also presented copies of the Fire Calls for the past week. Rick James reported on the Sheriff's contracts to house prisoners. We have a contract in place with Wyandotte County and it appears that we are close to a contract with the US Marshalls to house Federal prisoners.

The Clerk presented a copy of the Revenue Neutral Rate Notice Expenses in the amount of \$10,847.11. This does not include labor costs, because the State will not reimburse us for labor. The Clerk thanked other departments that helped with getting the notices ready to send out, including the Sheriff's Office, Appraiser's Office, Register of Deeds Office, Treasurer Janet Kleweno, and Custodian Danny Nation. Following is a copy of the RNR Notice Expense statement:

Revenue Neutral Rate Notice Expenses Linn County					
Date	Vendor	Quantity	Description	Amount	Amount
7/28/2022	Quill	90	#10 Window Envelopes	\$ 13.93	\$ 1,253.70
8/1/2022	Quill	10	Copy Paper - 20# Legal Size	\$ 42.99	\$ 429.90
8/4/2022	Iprint Technologies	1	Toner, HP MFP m631h, Black	\$ 326.00	\$ 326.00
8/10/2022	Linn County Printing		Folding Notices	\$	\$ 981.00
8/11/2022	Pitney Bowes		Postage	\$	\$ 7,856.51
	Total			\$	\$ 10,847.11

Total does not include labor.

The Clerk presented a letter from George Teagarden, resigning from the Planning & Zoning Commission. Rick James moved to accept the letter of resignation from George Teagarden. Danny McCullough seconded the motion. The motion passed 3-0.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Missy Lancaster reported on last week's activities for the Health Dept.

Jessica Hightower reported on a new Rural Champions Grant that she would like to apply for. The grant would provide \$25,000.00 for payroll with a 25% match. Danny McCullough moved to allow Hightower to apply for the grant. Rick James seconded the motion. The motion passed 3-0. Hightower then reported on the tarp for the airport building and fuel sales at the airport.

County Treasurer Janet Kleweno presented her Quarterly Interest Report, Delinquent Tax Report, and a summary of the cost of the Tax Foreclosure Sale. YTD Interest as of 6/30/22 is \$18,680.10. Delinquent Real Estate taxes as of 6/30/22 are \$696,025.86 and Delinquent Personal Property Taxes are \$37,209.71.

Shaun West reported on issues he has been working on. West reported that the City of Pleasanton is planning on finishing the rooms in the Community Center this fall and would like to know what our plans are for the Senior Meals. West reported that we are having issues with individuals spraying oil on County roads for dust control.

Darin Wilson presented a policy letter concerning nuisance issues at Lake Developments. Jim Johnson moved to approve Policy Letter #2022-01, replacing Policy Letter #2018-01. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Policy Letter #2022-01:

**Policy Letter No. 2022-01**  
**POLICY AS TO NUISANCE ENFORCEMENT IN LAKE COMMUNITIES:**

Statement of Intent:

- The County is committed to enforcing its nuisance regulations in the County to extent feasible And manageable given budgetary and manpower constraints.
- The County recognizes that the Lake Developments within the County create an especially challenging environment for nuisance enforcement, due to the density of population/sites and inaccessibility.
- The County intends to work cooperatively with property owner associations to encourage the associations to enforce their nuisance regulations and to enforce County regulations where necessary.

**POLICY:**

- County officials will place high priority on sewer violations they become aware of within lake communities, after violation is confirmed by Association. These will be addressed through direct negotiation, codes court action and abatement process, or all three, depending on the situation.
- County officials will investigate complaints of general nuisance conditions (junk, abandoned vehicles, etc.) when those complaints officially come from the property owner's association and are accompanied by evidence that the Association has taken steps, including litigation, to enforce its own nuisance regulations. The County will only proceed on such complaints when the conditions are clear violations of County regulations.
- County officials will pass on to the Home Owners Associations any non-sewer related complaints coming from private citizens. Only after such complaints have been processed and action is taken by the HOA under its regulation, will the County consider proceeding with investigation and action.
- County officials may investigate complaints of unsafe housing conditions when those complaints officially come from the property owner's association and are accompanied by a detailed report by the Association laying out the steps the Association has taken to enforce its own regulations on the property.
- All property owners associations are expected to have their own enforcement process for addressing nuisance conditions (other than sewer nuisances and checked first by association) and are expected to proceed under that process before filing a formal complaint with county in regard to said nuisance conditions. The Association's complaints must include documentation of the efforts of the Association to enforce its nuisance regulation.

6. Since enforcement of nuisances by the County will invariably involve use by the County of private streets and other private infrastructure, the County will generally not proceed on the complaints other than sewer-related complaints unless those complaints come from the HOA, are accompanied by evidence that the HOA has attempted remediation of the nuisance and are accompanied by an invitation by the HOA to make use of the HOA owned streets and infrastructure in the enforcement process.

7. Under NO CIRCUMSTANCES will the County enforce HOA or other private regulations. When alleged violations are in private lake communities, County officials will only enforce County nuisance and dangerous building regulation, County sewer regulations and county building and zoning regulations, as well as County/State traffic regulations when the HOA has complied with the steps necessary to implement the Standard Traffic Ordinance on their private streets, as laid out in Resolution 2014-16.

Primary responsibility for nuisance enforcement in lake communities lies with the HOA

The County will only step in when:

- there is a sewer-related violation after confirmation of a leak, dumping sewage on the ground or no holding tank present.

Or all the following are true:


- the HOA has made a good faith effort through litigation to enforce their regulations and has been unsuccessful and
- the county believes there is an actual, ongoing violation of County regulations and
- the county has the time and resources to pursue the matter

"This Policy Letter Revises and Replaces Letter 2018-01 as of the date of its approval."

Enacted the 15<sup>th</sup> day of August 2022

*[Signature]*  
Chairman, Board of County Commissioners  
Linn County, Kansas

ATTEST  
*[Signature]*  
County Clerk



Jessica Hightower and the Commission discussed the proposed Linn County Comprehensive Plan. Hightower reported that 11 people attended the Public Hearing and spoke in favor of the Comprehensive Plan. The Planning & Zoning Commission recommends approval of the Comprehensive Plan as presented. Gary Thompson will prepare a Resolution for next week's meeting for approval of the plan.

Rick James discussed placing limits on our committees, such as the Planning Commission. James would like to limit continuous service on committees to two terms, with a one term break before they could return to the committee.

At 9:42 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:57 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 9:57 AM the executive session ended. No action was taken as a result of the executive session.

At 9:59 AM Danny McCullough moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:14 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Deputy Clerk Morgan Northcutt attended the executive session.

At 10:14 AM the executive session ended. As a result of the executive session, Danny McCullough moved to increase Shaun West's salary to \$30.9838 per hour (Range 16, Step P) due to his certifications. Jim Johnson seconded the motion. The motion passed 3-0.

County Attorney Burton Harding updated the Commission on his office and discussed being in the new building. Harding also discussed his office retaining the diversion funds instead of allowing those funds to go to the General Fund. Harding will work with the Clerk and Treasurer to come up with a workable system.

David Keener, Gavel Roads Online Auctions, discussed online auctions for buying & selling County equipment. The auctions are paid by a 10% fee charged to the buyer. The County would also be able to set reserve prices on equipment we are selling.

Darin Wilson reported that Rex Bollinger would accept the position on the Planning & Zoning Commission, replacing George Teagarden. Rick James moved to appoint Rex Bollinger to the Planning & Zoning Commission. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough moved to allow Chair to sign the County Budget Certification to the Conservation District. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to sign the Election Abstract for the 2022 Primary Election. Danny McCullough seconded the motion. The motion 3-0.

With nothing further on the agenda Danny McCullough moved to adjourn until 9:00 AM Monday, August 29, 2022. Jim Johnson seconded the motion. The motion passed 3-0.

Attest:

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Commission Chair

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County Clerk

August 29, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

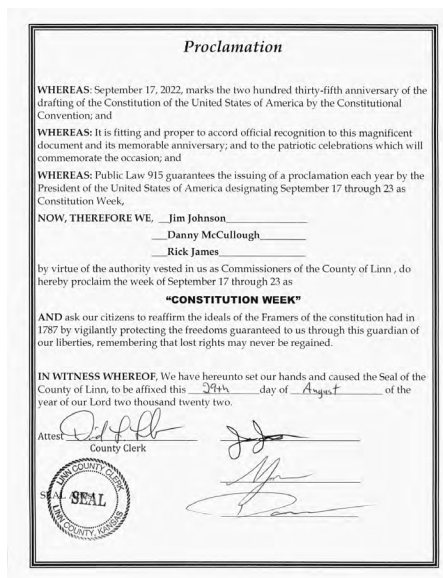
Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Jim Johnson moved to reschedule the next regular meeting to Tuesday, September 6<sup>th</sup>, due to Labor Day. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$421,469.97: General, \$284,135.82; Employee Benefit, \$43,983.14; Appraiser, \$12,520.16; Rural Fire, \$10,782.08; Road and Bridge, \$41,991.98; 911 Telephone Tax, \$5.75; County Health Dept., \$24,621.64; and Elderly, \$3,429.40. Danny McCullough seconded the motion. The motion passed 3-0.

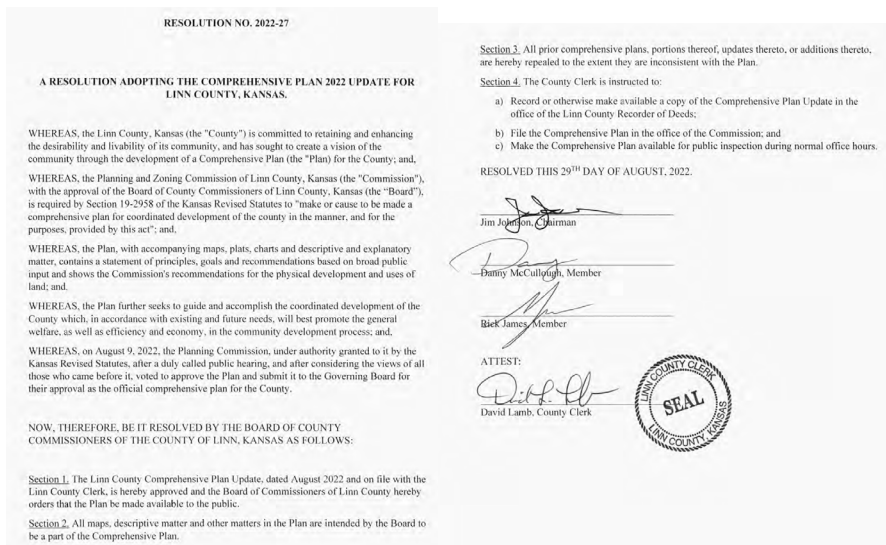
The Clerk presented copies of the prisoner count. There are currently 30 prisoners in house and 0 farmed out to other Counties. The Clerk also presented the weekly numbers from the Health Dept. The Clerk then presented a copy of the District Court Budget Report that needs to be signed and sent to the Court Clerk. The Chairman signed the Budget Report.

Rick James moved to approve a Proclamation proclaiming the week of September 17<sup>th</sup> as Constitution Week in Linn County. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of the Constitution Week Proclamation:



The Clerk informed the Commission that he had a request for an advertisement/sponsorship for the Jayhawk Linn Yearbook. The Commission stated that if they approved that request, they would need to do so for the other schools also, so they decided not to pay for the advertisement.

Jim Johnson moved to adopt Resolution #2022-27, approving the Comprehensive Plan 2022 Update for Linn County that was presented last week. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-27:



Galen Anderson, AMR, reported on their activities for the past week and for the months of June and July.

Randy Hegwald reported on Fire Dept. calls for the past week. Hegwald also presented a list of the Fire Board members. Hegwald then discussed training that was held last weekend. Hegwald asked for permission for himself and Linda Simons to attend the KEMA Conference in Mulvane. The Commission agreed to allow Hegwald and Simons to attend the conference.

Jessica Hightower asked for permission to advertise for the Linn County Housing Champion position for the Rural Champions Grant that was applied for last week. Danny McCullough moved to allow Hightower to advertise for the position, to be hired if we receive the grant. Jim Johnson seconded the motion. The motion passed 3-0.

Renee Slinkard discussed Constitution Week that begins on September 17<sup>th</sup>. Slinkard also presented handouts about the Preamble to the Constitution.

Shaun West discussed the Zenor Road Bridge and the Botkin Road Bridge projects. The bridge on Botkin Road is almost complete. He should have more information on the Zenor Road project soon. West discussed repairs that are needed for the maintenance vehicle at the South Road Shop. Rick James moved to approve the Title VI Notice to Public for the Transportation Program. Jim Johnson seconded the motion. The motion passed 3-0.

Darin Wilson presented Rezoning Case #Z22-03 requested by Regina Gross, rezoning a tract of land in Section 23, Township 20S, Range 22E from A-Agricultural to AR-Agricultural/Residential. The Planning Commission recommended approval by a 6-0 vote with the following findings:

- 1) The proposed change conforms to the character of the neighborhood.
- 2) The proposed use conforms to the uses and zoning class nearby.
- 3) The proposed change will not negatively affect nearby properties.
- 4) The proposed change conforms to the adopted Comprehensive Plan.
- 5) The proposed change does not affect current infrastructure.
- 6) Staff recommends approval.

After reviewing the findings of the Planning Commission, Rick James moved to approve Zoning Case #Z22-03, adopt the findings of the Planning Commission, and adopt Resolution #2022-28. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-28:



Wilson then presented Conditional Use Permit Case #CUP22-03 requested by Skyward Land Services Inc. for a communications tower. Staff made the following findings:

- 1) The use does not conform with the character of the neighborhood as most nearby properties are Agriculture and Agriculture with residences, Industrial.
- 2) The zoning of nearby properties is Agricultural and Ag with residences, Residential, & Heavy Industrial.
- 3) Portions of the property are in a flood zone, location for proposed use, as provided by the applicant, places proposed use in that zone. With meeting applicable flood plain requirements, location property is suitable for proposed use.
- 4) The proposed use does not appear to detrimentally effect nearby properties.
- 5) Property will remain as currently zoned.
- 6) The installation of this tower will enhance cellular service in the area so there is a gain to the public health, safety, and welfare.
- 7) The requested CUP conforms to the Linn County Comp Plan.
- 8) At this time Staff can not recommend approval of this CUP, with proper finding as required in Golden vs. the City of Overland Park.
- 9) Moving the Tower to the new location the Staff can recommend approval of this CUP, with proper findings as required in Golden vs. the City of Overland Park.

If approved, Staff recommends consideration of the following conditions:

- 1) Tower to be constructed as proposed on submitted plans and documents, with a minimum of a 1:1 ratio of height to distance from all property lines.
- 2) That all utilities necessary for operation be located within easement for ingress/egress and leased property.
- 3) Tower shall conform to any, and all FAA requirements for lighting.
- 4) Emergency contact information will be attached to the security fence or in any other approved location.
- 5) Provide space for Linn County to utilize tower, provided that County would assume cost for installation and maintenance of the County equipment.
- 6) A copy of any final inspection and any future inspections shall be delivered to the Linn County Planning & Zoning Office.
- 7) The State says typically cell towers are placed on existing ground without fill so therefore, a permit is not required.
- 8) Required to build Tower in accordance with Linn County Flood Plain regulations.

The Planning & Zoning Commission did not approve the CUP for the cell tower. The vote was 3-3. The Commission, Counselor, and Darin Wilson discussed options the Commission has at this point. Gary Thompson informed the Commission that they can accept the recommendation, overturn the recommendation, or send it back to the Planning Commission with directions from the County Commission. Gary Thompson recommends sending the CUP back to the Planning Commission with directions from the County Commission. Patrick Erwin, Skyward Land Services Inc., stated that he has been before the Planning Commission three times and would like the County Commission to approve the CUP. Danny McCullough moved to send it back to the Planning Commission and ask them to make findings on the current application. Jim Johnson seconded the motion. The motion passed 3-0.

Gary Thompson presented a request from Ronald & Denise Zimmerman for reduced dumping fees on a property located at 218 Chestnut St., Mound City. Jim Johnson moved to approve the request as presented. Rick James seconded the motion. The motion passed 3-0.

Gary Thompson then presented a list of Linn County Advisory Committees and Board members. Thompson also presented a revised contract for Jessica Hightower. Rick James moved to approve and to allow the Chair to sign the agreement with Jessica Hightower. Danny McCullough seconded the motion. The motion passed 3-0.

Gary Thompson then discussed the payment and retainage on the Justice Center project. Rick James moved to authorize River City Construction to reduce the retainage to 2 ½ times the amount of the remaining work. Jim Johnson seconded the motion. The motion passed 3-0.

Thompson also discussed the proposal from the City of Pleasanton to annex a portion of US 69 Highway next to Pleasanton. Thompson explained that the County has no legal standing on this issue because Statutes allow the City to annex property without approval from the County. Danny McCullough stated that he is personally opposed to the annexation.

Deputy Clerk Morgan Northcutt discussed the Employee Evaluation process with the Commission. The Commission is responsible for evaluating Department Heads that report to the Commission. Northcutt suggested having all the Commissioners work on the evaluations together. Rick James suggested developing a profile of each evaluator, showing what their average evaluation numbers have been in the past. The Commission decided to schedule time at next week's meeting to work on the evaluations.

At 10:25 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss trade secrets, pursuant to the trade secrets exception, K.S.A. 75-4319(b)(4), concerning a potential new business; and for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:50 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 10:30 AM Jessica Hightower entered the executive session.

At 10:45 AM Jessica Hightower left the executive session.

At 10:50 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Tuesday, September 6, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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



September 6, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$179,582.33: General, \$103,755.58; Employee Benefit Fund; \$7,790.22; Appraiser, \$2,792.58; Rural Fire, \$6,891.90; Road and Bridge, \$48,878.15; County Health Dept., \$4,791.45; Elderly, \$4,288.05; and Linn County Sewer Dist. #1, \$394.40. Jim Johnson seconded the motion. The motion passed 2-0.

Jim Johnson moved to accept the Sheriff's Monthly Fee Report for August 2022 in the amount of \$1,142.50. Rick James seconded the motion. The motion passed 2-0.

The Clerk presented copies of the prisoner count. There are currently 35 prisoners in house including 18 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

At 9:03 AM Commissioner McCullough arrived.

Virgil Swanson, AMR, reported on their activities for the past week.

Randy Hegwald presented copies of the Fire Calls for the past week. Hegwald reported that the Fire and EM phone numbers are changing to 800 numbers.

Missy Lancaster reported on last week's activities for the Health Dept.

Jessica Hightower presented information on a new Reconnecting Communities Pilot Discretionary Grant, to work on connecting links and roads in our Cities. This would be an 80/20 grant, our share of the planning portion would be \$10,800.00. Rick James moved to allow Hightower to apply for the grant. Jim Johnson seconded the motion. The motion passed 3-0.

Don George discussed Aquatic Nuisance Species (such as Zebra Mussels) with the Commission. KDWP is wanting to hire someone to educate the public about this issue. George is planning on using the ramp at the Linn County Lake to help educate the public.

Shaun West reported that the Zenor Road Bridge project now has a Temporary Project Manager assigned. The Botkin Road Bridge has been completed. The Hell's Bend project has been set to let bids in April 2023. West then presented propane bids for the year. Bids were received from 5 companies. West recommends accepting the low bid from MFA Oil Company in the amount of \$1.75 per gallon for the first 10,000 gallons. Rick James moved to accept the bid from MFA Oil Company for \$1.75 per gallon for the first 10,000 gallons. Danny McCullough seconded the motion. The motion passed 3-0.

West presented Resolutions #2022-29 & #2022-30 concerning traffic signs. Gary Thompson stated that he needs to make some revisions to the proposed resolutions and will present them next week.

Gary Thompson presented a request for reduced dumping fees on a property owned by Sue Duncan located at 402 S. Broadway, La Cygne. Rick James moved to approve the request as presented. Danny McCullough seconded the motion. The motion passed 3-0.

At 9:40 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 30 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:25 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Randy Hegwald attended the executive session.

At 9:57 AM Randy Hegwald left the executive session.

At 10:01 AM Shaun West entered the executive session.

At 10:16 AM Shaun West left the executive session.

At 10:25 AM the executive session ended. As a result of the executive session, Rick James moved to terminate Dee Horttor's employment as an At-Will Employee effective 9/6/22. Danny McCullough seconded the motion. The motion passed 3-0.

Shaun West stated that 2025 Road near Radcliff Road & Ragains Road will be closed for 30 to 45 days beginning September 12<sup>th</sup>.

At 10:28 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session until 11:30 AM to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 11:30 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, and Morgan Northcutt attended the executive session.

Shaun West attended the executive session from 10:55 AM to 11:20 AM.

At 11:30 AM the executive session ended. No action was taken as a result of the executive session.

At 11:30 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session until Noon to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at Noon. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, and Morgan Northcutt attended the executive session.

At Noon the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, September 12, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

September 12, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Jeff Fulk opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$369,495.86: General, \$167,269.07; Employee Benefit Fund, \$123,855.48; Appraiser, \$13,722.36; Rural Fire, \$3,160.22; Road and Bridge, \$45,561.40; 911 Telephone Tax Fund, \$1,453.22; County Health Dept., \$11,012.80; and Elderly, \$3,461.31. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-173 and #2021-174. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 38 prisoners in house including 19 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties

Rick James moved to appoint Jim Johnson as the Voting Delegate, David Lamb as the 1st Alternate, and Danny McCullough as the 2nd Alternate for the KAC Annual Business Meeting; and to appoint Jim Johnson as the Voting Delegate and David Lamb as the Alternate for the Annual KCAMP and KWORCC Meetings. Jim Johnson seconded the motion. The motion passed 3-0.

Galen Anderson, AMR, reported on their activities for the past week.

Randy Hegwald reported on the fire calls for the week. Hegwald then discussed upcoming parades and recruiting/retention promotions that he has been working on with Morgan Northcutt. The Chair then read a resignation letter from Don Proffitt, resigning from the Fire Board. Jim Johnson moved to accept Don Proffitt's resignation from the Fire Board. Danny McCullough seconded the motion. The motion passed 3-0.

Missy Lancaster reported on last week's activities for the Health Dept.

Jessica Hightower discussed the ROZ Program/Student Loan Repayment. We have a County employee that has inquired about being sponsored by Linn County. It would cost the County up to \$1,500.00 per year for 5 years on a 50/50 match with the State. Danny McCullough moved to authorize Jessica Hightower to opt into the program for \$1,500.00 per year for 5 years. Rick James seconded the motion. The motion passed 3-0.

Hightower then discussed SEK, Inc. The County recently became a member of SEK, Inc., and they would like to have Jessica Hightower on the SEK Housing Coalition. Danny McCullough moved to appoint Jessica Hightower to the SEK Housing Coalition. Jim Johnson seconded the motion. The motion passed 3-0.

Darin Wilson presented bids for the new zoning regulations. Bids received were: IBTS, \$21,000.00 plus expenses; and Kaup Law Office, \$34,000.00 including expenses. Wilson, the Commission, and the Planning Commission will review the bids and the Commission will discuss the project again in two weeks.

Shaun West and Jeremy Willard discussed bids for repair/replacement of a motor in a Road & Bridge Mechanic's truck. Oakes Ford in Pleasanton would charge \$8,300.00 for a turbo and new injectors, but they advised against that option. Bids for a new motor were: Oakes Ford, \$19,907.56; Midway Ford, \$21,295.22; A1 Auto, \$19,500.00; and Olathe Ford, \$18,000.00. Danny McCullough moved to approve up to \$18,500.00 to replace the motor with Olathe Ford. Rick James seconded the motion. The motion passed 3-0.

West then discussed fiber cables that were cut in right of ways. There were three instances where the companies are trying to bill the County for repairs, but only one appears to be the County's responsibility. That repair bill is \$2,032.09. West also presented Resolution #2022-29 for traffic control signs at 1000 Road & Read Road, and at 950 Road & Osborn Road. Jim Johnson moved to adopt Resolution #2022-29 as presented. Rick James seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-29:

RESOLUTION NO. 2022- 29

A RESOLUTION ESTABLISHING TRAFFIC CONTROL DEVICES AT CERTAIN INTERSECTIONS LINN COUNTY AND PROVIDING FOR ENFORCEMENT THEREOF

WHEREAS, the Director of Public Works for Linn County, Kansas, along with the Traffic Control Director, have reviewed the road conditions, sight distance, and vehicle use at the intersection cited below on County Roads in Linn County, Kansas; and

WHEREAS, following the road condition review the Director of Public Works has determined that it is necessary, and he therefore recommends, that Traffic Control Devices be posted at the cited locations to control traffic as described; and

WHEREAS, K.S.A. 19-101a, 19-212 and 8-2002 authorize the Board to enact resolutions regarding the establishment of traffic control devices upon roads within its jurisdiction; and

WHEREAS, the Board has determined, after reviewing all the evidence presented it, that it is in the best interest of the public's health, safety and welfare to post Traffic Control Devices as recommended by the Public Works Director of Linn County, Kansas.

**NOW THEREFORE BE IT RESOLVED:**

Section 1- That the following traffic control devices be installed:

- A Stop sign shall be established for West-bound traffic on 1000 Road at its intersection with Read Road in Linn County.
- A Yield sign shall be established for West-bound traffic on 950 Road at its intersection with Osborn Road in Linn County

Section 2- That the Traffic Control Director is hereby directed to post appropriate traffic control devices, in accordance with the standards and requirements established for such signs in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD), for and upon the locations and streets and roadways designated in this Resolution.

Section 3- That authorized emergency vehicles as defined under K.S.A. 8-1404, and any amendments thereto, and such other publicly or privately owned and operated vehicles as are designated by a Board of County Commissioners as a authorized emergency vehicle pursuant to K.S.A. 8-2010, and any amendments thereto, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, or when responding to, but not returning from, a fire alarm, shall be exempt from any violations of the STOP and YIELD signs established herein so long as such vehicle is making use of an audible signal meeting the requirements of K.S.A. 8-1738, and any amendments thereto, and the visual signals meeting the requirements of K.S.A. 8-1720, and any amendments thereto.

Section 4- That from and after the effective date of this Resolution, no person shall fail to stop a motor vehicle at the STOP signs established by this Resolution, nor Yield to approaching vehicles at the Yield signs established by this Resolution, and any violation of the provisions of this Resolution by any person, unless exempted as provided for herein, shall be a public offense for disobeying a traffic control device under K.S.A. 8-1507 or failure to yield right of way under K.S.A. 8-1528 and shall be punishable upon conviction by a fine in an amount and in accordance with the provisions of K.S.A. 8-2118(c) and any amendments thereto.

THIS RESOLUTION shall become effective upon its approval by the Board of Commissioners and its publication once in the official county newspaper, and the prohibition and restrictions provided in this Resolution shall become effective, after publication, upon the posting of traffic control signs as required by this Resolution.

APPROVED AND ADOPTED THIS 12<sup>th</sup> DAY OF SEPTEMBER, 2022

BOARD OF COUNTY COMMISSIONERS,  
LINN COUNTY, KANSAS

*Jim Johnson* Chairman

*Rick James* Member

*Danny McCullough* Member



ATTEST:  
*David L. Lamb*  
David L. Lamb, County Clerk



Gary Thompson presented a request for reduced dumping fees on a property owned by Jacquelin Pribble, located at 109 N. 2<sup>nd</sup> Street, La Cygne. Rick James moved to approve the request for reduced dumping fees. Danny McCullough seconded the motion. The motion passed 3-0.

Thompson then presented River City Construction's Pay Request #24 in the amount of \$878,210.98. Rick James moved to approve Pay Request #24 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Thompson also presented Change Order #18 from River City Construction, totaling \$16,166.00. No action was taken on the change order at this time.

At 10:12 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss trade secrets, pursuant to the trade secrets exception, K.S.A. 75-4319(b)(4), concerning a potential business; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:27 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 10:16 AM Jessica Hightower left the executive session.

At 10:20 AM Shaun West entered the executive session.

At 10:27 AM the executive session ended. No action was taken as a result of the executive session.

Jessica Hightower informed the Commission that Matt Cunningham would like to be on the SEK, Inc. Board of Directors. Danny McCullough moved to appoint Matt Cunningham as the Linn County Board Member for SEK, Inc., and Jessica Hightower as the Alternate Linn County Board Member. Jim Johnson seconded the motion. The motion passed 3-0.

At 10:38 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 90 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 12:08 PM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, and Morgan Northcutt attended the executive session.

At 12:08 PM the executive session ended. No action was taken as a result of the executive session.

Danny McCullough discussed last Thursday's meeting when he went through several County buildings with various departments. He will have more information at a later meeting.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, September 19, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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

Attest:

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

September 19, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$1,197,160.55: General, \$1,007,396.85; Appraiser, \$1,514.19; Rural Fire, \$4,610.20; Road and Bridge, \$183,207.95; 911 Telephone Tax, \$55.72; County Health Dept., \$154.19; and Elderly, \$221.45. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 38 prisoners in house including 19 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties

Randy Hegwald presented copies of the Fire Calls for the past week. Hegwald reported on this weekend's parade at Parker and upcoming parades in other Cities.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Missy Lancaster reported on last week's activities for the Health Dept.

Jessica Hightower informed the Commission of grants she applied for last week and discussed the Federal Funds Exchange from KDOT that we applied for. The Commission and Hightower discussed the courtesy car at the airport.

Shaun West presented the August Summary by Task Report for Public Works. West then reported on projects his departments are working on.

Gary Thompson presented a draft of a Request for Proposals for demolition of the old Sheriff's Office, Jail, and Communications Tower.

Darin Wilson presented CUP Case #CUP22-03 requested by Skyward Land Services Inc. for a communications tower. The case was sent back to the Planning Commission by the Commissioners. The Planning Commission recommended approval of the CUP by a 9-0 vote with the following findings: 1) Installation will be a gain to the public welfare, 2) The use will not detrimentally affect nearby properties, 3) There is no change to the underlying zoning and it will continue to conform to the zoning nearby, and 4) Staff recommends approval of the application; and the following conditions: 1) Tower to be constructed as proposed on submitted plans and documents, with a minimum of a 1:1 ratio of height to distance from all property lines, 2) That all utilities necessary for operation be located within easement for ingress/egress and leased property, 3) Tower shall conform to any, and all FAA requirements for lighting and will operate in unison with near-by towers, 4) Emergency contact information will be attached to the security fence or in any other approved location, 5) The applicant shall consider allowing co-location of County equipment, if it will not interfere with their antenna and County would assume cost for installation and maintenance of County equipment, 6) A copy of any final inspection and any future inspections shall be delivered to the Linn County Planning and Zoning Office, and 7) Skyward Land Services Inc. is responsible for removal of the tower upon decommission or if unused for 1 year. After reviewing the findings and conditions recommended by the Planning Commission, Rick James moved to adopt the findings of the Planning Commission, approve CUP #22-03, and approve Resolution #2022-30. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-30:

Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 2022-30

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #22-03 TO PERMIT THE INSTALLATION OF A 280 FOOT COMMUNICATIONS TOWER WITH A 75X75 FOOT COMPOUND TO PROVIDE ENHANCED CELLULAR SERVICE ACCESS IN THE "A" AGRICULTURAL ZONE

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

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

WHEREAS, the Linn County Planning Commission did, on May 18<sup>th</sup>, 2022, publish a notice of a public hearing to consider Conditional Use Permit #21-05, pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on September 13, 2021 to consider said Conditional Use Permit for the installation of a tower to be located in the Agricultural Zone; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimonies did, by a 9 to 0 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) Installation will be a gain to the public welfare,
- 2) The use will not detrimentally affect nearby properties,
- 3) There is no change to the underlying zoning and it will continue to conform to the zoning nearby,
- 4) Staff recommends approval of the application.

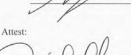
and subject to the following conditions:

- 1) Tower to be constructed as proposed on submitted plans and documents, with a minimum of a 1:1 ratio of height to distance from all property lines,
- 2) That all utilities necessary for operation be located within easement for ingress/egress and leased property,
- 3) Tower shall conform to any, and all FAA requirements for lighting and will operate in unison with near-by towers,
- 4) Emergency contact information will be attached to the security fence or in any other approved location,
- 5) The applicant shall consider allowing co-location of County equipment, if it will not interfere with their antenna and County would assume cost for installation and maintenance of County equipment,
- 6) A copy of any final inspection and any future inspections shall be delivered to the Linn County Planning and Zoning Office,
- 7) Skyward Land Services Inc. is responsible for removal of the tower upon decommission or if unused for 1 year.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit as recommended by the Planning Commission on property described as follows:

A 75 Foot X 75 Foot Compound located in SE corner of 37.5 Acres of  
L74 NW4 EX BEG NW1/4 NW4  
TH E 547.7' S 391.4' W 370.7'  
S 45.8' W 177' N To POB EX  
RD ROW of Section 03,  
Township 20, Range 24,  
(PID #: 092030000004000)

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 19th day of September 2022.

 Chairman  
 Vice-Chairman  
 Member

Attest:  
 Clerk



At 9:31 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 25 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor; and for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:01 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 9:39 AM Morgan Northcutt entered the executive session.

At 9:50 AM Morgan Northcutt and Shaun West left the executive session.

At 10:01 AM the executive session ended. No action was taken as a result of the executive session.

Danny McCullough presented a copy of remodeling needs for the old District Court building.

At 10:09 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 45 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:54 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission and Deputy Clerk Morgan Northcutt attended the executive session.

At 10:54 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, September 26, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

September 26, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; Katie Parscale, Deputy County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$579,386.79: General, \$209,979.74; Employee Benefit Fund, \$138,021.16; Appraiser, \$13,512.93; Rural Fire, \$9,652.95; Road and Bridge, \$47,610.25; Special Road & Bridge, \$146,381.00; 911 Telephone Tax Fund, \$303.72; County Health Dept., \$10,511.54; Elderly, \$3,374.32; and Sewer District #1, \$39.18. Jim Johnson seconded the motion. The motion passed 2-0.

The Clerk presented copies of the prisoner count. There are currently 41 prisoners in house including 17 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties

Galen Anderson, AMR, reported on their activities for the past week.

Randy Hegwald reported on the fire calls for the week. Hegwald then asked to hire Renea Marshall as a Probationary Firefighter at Station 920 (Pleasanton). Rick James moved to hire Marshall as requested. Jim Johnson seconded the motion. The motion passed 2-0.

The Clerk presented Resolution #2022-31, declaring outdated fire equipment as surplus property. Rick James moved to adopt Resolution #2022-31 as presented. Jim Johnson seconded the motion. The motion passed 2-0. Following is a copy of Resolution #2022-31:



Missy Lancaster reported on last week's activities for the Health Dept. Lancaster informed the Commission that she needs to repair the vaccine refrigerator for \$1,767.30.

Shaun West presented a burial permit located at 1350 & Ingrahm Road requested by Anderson County RWD #1 for a water line. Rick James moved to approve Burial Permit #BP2022-19 as presented. Jim Johnson seconded the motion. The motion passed 2-0. West then presented quotes for striping Ungeheuer Road. West recommends accepting the quote from Straight-Line Striping, Inc., in the amount of \$9,405.00 for 5.7 miles. Jim Johnson moved to approve the quote from Straight-Line Striping, Inc. in the amount of \$9,405.00. Rick James seconded the motion. The motion passed 2-0. (Other quotes received were: Heartland Traffic Services, Inc., \$18,963.00; Streetwise, Inc., \$24,923.32; RoadSafe Traffic Systems, Inc., \$67,636.96.) West also reported on the Noxious Weed Dept. and the cost shares that have been approved this year. West then reported that the bucket truck is up and running but is still having some issues with the lift. West also informed the Commission that we need to spend \$2,500.00 to replace the exhaust system on the truck that is receiving a new motor, but we will save \$1,000.00 because they will not need to burn out the old exhaust system. The motor will not be under warranty without replacing the exhaust system. Rick James moved to approve an additional \$1,500.00 for the truck repairs. Jim Johnson seconded the motion. The motion passed 2-0.

At 9:25 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 25 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:10 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Deputy Clerk, Counselor, and Fire Chief Randy Hegwald attended the executive session.

At 9:45 AM Randy Hegwald left the executive session and Shaun West entered.

At 10:00 AM Shaun West left the executive session and Darin Wilson entered.

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

Chris Martin informed the Commission that our new 911 equipment has arrived and we are waiting for some work to be done so that dispatch can be moved to the new building. Martin also discussed moving the generator from the old jail.

At 10:18 AM Rick James moved to recess from the Board of Commission meeting into executive session for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:33 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission, Clerk, Morgan Northcutt, and Counselor attended the executive session.

At 10:33 AM the executive session ended. No action was taken as a result of the executive session.

At 10:34 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:49 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Morgan Northcutt, and Counselor attended the executive session.

At 10:49 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, October 3, 2022. Jim Johnson seconded the motion. The motion passed 2-0.

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

Attest:

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



October 3, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to reschedule the next regular meeting to Tuesday, October 11<sup>th</sup>, due to Columbus Day. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$628.60: General, \$534.74; Employee Benefit, \$93.86. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$262,342.21: General, \$82,044.96; Appraiser, \$1,641.33; Rural Fire, \$2,281.76; Road and Bridge, \$166,945.61; 911 Telephone Tax, \$1,458.75; County Health Dept., \$3,742.21; and Elderly, \$4,227.59. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 41 prisoners in house including 17 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties. The Clerk also gave the Commission copies of the Health Dept. report for the week.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Randy Hegwald presented copies of the Fire Calls for the past week. Hegwald also reported on upcoming events for the Fire Dept.

Chris Martin reported that the Sheriff Dept. will be switching to digital frequencies tomorrow.

Morgan Northcutt presented quotes for the Christmas/Employee Recognition Dinner in December. The Commission agreed to go with the chili and cinnamon roll option for approximately \$1,250.00 on December 9<sup>th</sup>.

Gary Thompson presented an application for reduced dumping fees on a property owned by Donnie & Debbie Rhyneron located at 3879 W 300 Road, Blue Mound. Jim Johnson moved to approve the application as presented. Rick James seconded the motion. The motion passed 3-0.

Darin Wilson presented Conditional Use Permit Case #CUP22-04 requested by Brockway Auto & Restoration LLC for an Auto Repair and Restoration business in the "AR" Agricultural Zone located in Section 10, Township 20, Range 22. The CUP was approved by a 9-0 vote of the Planning Commission with the following findings: 1) The application conforms to the adopted Comprehensive Plan, 2) Application is in an Agricultural/Residential Area, 3) Property has been operating as unused agricultural/residential land since being zoned, 4) Property is suitable for proposed use, 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent, 6) No change or additional infrastructure is required, and 7) Staff recommends approval of the application; and the following conditions: 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03 and all local, State, and Federal Regulations affecting such businesses, 2) That all applicable required licensing be obtained and remain current in compliance with any local, state, and federal regulations, governing such businesses, 3) That property remains in full compliance with all Fire and Safety Regulations, Linn County Nuisance Regulations, and Linn County Sanitation Regulations, 4) That construction of facilities will begin within one (1) year from approval of Conditional Use Permit, 5) That Conditional Use Permit be reviewed/renewed at the end of five (5) years from approval date, and 6) That Conditional Use Permit applies to 3 Acres of the 9 Acres of property described in Section 1. After reviewing the findings conditions of the Planning Commission, Jim Johnson moved to approve CUP Case #22-04, adopt the findings of the Planning Commission, and adopt Resolution #2022-32. Rick James seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-32:

**Before the Board of County Commissioners**  
**Linn County, Kansas**  
**Resolution # 2022-32**

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #22-04 (Brockway Auto & Restoration LLC Auto Repair and Restoration Co. THE "AR" AGRICULTURAL ZONE)

WHEREAS, Linn County, Kansas is a county municipal government with the authority to adopt zoning regulations and create zoning district boundaries as provided in K.S.A. 12-751; and

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

WHEREAS, the Linn County Planning Commission did, on August 17, 2022, publish a notice of a public hearing to consider Conditional Use Permit #22-04, pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on September 13, 2022 to consider said Conditional Use Permit for the authorization to construct and operate a vehicle restoration and repair shop in the AR Agricultural/Residential Zone.

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimonies did, by a 9 to 0 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) The application conforms to the adopted Comprehensive Plan.
- 2) Application is in an Agricultural/Residential Area.
- 3) Property has been operating as unused agricultural/residential land since being zoned.
- 4) Property is suitable for proposed use.
- 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent.
- 6) No change or additional infrastructure is required.
- 7) Staff recommends approval of the application.

and subject to the following conditions:

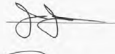

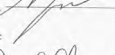
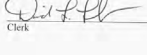
- 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03 and all local, State, and Federal Regulations affecting such businesses.
- 2) That all applicable required licensing be obtained and remain current in compliance with any local, state, and federal regulations, governing such businesses.
- 3) That property remains in full compliance with all Fire and Safety Regulations, Linn County Nuisance Regulations, and Linn County Sanitation Regulations.
- 4) That construction of facilities will begin within one (1) year from approval of Conditional Use Permit.
- 5) That Conditional Use be reviewed/ renewed at the end of five (5) years from approval date.
- 6) That Conditional Use Permit applies to 3 Acres of the 9 Acres of property described in Section 1.


THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit # 22-04, as recommended by the Planning Commission on property currently described in Section 1:

SECTION 1:

A 9 Acres track located in Section 10, Township 20, Range 22, REG SW/4 SE4, Thence N 391.75 E 1114.59 S 391.76 W 1113.41 to POB LESS RD, 7704 W, 2000 Rd. Parker, Ks, 66072

PASSED AND ADOPTED by the Linn County Board of County Commissioners this 3<sup>rd</sup> day of October, 2022.

 Chairman  
 Vice-Chairman  
 Member  
 Attest:  
 Clerk



At 9:22 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:37 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Darin Wilson, Shaun West, and Counselor attended the executive session.

At 9:37 AM the executive session ended. No action was taken as a result of the executive session.

Shaun West reported on a grant for the Senior Center that we have applied for. West also reported that he received a request from the Pleasanton Superintendent to close Scott Road, between 1050 Road and 1100 Road on October 6<sup>th</sup> for a Cross Country Meet. Danny McCullough moved to temporarily close Scott Road on October 6<sup>th</sup> as requested. Rick James seconded the motion. The motion passed 3-0. West presented tonnage reports for the landfill for the past three years. The Commission and West discussed options for disposing of our trash and ways we could improve our operations. West then presented a burial permit application from Evergy for burying fiber lines along Young Road. Rick James moved to approve Burial Permit #BP2022-20 as requested. Danny McCullough seconded the motion. The motion passed 3-0. West then reported on current issues with the Noxious Weed Dept. West also informed the Commission that the front pump on the Oil Distributor Truck quit working, and it will cost up to \$6,700.00 to make the necessary repairs. Rick James moved to approve up to \$6,700.00 to repair the Oil Distributor Truck. Jim Johnson seconded the motion. The motion passed 3-0.

At 10:05 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:20 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, Morgan Northcutt, and Shaun West attended the executive session.

At 10:20 AM the executive session ended. No action was taken as a result of the executive session.

At 10:25 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 60 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 11:25 AM. Rick James seconded the motion. The motion passed 3-0. The Commission and Deputy Clerk Morgan Northcutt attended the executive session.

At 10:38 AM Chris Martin entered the executive session.

At 10:58 AM Chris Martin left the executive session and Missy Lancaster entered.

At 11:00 AM Missy Lancaster entered the executive session.

At 11:25 AM the executive session ended. No action was taken as a result of the executive session.

Commissioner James read Resolution #2022-33, placing a six-month moratorium on Commercial Solar Farms while our Zoning Regulations are being revised. Rick James moved to adopt Resolution #2022-33 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-33:



With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Tuesday, October 11, 2022. Rick James seconded the motion. The motion passed 3-0.

Attest:

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

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

October 11, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough moved to cancel the October 17<sup>th</sup> regular meeting due to a lack of quorum because of the KAC Conference. Rick James seconded the motion. The motion passed 3-0.

The Clerk asked for permission to send out the Claims checks next week without a Commission meeting. The Clerk will email a copy of the Claims for next week to the Commission for an email approval and will include the newspaper on the email.

Rick James moved to approve the following pays/special pays, totaling \$529,304.83: General, \$190,702.21; Employee Benefit Fund, \$111,088.34; Appraiser, \$12,558.02; Rural Fire, \$2,253.04; Road and Bridge, \$195,001.38; 911 Telephone Tax Fund, \$57.58; County Health Dept., \$11,814.33; Elderly, \$5,759.03; and Sewer Dist. #1, \$70.90. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2021-176 and #2021-177. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 47 prisoners in house including 20 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

The Clerk then presented the Sheriff's Monthly Fee Report. Jim Johnson moved to accept the Sheriff's Monthly Fee Report for September 2022 in the amount of \$1,362.50. Danny McCullough seconded the motion. The motion passed 3-0.

The Commission then reviewed the YTD Park Report for September 2022.

The Clerk presented AMR's reported activities for the past week.

Randy Hegwald reported on the fire calls for the week.

Missy Lancaster reported on last week's activities for the Health Dept. Lancaster presented a bid for the awning at the Health Dept. The awning will be paid for with grant money. The Commission reviewed the bid and will make a decision at a later meeting.

Shaun West reported on the recycling services in the County for the quarter. We received \$5,747.85 for our recyclable materials during the 3<sup>rd</sup> Quarter of 2022. West then reported on upcoming projects for the Road & Bridge Districts. West also reported on costs of dumping at landfills in our surrounding areas.

Wayne Gudmonson, KDOT, discussed projects in Linn County. Gudmonson asked if the Commission had any questions for KDOT. Shaun West asked about guard rail replacement. Gudmonson explained the process for replacing guard rails. Gudmonson's staff reported that there is an overlay project planned for K152.

Robert Tyson addressed the Commission concerning the Canopy Cover decision that was issued by the Board of Tax Appeals. Tyson stated that his taxes went up on his pasture this year due to removal of trees on the property, but he appealed to BOTA and they found in his favor. County Appraiser Kathy Bridges explained the valuation of agricultural land in Kansas and how it is governed by State law.

Darin Wilson and members of the Planning & Zoning Commission presented their recommendation for a company to rewrite our Zoning Regulations. Bids were received from IBTS in the amount of \$25,000.00 and Kaup Law Office in the amount of \$39,000.00. The Planning & Zoning Commission recommends accepting the higher bid from Kaup Law Office by a 6-3 vote. Richard Morrell explained the reasoning behind the 3 "No" votes and stated that if they voted again today, he would vote for the Kaup bid. Charlene Sims stated that she feels that Kaup is more familiar with rural areas in Kansas. Several other members of the Planning & Zoning Commission also gave their opinions on the issue. Danny McCullough moved to accept the recommendation of the Planning & Zoning Commission and approve the bid from Kaup Law Office in the amount of \$39,000.00. Rick James seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

Burton Harding discussed his office and the new courtroom. The Commission and Harding discussed the lack of attorneys available in our area and how to attract attorneys to Linn County.

At 10:32 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 25 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:07 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Missy Lancaster attended the executive session.

At 10:54 AM Missy Lancaster left the executive session.

At 10:56 AM Shaun West and Tod Moeller entered the executive session.

At 11:07 AM the executive session ended. No action was taken as a result of the executive session.

At 11:09 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 30 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:49 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Counselor, Shaun West, and Morgan Northcutt attended the executive session.

At 11:22 AM Shaun West left the executive session and Jessica Hightower entered.

At 11:28 AM Jessica Hightower left the executive session.

At 11:49 AM the executive session ended. As a result of the executive session, Jim Johnson moved to tentatively hire Darcy Wilson as the Rural Housing Champion, contingent on Linn County receiving the grant funding from the Office of Rural Prosperity. Wilson will work 20 hours per week at an hourly wage of \$20.00 per hour. Rick James seconded the motion. The motion passed 3-0.

Shaun West informed the Commission that he received resignations from Tammy Grimes and John Mike Marsh last Friday and asked the Commission to accept the resignations effective immediately, and to pay both employees for the two weeks' notice that was given in their resignations. Jim Johnson moved to accept the resignations of Grimes and Marsh, and to pay each employee for their hourly wage for their two weeks' notice period. Rick James seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, October 24, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

October 24, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$515,687.02: General, \$332,754.30; Employee Benefit Fund, \$103,998.30; Appraiser, \$12,586.90; Rural Fire, \$11,785.84; Road and Bridge, \$39,909.02; County Health Dept., \$11,149.64; and Elderly, \$3,503.02. Jim Johnson seconded the motion. The motion passed 3-0.

The Commission also signed the following Claims Registers that were approved by email last week:

10/13/22 Claims totaling \$248.10: General, \$211.06; and Employee Benefit Fund, \$37.04.

10/17/22 Claims totaling \$177,529.49: General, \$91,338.17; Appraiser, \$62.49; Rural Fire, \$3,009.06; Road and Bridge, \$74,015.56; 911 Telephone Tax, \$299.90; Special Fire Equip., \$4,394.59; County Health Dept., \$3,108.18; Elderly, \$796.15; and Sewer Dist. #1, \$505.39.

The Clerk presented copies of the prisoner count. There are currently 42 prisoners in house including 19 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with. Anderson also presented a written report for the month of September.

Randy Hegwald reported on the fire calls for the week. Hegwald reported that we have been on a burn ban due to the dry and windy conditions. Hegwald then asked to hire Michael J. Quigley as a Firefighter at Station 970 (Blue Mound). Rick James moved to hire Quigley as a Probationary Firefighter at Station 970. Danny McCullough seconded the motion. The motion passed 3-0.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept. Lancaster and Danny McCullough discussed the design plans for an awning at the Health Dept. Lancaster then presented a written copy of her grant information for all grants.

County Treasurer Janet Kleweno presented her Quarterly Interest Report, Delinquent Tax Report, and Year-End Tax Settlement & Reconciliation. 2022 YTD Interest is \$12,423.86. Delinquent Real Estate taxes as of September 30, 2022 are \$1,109,563.47, Delinquent Personal Property taxes as of September 30, 2021 are \$32,549.71.

Gary Thompson discussed an application from Danny Stewart for a Minimum Maintenance Road on Iliff Road, north of 2400 Road. Mr. Stewart explained the reasoning for the application. Rick James moved to publish a Proposal to Declare Part of a Road as Minimum Maintenance and to set the hearing for November 14, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

Prescott Mayor Kevin Wood and the Commission discussed a sign to be installed in Prescott on the Rural Fire Station property. The Commission agreed with Wood's proposal for the sign. Gary Thompson will work on an agreement with the City of Prescott.

Darin Wilson discussed a proposed resolution for Building Permit Fees for Communications Towers. Rick James moved to adopt Resolution #2022-34, establishing Building Permit Fees for Communications Towers. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-34:



Wilson then presented the contract with Kaup Law Office for the Zoning Regulations in the amount of \$39,000.00. Danny McCullough moved to allow the Chair to sign the contract as presented. Rick James seconded the motion. The motion passed 3-0.

Jessica Hightower presented grant documents for the FY 2024 Transportation Grant. Danny McCullough moved to authorize the Chair to sign the grant documents. Rick James seconded the motion. The motion passed 3-0. Rick James moved to approve a letter of support for grant. Danny McCullough seconded the motion. The motion passed 3-0.

Hightower then presented the Cost Summary by Task for the Public Works Dept. for September 2022. Hightower also presented two burial permits. Danny McCullough moved to approve Burial Permit #BP2022-21 requested by Peoples Telecom located at 17482 County Road 1095. Jim Johnson seconded the motion. The motion passed 3-0. Danny McCullough moved to approve and waive the fees on Burial Permit #BP2022-22 requested by KwiKom Communications located on County Road 1077 between Parker and Goodrich. Jim Johnson seconded the motion. The motion passed 3-0.

Hightower discussed the 4 buildings that we want to remodel and stated that the RFPs have been prepared. The Commission will review the RFPs and discuss the projects next week. The Commission and Counselor discussed allowing farmers to pump water from the creek at the Fairgrounds, due to the drought. Harry Wisdom has everything ready for farmers to use.

Lake Region Solid Waste Authority has asked to have Jessica Hightower added as an Alternate Representative for their Board. Jim Johnson moved to appoint Jessica Hightower as an Alternate Member to the Lake Region Solid Waste Authority Board. Danny McCullough seconded the motion. The motion passed 3-0.

Jessica Hightower informed the Commission that we did receive the grant funding from the Office of Rural Prosperity that was discussed at the last meeting. Rick James moved to ratify the hiring of Darcy Wilson as the Rural Housing Champion. Wilson will work 20 hours per week at an hourly wage of \$20.00 per hour for 1 year. Danny McCullough seconded the motion. The motion passed 3-0. Rick James moved to allow Hightower to set up social media accounts (Facebook, Instagram, Blog, etc.) for the Rural Housing Champion program, with Hightower as the administrator of the accounts. Danny McCullough seconded the motion. The motion passed 3-0.

Hightower then informed the Commission that Christine Teagarden and Clint Eastwood have submitted resignations from the Economic Development Board. Jim Johnson moved to accept the resignations from Teagarden and Eastwood. Rick James seconded the motion. The motion passed 3-0. Hightower also informed the Commission that she has applied for a \$45,000.00 grant for the Children's Coalition.

At 10:48 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 11:08 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Morgan Northcutt attended the executive session.

At 11:08 AM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, October 31, 2022. Danny McCullough seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

October 31, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$75,809.26: General, \$38,155.57; Appraiser, \$8,142.68; Rural Fire, \$5,774.40; Road and Bridge, \$21,924.18; County Health Dept., \$307.01; and Elderly, \$1,505.42. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 42 prisoners in house including 18 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties. The Clerk also presented the report from the Health Dept. for the week.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Randy Hegwald presented copies of the Fire Calls for the past week. Hegwald also reported on upcoming events for the Fire Dept. Hegwald then asked to hire Kristen Gillis as a Firefighter at Station 960 (Prescott). Danny McCullough moved to hire Kristen Gillis as a Probationary Firefighter at Station 960. Rick James seconded the motion. The motion passed 3-0.

Station 920 Captain Jeff Wisdom asked to hire Wynona Becky Hegwald as a Firefighter for Station 920 (Pleasanton). Danny McCullough moved to hire Wynona Becky Hegwald as a Probationary Firefighter at Station 920. Jim Johnson seconded the motion. The motion passed 3-0.

Hegwald then reported on a recent LEPC meeting and the CERT training that was just completed.

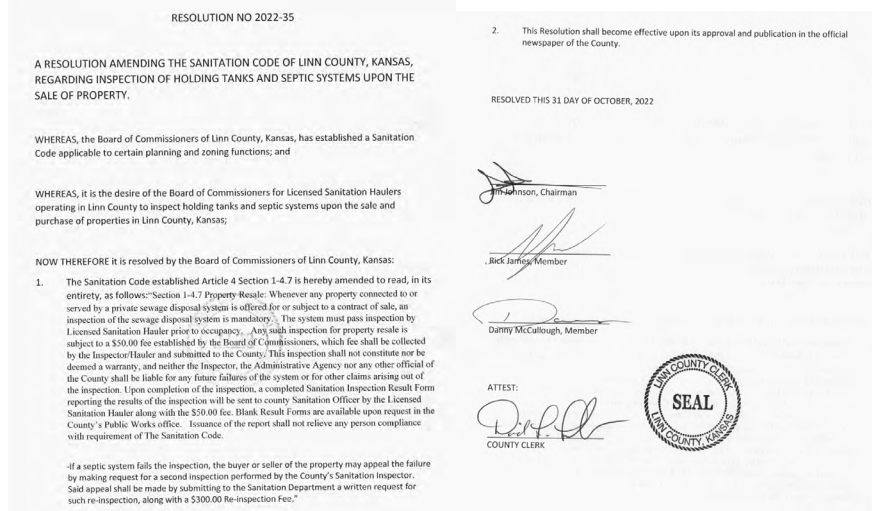
Shaun West presented three burial permits. Danny McCullough moved to approve Burial Permit #BP2022-23 requested by Anderson County RWD#1 located at 9567 W 1150 Rd. Rick James seconded the motion. The motion passed 3-0. Rick James moved to approve Burial Permit #BP2022-24 requested by Telcom Construction for Lumen/CenturyLink located at 19045 Devlin Rd. Jim Johnson seconded the motion. The motion passed 3-0. Danny McCullough moved to approve Burial Permit #BP2022-25 requested by JMZ Corporation for fiber lines running from Centerville to Blue Mound, and to waive the Burial Permit Fees. Rick James seconded the motion. The motion passed 3-0.

West then presented a proposal from Pfeifferkorn Engineering for a study on our solid waste disposal. Danny McCullough moved to approve the proposal in the amount of \$12,600.00. Rick James seconded the motion. The motion passed 3-0. West also discussed the RFPs for remodeling/repairs of our County buildings. Danny McCullough moved to allow Public Works to send out the RFPs for the County buildings. Rick James seconded the motion. The motion passed 3-0. West then presented bids for tires for our heavy trucks. Two bids were received from Conlan Tire Company for two brands of tires. Each bid was for 8-11R22.5 D460s and 12-11R22.5 D450s. The bids were \$8,823.64 and \$11,343.64.

West informed the Commission that we received our Highway Funds totaling \$131,937.71. West then presented the invoice from Bettis Asphalt for the overlay in Ungeheuer Road in the amount of \$630,323.79, for 5.7 miles. Bettis honored their original price quote, even though the asphalt prices had gone up substantially since the quote was given. Jim Johnson moved to pay the Bettis Asphalt invoice in the amount of \$630,323.79. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the tire bid from Conlan Tire Company in the amount of \$8,823.64. Danny McCullough seconded the motion. The motion passed 3-0. West also reported on other Public Works departments and presented a thank you note from Roger Carbon for installing the water pump for watering livestock at the Fairgrounds.

Darin Wilson presented Resolution #2022-35, amending the Sanitation Code regarding inspection of holding tanks and septic systems. Danny McCullough moved to adopt Resolution #2022-35 as presented. Rick James seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-35:



At 10:03 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:13 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 10:07 AM Jessica Hightower left the executive session and Shaun West entered.

At 10:13 AM the executive session ended. As a result of the executive session, Jim Johnson moved to increase Zach Daniels' pay to \$15.0924 per hour (Range 8, Step C), effective 10/31/22, due to him passing his Class B CDL; and to move him to the Solid Waste Dept. Rick James seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, November 7, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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



November 7, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$402,974.84: General, \$214,898.21; Employee Benefit Fund, \$96,373.67; Appraiser, \$12,979.34; Rural Fire, \$3,179.03; Road and Bridge, \$53,082.01; 911 Telephone Tax, \$1,511.61; County Health Dept., \$13,760.37; Elderly, \$7,111.27; and Sewer District #1, \$79.33. Jim Johnson seconded the motion. The motion passed 2-0.

Commissioner McCullough arrived at 9:03 AM.

The Clerk presented copies of the prisoner count. There are currently 42 prisoners in house including 19 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

The Clerk also presented the Sheriff's Monthly Fee Report. Jim Johnson moved to accept the Sheriff's Monthly Fee Report for October 2022 in the amount of \$44,628.45. Rick James seconded the motion. The motion passed 3-0.

The Commission then reviewed the YTD Park Report for October 2022.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Randy Hegwald reported on the fire calls for the week.

Chris Martin updated the Commission on the digital radio transition. Martin stated that Phase 1 is done and he will work on Phase 2 next year. Martin also stated that we are hoping to have the phone (911) circuits ready for Dispatch in the new building by Thanksgiving. Martin thinks that it will be January before the demolition of the old Sheriff's Office could begin. Martin then discussed ransomware attacks on Counties and Cities.

Gary Thompson presented River City Change Order #18 in the amount of \$16,166.48. Danny McCullough moved to approve Change Order #18 and allow the Chair to sign as presented. Rick James seconded the motion. The motion passed 3-0.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept. Lancaster discussed bids for adding a Meeting & Safe Room and an Awning outside the building. The Commission would like to have more discussion and research before taking action on the Meeting & Safe Room. Rick James moved to approve the quote from Rockin' H Construction in the amount of \$55,255.00 for the awning to be added on the south side of the building, paid for with grant funds. Danny McCullough seconded the motion. The motion passed 3-0.

Sheri Loveland reported on the County Park. Loveland discussed projects that have been done and new projects that need to be done. Loveland stated that the boat slips need to be repaired or replaced before they are rented out next year. The Commission asked Loveland to check on grants that could be available for the dock and boat slips. Loveland stated that we need to work on WiFi and televisions for the cabins. Loveland also presented a copy of the Park Fees and a proposal for increasing the fees.

Darin Wilson presented a bill from Kaup Law Office for October in the amount of \$2,811.60. Gary Thompson has already reviewed the bill. The Commission agreed that they don't need to see the bill each month unless there is an issue they need to deal with. They can just approve it with the bills. The Commission and Counselor then discussed Codes Court issues with Wilson.

Shaun West presented copies of the buy-back options with our heavy equipment dealers and will have more information next week. West also presented a price list from one of our local quarries.

Joyce Hall presented the FY2024 Transportation Grant Applications. Rick James moved to allow the Chair to sign the Grant Applications as presented. Danny McCullough seconded the motion. The motion passed 3-0.

At 10:50 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 11:10 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Darin Wilson attended the executive session.

At 10:55 AM Darin Wilson left the executive session.

At 11:10 AM the executive session ended. No action was taken as a result of the executive session.

The Commission, Road Foremen, and Public Works Administrator met with local rock/aggregate suppliers, Whitaker Aggregates and Hamm Inc. Topics discussed were: lime/dust content in the rock, chip loss on roads, prices for next year, and options for chip & seal rock.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, November 14, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

November 14, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$782,613.58: General, \$49,045.92; Appraiser, \$465.19; Rural Fire, \$1,508.56; Road and Bridge, \$711,790.70; Law Enforcement Trust, \$305.40; County Health Dept., \$18,196.36; and Elderly, \$1,301.45. Jim Johnson seconded the motion. The motion passed 2-0.

The Clerk presented copies of the prisoner count. There are currently 39 prisoners in house including 19 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

The Commission then reviewed a Corrected YTD Park Report for October 2022. There was an error on the reporting of the AirBNB income for October on the previous week's report.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Randy Hegwald presented copies of the Fire Calls for the past week.

Shaun West presented information on the equipment buy-back program. West also discussed the Zenor Road project. The estimate came in higher than expected, so we are looking at other options.

Jessica Hightower stated that the airport building cover should be done in December. Gary Thompson presented copies of the proposed policy for County Advisory Boards & Committees. The Commission suggested an additional edit to the policy and will plan on voting on the policy next week.

At 9:14 AM the Chair opened the hearing for declaring a portion of Iliff Road, north of 2400 Road, as a Minimum Maintenance Road. The Chair asked for public comments. None were given. The Chair then closed the public hearing. Shaun West presented the Order for Declaring a portion of Iliff Road a Minimum Maintenance Road. Rick James moved to approve the Order declaring a portion of Iliff Road as a Minimum Maintenance Road. Jim Johnson seconded the motion. The motion passed 2-0. Rick James moved to approve an order to allow the portion of Iliff Road that was declared Minimum Maintenance to be gated. Jim Johnson seconded the motion. The motion passed 2-0. Following are copies of the orders concerning a portion of Iliff Road:

ORDER

WHEREAS, the Governing Body of Linn County, Kansas is authorized by K.S.A. §68-5.102 to declare a road within the county to be "Minimum Maintenance" when the board determines said road is used only occasionally or is used only by a few individuals; and

WHEREAS, the Board of Commissioners has determined that the below described portion of Iliff Road in Linn County is used only occasionally and only by a few individuals; and


WHEREAS, the Board of Commissioners on October 19, 2022, published notice of a hearing on said declaration of the below described portions of road as Minimum Maintenance; and


WHEREAS, said hearing was convened on November 14, 2022, and the Commissioners heard all comments and recommendations; NOW THEREFORE

IT IS HEREBY FOUND AND ORDERED BY THE GOVERNING BODY OF LINN COUNTY, KANSAS:

1. Iliff Road, from a point 3,400 feet North of 2400 Road, to the intersection of Iliff Road and the Linn County Line, Linn County, Kansas should be and hereby are declared a Minimum Maintenance Road pursuant to K.S.A. §68-5.102.
2. Signs notifying the public pursuant to the above cited statute shall be posted on said roads within 10 days of this Order.
2. This Order shall be effective upon its passage and publication in the official newspaper of Linn County, Kansas.

ORDERED THIS 14<sup>th</sup> DAY OF NOVEMBER, 2022.

ATTEST:  
  
 COUNTY CLERK

CHAIRMAN  
  
 COMMISSIONER

COMMISSIONER

SEAL  
 LINN COUNTY, KANSAS

ORDER TO ALLOW A GATE ON A PUBLIC ROAD

WHEREAS, pursuant to KSA 68-126 *et al.*, certain property owners filed with the Board of Commissioners of Linn County, Kansas, on October 24, 2022, a Petition to Gate a Public Road; and

WHEREAS, the proposed gates would be located on Iliff Road at a point 3,400 feet North of 2400 Road, and on Iliff Road at its intersection with the Linn County Line and would restrict access to that portion of Iliff Road lying between those two points in Linn County, Kansas;

NOW THEREFORE, the Board of Commissioners of Linn County, Kansas hereby Finds and Orders:


1. The land affected by the proposed gate is largely used as pasture land or is otherwise undeveloped.
2. Gating the road as petitioned will not materially affect the traveling public.
3. Petitioners are hereby granted permission to construct gates across a county road at the following locations:  
 On Iliff Road at a point 3,400 feet North of 2400 Road  
 And  
 On Iliff Road at its intersection with the Linn County Line.
4. It shall be the duty of the Petitioners to construct and maintain said gate in a manner consistent with the letter and spirit of KSA 68-126.
5. The Property owners on the affected section of Iliff Road have entered into an Agreement between themselves governing access through and maintenance of said gate.
6. If material conditions change, the Board of Commissioners reserves the

right to amend, alter or rescind this order.

7. This Order shall be entered upon the journal of the Board of County Commissioners as required by the cited statute.


FOUND AND ORDERED THIS 14<sup>th</sup> DAY OF NOVEMBER, 2022.

BOARD OF COUNTY COMMISSIONERS  
 LINN COUNTY, KANSAS

CHAIRMAN  
  
 MEMBER

MEMBER

MEMBER

ATTEST:  
  
 COUNTY CLERK

SEAL  
 LINN COUNTY, KANSAS

Gary Thompson then presented a Revised Policy (Policy Letter #2022-03) for County Assistance with CD Disposal. Jim Johnson moved to approve Policy Letter #2022-03 as presented. Rick James seconded the motion. The motion passed 2-0. Following is a copy of Policy Letter #2022-03:

POLICY LETTER 2022-03

COUNTY ASSISTANCE WITH CD DISPOSAL  
 (This Policy revises and replaces Policy Letter 2017-01)

Statement of Intent:

1. It is not the intent of the County to compete with commercial CD haulers.
2. The County intends to assist Cities, individuals and entities to improve the Cities and County by encouraging the demolition and cleanup of structures that are un-inhabitable, dangerous, unsightly or otherwise blighted.
3. In the case of such blighted structures, the primary position of the county in making this assistance is that it will primarily do so by minimizing the cost of disposal of CD in the County's CD landfill.
4. A secondary position of the county is to minimize to the public the cost of hauling CD waste to the county's CD landfill.

Policy:

1. Reduction or elimination of fees on dumping CD in the CD Landfill.  
 -to qualify for this program a structure must first be referred in writing to the County Codes department as one that is un-inhabitable, dangerous, unsightly or otherwise severely blighted.
- A. In the case of structures within a City, the referral shall come from the Mayor or the City Council and a finding endorsed by the Referrer that the structure meets the required conditions shall accompany the written referral.
- B. In the case of structures within the County but not within a City, the referral shall be made by either a County Codes Officer or a County Commissioner.
- C. Whether the referral comes from a City source as described in Section A, or a County source, as described in Section B, the referral shall include an application for assistance which shall provide at least the following information:  
 -The referral/application shall provide ownership information on the property, including a copy of the current deed and a list of all interest holders (mortgage holders, lien holders, tenants, etc.) not shown on the deed.  
 -The referral/application shall also include current property tax information on the property, showing whether taxes are current, and, if they are not, the years and amounts of tax unpaid.

-If the property is zoned, the application shall describe the zoning applicable to the property and shall name the zoning entity.

- D. In either case, once a referral is made and application submitted, the Codes Department shall investigate the subject property and shall make a finding that:  
 -the property is or is not severely blighted  
 -the property should be demolished  
 -Arrangements have been made with an appropriate contractor or individual to do the demolition  
 -Arrangements have been made with an appropriate contractor or individual to haul the CD material  
 -the property is an appropriate candidate for minimization of fees, since the removal of the property is in the public interest.  
 -the property owner or other responsible party has not been granted reduction or elimination of fees hereunder on this or another property in the past 12 months.


The finding should also include a recommendation from the Codes Director as to whether or not fees should be eliminated or reduced and, if the recommendation is for reduction, the degree of said reduction.

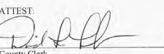
- D. The Codes Director shall present his findings to the County Commission, which may then by a majority vote in open session to approve the recommendation by the Codes Director or to deny the recommendation, or to approve the recommendation with revisions. The Commission shall make findings in support of their action.
- E. The Codes Director shall be responsible for conveying the determination of the Commission to the Referrer and to the Solid Waste Director.

2. Assistance with hauling CD.
  - A. To qualify for this program, a structure must be qualified for fee reduction or elimination under No. 1, AND be a demolition undertaken at public expense, either by a City, the County, or some other entity supported by taxes assessed within Linn County.
  - B. Application for this assistance shall follow the same process as application for fee reduction or elimination, but said application shall include, in addition to the data required above in Section B, details of how the demolition came to be a public expense, including any related or supporting documentation verifying that the taxpayers of Linn County would be bearing the cost of the removal, and details about the demolition including who will be doing the demolition and how it will be funded.
- C. If, upon submission of the application, referral, recommendation and all other information to the Commission, they determine that assistance with hauling is appropriate, they may vote to make the order. If the initial referral was made by a City official or by a County Codes Department official, the decision to assist must be approved by a majority vote of the Commission. If the initial referral was made by a County Commissioner, the assistance must be approved by a 3/4 vote of the Commission. The Commissioners may assist in the entire cost of the hauling or with any portion thereof.

3. Any Reduction in fees granted under this policy shall be valid for 90 days from the date of its approval. Grantees may apply for an extension of that time upon showing good cause for failure to complete the demolition within that time-frame. Such extension may be granted by a majority vote of the Commission.

Enacted the 14<sup>th</sup> day of November, 2022.

CHAIRMAN  
  
 Board of County Commissioners  
 Linn County, Kansas

ATTEST:  
  
 County Clerk

SEAL  
 LINN COUNTY, KANSAS

At 9:27 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:37 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Clerk, Darin Wilson, and Counselor attended the executive session.

At 9:37 AM the executive session ended. No action was taken as a result of the executive session.

At 9:38 AM Rick James moved to recess from the Board of Commission meeting into executive session for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:43 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission, Clerk, Darin Wilson, and Counselor attended the executive session.

At 9:41 AM Darin Wilson left the executive session.

At 9:43 AM the executive session ended. No action was taken as a result of the executive session.

Tracey Barton, Kansas Natural Resource Coalition, addressed the Commission concerning joining the Kansas Natural Resource Coalition. The coalition works to reduce the impact of the Federal Government on land uses in Counties.

County Attorney Burton Harding gave the Commission an update on his office.

Tod Moeller updated the Commission on his plans for chip & seal next year. Moeller also reported that he is working with the local quarries to get washed rock for chip & seal.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, November 21, 2022. Rick James seconded the motion. The motion passed 2-0.

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

Attest:

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

November 21, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 2-0.

Jim Johnson moved to approve the following pays/special pays, totaling \$374,614.92: General, \$182,669.41; Employee Benefit Fund, \$112,310.19; Appraiser, \$13,228.21; Rural Fire, \$10,743.46; Road and Bridge, \$39,389.35; County Health Dept., \$11,637.24; Elderly, \$2,333.06; and Sewer Dist. #1, \$2,304.00. Danny McCullough seconded the motion. The motion passed 2-0.

The Clerk presented copies of the prisoner count. There are currently 44 prisoners in house including 20 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties. The Commission and Counselor discussed the Federal Marshall Contract for our jail. The contract has been signed and we are ready to start receiving prisoners.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with. Anderson also presented a written report for the month of October.

Randy Hegwald reported on the fire calls for the week.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept.

Jessica Hightower presented two ARPA Applications. SEK Mental Health Center is requesting \$217,500.00 for their operating budget, and the City of La Cygne is requesting \$130,000.00 for their water treatment project. The Commission will discuss the requests next week when all Commissioners are present.

Noxious Weed Director Johnny Taylor updated the Commission on what the Noxious Weed Dept. has done for the year.

County Attorney Burton Harding reported on current issues for his department.

Jessica Hightower introduced Darcy Wilson to the Commission. Wilson reported on what she is working on. She has a meeting scheduled with the Cities in early December.

Danny McCullough moved to appoint Darin Wilson as the third canvasser for the General Election results. Jim Johnson seconded the motion. The motion passed 2-0.

At 9:30 AM Jim Johnson moved to recess from the Board of Commission meeting and reconvene as the Board of Canvassers. Danny McCullough seconded the motion. The motion passed 2-0. Election Officer David Lamb reviewed the results of the November 8, 2022 General Election (including the write-in votes) and the Post-Election Audit with the Board of Canvassers. Danny McCullough moved to approve the Audit results. Jim Johnson seconded the motion. The motion passed 3-0. The Board of Canvassers then reviewed the 69 Provisional Ballots. Danny McCullough moved to accept the recommendation of the Election Officer to not count 18 provisional ballots, and to count the remaining 51 provisional ballots. Jim Johnson seconded the motion. The motion passed 3-0.

At 9:47 AM the Board of Canvassers went to the Courthouse to run the provisional ballots through the ballot scanner. At 10:13 AM Jim Johnson moved to approve the Election Abstract with the results of the provisional ballots and adjourn the Board of Canvassers' meeting and reconvene the Board of Commission meeting. Danny McCullough seconded the motion. The motion passed 3-0. The Commissioners then returned to the Commission Room.

Shaun West presented information on the equipment buyback program. We can take advantage of the program for 3 maintainers with a buy back of \$115,000.00 per unit. This would leave us with a cost of \$795,000.00 for 3 new maintainers. However, West recommends using our funds to replace some other, older equipment that we need to replace at this time. The Commission would like to wait until next week when all Commissioners are present to make a decision.

At 10:37 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:47 AM. Danny McCullough seconded the motion. The motion passed 2-0. The Commission, Clerk, and Shaun West attended the executive session.

At 10:47 AM the executive session ended. As a result of the executive session, Jim Johnson moved to accept the resignation of Zach Daniels. Danny McCullough seconded the motion. The motion passed 2-0.

West then discussed the Zenor Road project. West stated that he and Harry Wisdom believe that we can make enough repairs to reopen the road with supplies we have on hand. Our cost would be manpower and fuel. West also reported that we passed our Household Hazardous Waste Inspection and we have a new Park Lease to discuss next week. West then presented the proposed Fee Schedule for the Park. The Commission will vote on the fee schedule next week. West also reported on the Senior Center grants. We can get grants to cover 40% (\$7,756.00) of the projects. Our share of the cost would be \$11,636.00.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, November 28, 2022. Danny McCullough seconded the motion. The motion passed 2-0.

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

Attest:

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

November 28, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; Gary Thompson, County Counselor; and Jason Hightower, Commissioner-Elect. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$186,338.45: General, \$126,195.32; Employee Benefit Fund, \$29,180.70; Appraiser, \$519.65; Rural Fire, \$1,173.47; Road and Bridge, \$27,880.54; County Health Dept., \$505.22; and Elderly, \$883.55. Danny McCullough seconded the motion. The motion passed 3-0.

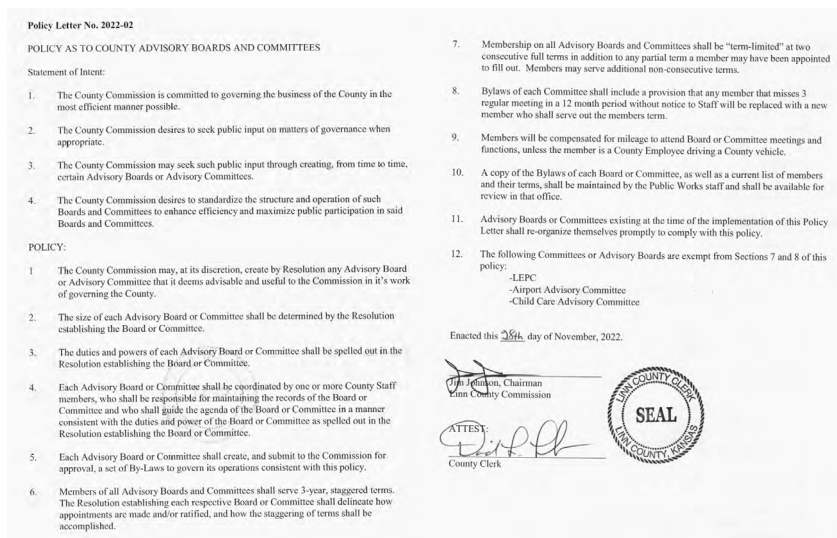
The Clerk presented copies of the prisoner count. There are currently 44 prisoners in house including 20 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Randy Hegwald presented copies of the Fire Calls for the past week. Hegwald then asked to hire Charles Stokes as a Firefighter at Station 960 (Prescott). Jim Johnson moved to hire Charles Stokes as a Probationary Firefighter at Station 960. Danny McCullough seconded the motion. The motion passed 3-0.

Chris Martin reported that all of the switches and cameras for the Justice Center have shipped and will be here this week. Martin stated that we are still waiting on Brightspeed to install wiring for our 911 system. Martin also informed the Commission that our generator was not connected to all the circuits that are needed at the Justice Center. Martin is working with River City to correct the issue.

Jessica Hightower discussed the Committee Policies with the Commission. Rick James moved to adopt Policy Letter #2022-02 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Policy Letter #2022-02:



Hightower then discussed the two ARPA funding requests that were presented last week. The City of La Cygne's project is \$130,000.00, but they are asking for \$65,000.00. (The City of La Cygne will match the funding from ARPA.) The Southeast Kansas Mental Health Center request is for \$217,500.00.

The Clerk informed the Commission that there was a three-way tie for the Scott Township Clerk position between Robert Burns, Hollie Breedlove, and Jim Hendershot. The three names were put into a cup and the Commission Chair drew the following name: Robert Burns. Robert Burns was declared the winner of the Scott Township Clerk race. The Commission, acting as the Board of Canvassers, then signed the General Election Abstract.

Shaun West presented the October Cost Summary by Task for the Public Works Depts. West then discussed the equipment buyback program. West presented a list of equipment with odometer readings. West also discussed the Zenor Road Bridge project. The cost seems to be prohibitive for that project. West is looking into other options, such as vacating the road and giving it to the Federal Government. Danny McCullough stated that he would like to vacate the road. The Commission also discussed the possibility of a low-water crossing. West discussed the buy-back reimbursement and the cost of new maintainers. The buy-back amount would be \$115,000.00 per maintainer. The cost for new maintainers is \$380,000.00 to \$420,000.00 each. West recommends not taking advantage of the buy-back program, so we can replace other, older equipment. The Commission agreed to not use the buy-back program this time. West then discussed the proposed Park Fees for 2023 that were presented last week. Jim Johnson moved to approve the Park Fees as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of the new Park Fee Schedule:

Suggested Park Fee Schedule For 2023					
Parking Pass (Daily)	2022	2023	Camping W/50 amp & Water	2022	2023
	\$3.00	\$4.00		\$17.00	\$18.00
Parking Pass (Yearly/Out of County)	2022	2023	Camping W/50 amp, Water & Sewer	2022	2023
	\$25.00	\$30.00		\$18.00	\$19.00
Parking Pass (Yearly/Linn County Residents)	2022	2023	Camping Additional Tent on Site	2022	2023
	\$15.00	\$20.00		\$6.00	\$7.00
Second Parking Pass (Yearly/Both)	2022	2023	Camping Additional Vehicle	2022	2023
	\$6.00	\$7.00		\$3.00	\$4.00
Camping w/no hook ups	2022	2023	Shelter Rental (Small/Daily)	2022	2023
	\$9.00	\$10.00		\$40.00	\$40.00
Camping W/30 amp	2022	2023	Shelter Rental (Large/Daily)	2022	2023
	\$14.00	\$15.00		\$50.00	\$50.00
Camping W/30 amp & Water	2022	2023	Cabins Rental (Daily)	2022	2023
	\$15.00	\$16.00		\$50.00	\$50.00
Camping W/30 amp, Water & Sewer	2022	2023	Boat Slip (Daily)(When Available)	2022	2023
	\$16.00	\$17.00		\$3.00	\$4.00

West and the Commission then discussed the lease with Evergy on our County Park. West would like to have Don George discuss options for the County Park and Lake before approving the new lease. West informed the Commission that we took possession of the Park Caretaker's House last week. West also discussed the Senior Center grant proposals. The grant for Centerville would be for HVAC work estimated to cost \$9,440.00, with \$3,776.00 paid by grant. The grant for Parker would be for flooring and counter tops estimated to cost \$9,952.00, with \$3,980.00 paid by grant. Rick James moved to accept the grants for the Centerville and Parker Senior Centers and to have the proposed repairs done at both sites. Danny McCullough seconded the motion. The motion passed 3-0.

Gary Thompson presented a request for reduced/waived dumping fees on a property located at 11433 Thomas Road, owned by James Higgins. Danny McCullough moved to waive the dumping fees for this property. Rick James seconded the motion. The motion passed 3-0.

At 10:30 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:35 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Commissioner-Elect Jason Hightower, Clerk, Counselor, and Shaun West attended the executive session.

At 10:35 AM the executive session ended. No action was taken as a result of the executive session.

At 10:36 AM Rick James moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:46 AM. Danny McCullough seconded the motion. The motion passed 2-0. The Commission, Commissioner-Elect Jason Hightower, Clerk, Counselor, and Shaun West attended the executive session.

At 10:46 AM the executive session ended. No action was taken as a result of the executive session.

At 10:49 AM Jim Johnson moved to take a 10 minute recess. Danny McCullough seconded the motion. The motion passed 3-0.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept. Missy Lancaster met with the Commission to discuss future plans and ideas for the Health Dept. Lancaster has grant money that has to be spent by June 30, 2023. Lancaster suggested the following for using the grant money: new digital sign, some salaries, testing supplies, Diabetes Educator training, other items that relate to COVID, covered testing area, a safe room, and equipment. The Commission suggested discussing ideas with the Health Advisory Board.

Al Doan, Solid Waste Coordinator, discussed dumping our solid waste. Doan stated that we are under contract with Oak Grove until April 2023. The Commission discussed plans to install a walking floor trailer at the landfill. Doan stated that he would like to raise the C&D dumping fees. Shaun West stated that he will work with Doan to come up with a suggested fee schedule. Doan stated that we only have about 1 1/2 to 2 years left on our landfill cell, and we have no more room at the current site for another cell. The Commission stated that we need to start working on getting another location approved immediately.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, December 5, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

December 5, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; Gary Thompson, County Counselor; and Jason Hightower, Commissioner-Elect. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 2-0.

Rick James moved to approve the following pays/special pays, totaling \$843,645.47: General, \$294,045.08; Employee Benefit Fund, \$92,716.82; Appraiser, \$12,886.54; Rural Fire, \$3,307.91; Road and Bridge, \$54,055.93; 911 Telephone Tax, \$6,180.58; County Health Dept., \$10,165.28; Special Alcohol, \$1,500.00; Fair Association, \$68,000.00; Debt Service, \$295,140.63; and Elderly, \$2,333.06. Jim Johnson seconded the motion. The motion passed 2-0.

The Clerk presented copies of the prisoner count. There are currently 46 prisoners in house including 19 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

The Clerk also presented the Sheriff's Monthly Fee Report. Jim Johnson moved to accept the Sheriff's Monthly Fee Report for November 2022 in the amount of \$6,837.50. Rick James seconded the motion. The motion passed 2-0.

The Commission then reviewed the YTD Park Report for November 2022.

Jim Johnson moved to approve add/abate/refund orders: #2022-1 through #2022-35, #2022-685 through #2022-691, and #2022-718 through #2022-772. Rick James seconded the motion. The motion passed 2-0.

The Clerk read a letter from Tri-Ko, Inc. asking the Commission to reappoint John Morse to a 3 year term on the Tri-Ko Board of Directors. Jim Johnson moved to reappoint John Morse to a 3 year term on the Tri-Ko Board of Directors effective January 1, 2023. Rick James seconded the motion. The motion passed 2-0.

The Clerk reported that Randy Hegwald left copies of the Fire Calls for the past week for the Commission.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept. Lancaster presented a copy of the maintenance renewal for her Cepheid machine in the amount of \$4,782.90. The Commission will discuss the renewal bill next week.

Jessica Hightower reported that we can use ARPA Funds for repairs at the County Park. Hightower presented the Senior Center Numbers for the year. Hightower then reported that she has a meeting scheduled with City Officials on December 20<sup>th</sup> at 7:00 PM at Bunker Hill.

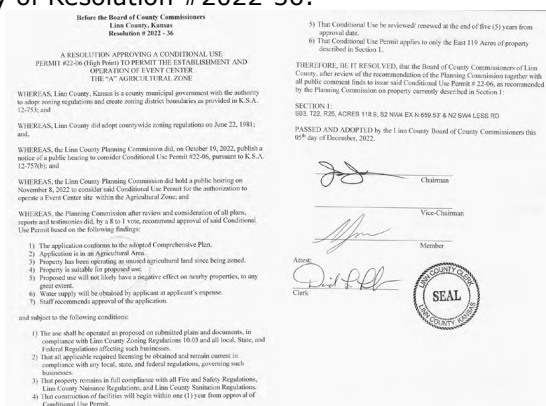
Darin Wilson presented the following Conditional Use Permits: CUP Case #22-06 requested by Brandon McGinnis (High Point-McGinnis Event Center), for an Event Center Venue in the "A" Agricultural Zone. CUP Case #22-06 is recommended for approval by an 8-0 vote of the Planning Commission with the following findings:

- 1) The application conforms to the adopted Comprehensive Plan.
- 2) Application is in an Agricultural Area.
- 3) Property has been operating as unused agricultural land since being zoned.
- 4) Property is suitable for proposed use.
- 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent.
- 6) Water supply will be obtained by applicant at applicant's expense.
- 7) Staff recommends approval of the application.

and the following conditions:

- 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03 and all local, State, and Federal Regulations affecting such businesses.
- 2) That all applicable required licensing be obtained and remain current in compliance with any local, state, and federal regulations, governing such businesses.
- 3) That property remains in full compliance with all Fire and Safety Regulations, Linn County Nuisance Regulations, and Linn County Sanitation Regulations.
- 4) That construction of facilities will begin within one (1) year from approval of Conditional Use Permit.
- 5) That Conditional Use be reviewed/renewed at the end of five (5) years from approval date.
- 6) That Conditional Use Permit applies only to the East 119 Acres of property described in Section 1.

After reviewing the findings and conditions of the Planning Commission, Rick James moved to approve CUP Case #22-06, adopt the findings of the Planning Commission, and adopt Resolution #2022-36. Jim Johnson seconded the motion. The motion passed 2-0. Following is a copy of Resolution #2022-36:



CUP Case #22-05 requested Lavender Family Ranch, for an Event Center, Cabin Rental, Horse Stall Rental, RV Pad Rental Venue in the "AR" Agricultural/Residential Zone. CUP Case #22-05 is recommended for approval by an 7-1 vote of the Planning Commission for family use only (the application was not just for family use) with the following findings:

- 1) The use does fit with the character of the neighborhood.
- 2) The zoning of nearby properties is Agricultural.
- 3) The property is suitable for proposed use.
- 4) The proposed use should not detrimentally affect nearby properties.
- 5) Property will remain as currently zoned.
- 6) The proposed use should not detrimentally affect the public health, safety, and welfare, and may benefit public welfare by providing a boost to local economy.
- 7) The requested CUP conforms to the Linn County Comp Plan.
- 8) Staff recommends approval of this CUP for family use only.

and the following conditions:

- 1) Those applicable as listed in Article 10.03 (Guidelines for conditions),
- 2) That all required licensing by all local, State, and Federal regulations, applicable to such businesses be obtained and remain in full compliance,
- 3) That, if granted, property remains in full compliance with all regulations pertaining to such businesses under Federal, State, and Local laws and regulations. All Fire and Safety Regulations, the Linn County Nuisance and Sanitation Regulations and those set forth within this Conditional Use Permit at all times, and with proper finding as required in Golden vs. the City of Overland Park.

After reviewing the findings and conditions of the Planning Commission, Rick James moved to send the application back to the Planning Commission with written recommendations. Jim Johnson seconded the motion. The motion passed 2-0. Gary Thompson will prepare the written recommendations for the Commission to review and approve.

Shaun West presented a permit to bury water line located on 1475 Road near County Road 1077, requested by Anderson County RWD #1. Jim Johnson moved to approve Burial Permit #BP2022-25 as presented. Rick James seconded the motion. The motion passed 2-0.

West then presented the proposed 2023 Solid Waste Fee Schedule. Rick James moved to approve the 2023 Solid Waste Fee Schedule as presented. Jim Johnson seconded the motion. The motion passed 2-0. Following is a copy of the 2023 Solid Waste Fee Schedule:

	2022	2023
Car tire with out rim	\$2.00	\$4.00
Car tire with rim	\$3.00	\$5.00
Semi tire with out rim	\$5.00	\$7.00
Semi tire with rim	\$10.00	\$15.00
Tractor tire with out rim	\$15.00	\$20.00
Tractor tire with rim	\$30.00	\$30.00
Off road tire with out rim	\$35.00	\$35.00
Off road with rim	\$70.00	\$70.00
C&D	\$25.00 per ton \$10.00 Min	\$30.00 per ton \$10.00 Min
Clean rubble	\$12.50 per ton \$10.00 Min	\$15.00 Per ton \$10.00 Min
M.S.W	\$40.00 per ton \$10.00 Min	\$45.00 Per ton \$10.00 Min

West also discussed the Cost Benefit Analysis for the Landfill. Pfefferkorn Engineering should have the analysis done on December 12<sup>th</sup>. West reported that we can go back and add to five of our existing cells at the landfill. This should give us an additional 1 to 1 1/2 years before we need to open a new cell at a new location. The Commission asked West to get cost estimates for adding additional debris to our existing cells.

Tyson Jinks addressed the Commission concerning being evicted from the County Park. Gary Thompson advised that we need to get a summary of what happened from Shaun West and then the Commission can review the issue. Thompson also advised Mr. Jinks that we would need a report in writing from him with his side of the issue in order to appeal the decision.

At 9:57 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:17 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Commissioner-Elect, Clerk, Counselor, and Shaun West attended the executive session.

At 10:17 AM the executive session ended. As a result of the executive session, Rick James moved to transfer Michael Shapel from the Road & Bridge Dept. to the Maintenance Supervisor position at a wage of \$16.8277 per hour (Range 9, Step G). Jim Johnson seconded the motion. The motion passed 2-0. Rick James moved to hire Nicholas Mitchell as an Equipment Operator I at a wage of \$14.8942 per hour (Range 7, Step K). Jim Johnson seconded the motion. The motion passed 2-0. Rick James moved to terminate the employment of Clyde Shafer as an At-Will Employee effective today. Jim

With nothing further on the agenda Rick James moved to adjourn until 9:00 AM Monday, December 12, 2022. Jim Johnson seconded the motion. The motion passed 2-0.

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

Attest:

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



December 12, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Rick James, Member; David Lamb, County Clerk; Gary Thompson, County Counselor; and Jason Hightower, Commissioner-Elect. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Rick James seconded the motion. The motion passed 2-0.

Commissioner McCullough arrived at 9:03 AM.

Rick James moved to approve the following pays/special pays, totaling \$362,452.01: General, \$290,804.91; Employee Benefit Fund, \$7,773.06; Rural Fire, \$524.98; Road and Bridge, \$46,206.57; 911 Telephone Tax, \$355.62; County Health Dept., \$15,387.25; Elderly, \$1,335.31; and Sewer Dist. #1, \$64.31. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2022-773 through #2022-792. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 53 prisoners in house including 26 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

The Clerk read a letter from the Lake Region Solid Waste Authority concerning their budget for 2023. Danny McCullough moved to approve the 2023 Lake Region Solid Waste Authority Budget and to allow the Chair to sign the budget form. Jim Johnson seconded the motion. The motion passed 3-0.

Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with. Anderson also presented a written report of the November 2022 ambulance calls.

Randy Hegwald presented copies of the Fire Calls for the past week.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept. Lancaster reported that their awning should be done this week and they have done 514 COVID tests this year. Danny McCullough moved to approve the maintenance contract for the Cepheid testing machine in the amount of \$4,700.00, contingent on our Counselor's review/approval of the contract. Jim Johnson seconded the motion. The motion passed 3-0.

County Attorney Burton Harding stated that he believes that the Linn County Sheriff's Office is doing a good job with their investigations which helps him get convictions on his cases.

Jessica Hightower reported that the tarp for the building at the airport may be delivered this week and the fuel tanks will be delivered this week. Hightower also reported that the City Officials' meeting is scheduled for December 20<sup>th</sup> at 7:00 PM at Bunker Hill. Hightower also reported on additional grant funds that are available for the County to be used for ARPA related expenses.

Shaun West discussed a KWORCC inspection that was recently conducted and stated that his departments are working on the corrections. West also stated that he is working on the equipment plan that was requested by the Commission.

The Clerk discuss the upcoming Budget Amendment Hearing with the Commission. The Clerk also reviewed the Purchase Order and Transfer requests that have been received so far.

Darin Wilson and the Commission discussed Building Codes and Fees. Wilson presented information on Codes, including examples from other Counties, and asked the Commission how they would like to proceed. Wilson's examples showed that our fees are much lower than Franklin and Miami Counties on several types of applications. Wilson also gave the Commission printouts of our Building Permit Applications. The Commission stated that they will need to have additional discussion before making any decisions.

The Clerk asked the Commission if they wanted to recognize the Juneteenth Holiday in 2023. Danny McCullough moved to not recognize the Juneteenth Holiday as a Linn County Holiday. Jim Johnson seconded the motion. The motion passed 3-0.

At 10:06 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:16 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Commissioner-Elect, Clerk, Counselor, and Shaun West attended the executive session.

At 10:16 AM the executive session ended. No action was taken as a result of the executive session.

At 10:17 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:27 AM. Rick James seconded the motion. The motion passed 2-0. The Commission, Commissioner-Elect, Clerk, Counselor, and Shaun West attended the executive session.

At 10:27 AM the executive session ended. As a result of the executive session, Rick James moved to accept the resignation of Jeremy Willard, Public Works Mechanic. Danny McCullough seconded the motion. The motion passed 3-0. Willard's last day will be January 2<sup>nd</sup>.

Michael Clancy, RenoDry USA, addressed the Commission concerning his company's services. RenoDry USA specializes in drying out foundations in historical buildings. They will do a free inspection and provide an estimate for repair/mediation work. Danny McCullough stated that he would like to get an inspection and estimate. The Commission agreed to have RenoDry USA do the free inspection and estimate.

Kansas Department of Wildlife & Parks Biologist Don George addressed the Commission concerning the proposed contract between Linn County and Evergy. George stated that KDWP is interested in working with the County on improvements for the County Park, which could include a swimming area. George also discussed the need to promote our County Park to attract more visitors.

Shaun West gave the Commission copies of our contract with Oak Grove Landfill for disposal of our solid waste.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, December 19, 2022. Rick James seconded the motion. The motion passed 3-0.

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Commission Chair

Attest:

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County Clerk

December 19, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; Gary Thompson, County Counselor; and Jason Hightower, Commissioner-Elect. Jim Johnson led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$478,213.23: General, \$238,558.71; Employee Benefit Fund, \$152,215.63; Appraiser, \$22,229.94; Rural Fire, \$9,150.10; Road and Bridge, \$38,759.38; 911 Telephone Tax, \$188.13; County Health Dept., \$11,975.78; Elderly, \$2,100.89; Special Auto Fees, \$2,979.67; and Sewer Dist. #1, \$55.00. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2022-793 through #2022-796 and #2022-798 through #2022-802. Rick James seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 54 prisoners in house including 28 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

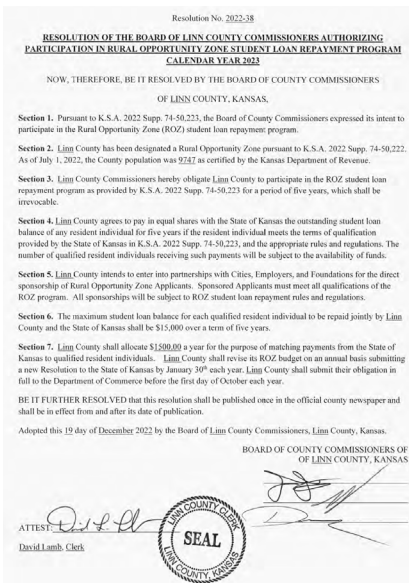
Galen Anderson, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Jim Johnson moved to reschedule the next regular meeting to Tuesday, December 27<sup>th</sup>, due to the Christmas Holiday. Danny McCullough seconded the motion. The motion passed 3-0.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept.

Randy Hegwald reported on the fire calls for the week.

Jessica Hightower reported that the fuel tanks and the tarp for the building at the airport were delivered last week. Hightower presented Resolution #2022-38 for the Rural Opportunity Zone for 2023. Rick James moved to adopt Resolution #2022-38 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-38:



Hightower also stated that the meeting with City Officials is scheduled for tomorrow evening at 7:00 PM at Bunker Hill. Commissioner McCullough is planning on attending.

Darin Wilson presented CUP Case #22-05 requested by Lavender Family Ranch, for an Event Center, Cabin Rental, Horse Stall Rental, RV Pad Rental Venue in the "AR" Agricultural/Residential Zone. The CUP was sent back to the Planning Commission two weeks ago. CUP Case #22-05 is recommended for approval by an 8-0 vote of the Planning Commission with the following findings:

- 1) The application conforms to the Comprehensive Plan.
- 2) Application is in an Agricultural Area.
- 3) Property has been operating as unused agricultural land since being zoned.
- 4) The property is suitable for proposed use.
- 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent.
- 6) Water supply will be obtained by applicant at applicant's expense.
- 8) Staff recommends approval of the application.

and the following conditions:

- 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03 and all local, State, and Federal Regulations affecting such businesses.
- 2) That all applicable required licensing be obtained and remain current in compliance with any local, state, and federal regulations, governing such businesses.
- 3) That property remains in full compliance with all Fire and Safety Regulations, Linn County Nuisance Regulations, and Linn County Sanitation Regulations.
- 4) That construction of facilities will begin within one (1) year from approval of Conditional Use Permit.
- 5) That Conditional Use Permit applies to 209 Acres of property described in Section 1.

After reviewing the findings and conditions of the Planning Commission, Jim Johnson moved to approve CUP Case #22-05, adopt the findings of the Planning Commission, and adopt Resolution #2022-39. Rick James seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-39:

Before the Board of County Commissioners  
Linn County, Kansas  
Resolution # 2022 - 39

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT #22-05 (LAVENDER FAMILY RANCH) TO PERMIT THE ESTABLISHMENT AND OPERATION OF EVENT CENTER THE "A" AGRICULTURAL ZONE

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

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

WHEREAS, the Linn County Planning Commission did, on September 21, 2022, publish a notice of a public hearing to consider Conditional Use Permit #22-05; pursuant to K.S.A. 12-757(b); and

WHEREAS, the Linn County Planning Commission did hold a public hearing on October 11, 2022 to consider said Conditional Use Permit for the authorization to operate a Event Center, Cabin Rental, Horse Stall Rental, and RV site rental within the Agricultural Zone; and

WHEREAS, the Planning Commission after review and consideration of all plans, reports and testimonies did, by a 8 to 0 vote, recommend approval of said Conditional Use Permit based on the following findings:

- 1) The application conforms to the adopted Comprehensive Plan.
- 2) Application is in an Agricultural Area.
- 3) Property has been operating as unimproved agricultural land since being zoned.
- 4) Property is suitable for proposed use.
- 5) Proposed use will not likely have a negative effect on nearby properties, to any great extent.
- 6) Water supply will be obtained by applicant at applicant's expense.
- 7) Staff recommends approval of the application.

and subject to the following conditions:

- 1) The use shall be operated as proposed on submitted plans and documents, in compliance with Linn County Zoning Regulations 10.03 and all local, State, and Federal Regulations affecting such businesses.
- 2) That all applicable required licensing be obtained and remain current in compliance with any local, state, and federal regulations, governing such businesses.
- 3) That property remains in full compliance with all Fire and Safety Regulations, Linn County Nuisance Regulations, and Linn County Sanitation Regulations.

4) That construction of facilities will begin within one (1) year from approval of Conditional Use Permit.

5) That Conditional Use Permit applies to 209 Acres of property described in Section 1.


THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Linn County, after review of the recommendation of the Planning Commission together with all public comment finds to issue said Conditional Use Permit # 22-05, as recommended by the Planning Commission on property currently described in Section 1:

SECTION 1:  
S13, T22, R23, ACRES 209.1, SE4 & SE4 NE4 EX W 12 AC & E 1 AC NE4 NE4 & SW4 S OF K52 HWY ROW & E OF CO RD & BEG 128.83 S SWIC NE4 ON E LN HWY ROW TH E 250.64 NWLY 186.04 TO HWY ROW SWLY ALS ROW 160.47 TO POB EX BEG 1575.18 W NEIC SE4 TH SWLY 87.96 NWLY 9 14523 KS HWY 62, Mound City, Ks. 68056

PASSED AND ADOPTED by the Linn County Board of County Commissioners this December 19<sup>th</sup>, 2022.

Chairman  
Vice-Chairman  
Member

Attest:  
Clerk



Wilson also stated that he received a resignation letter from Melanie Staton for the Planning & Zoning Commission. Wilson recommends appointing Beth Staton to the open position. Danny McCullough moved to accept the resignation of Melanie Staton and to appoint Beth Staton to the open position. Jim Johnson seconded the motion. The motion passed 3-0.

Chris Martin informed the Commission that Dispatch will be moving to the Justice Center this week.

At 9:21 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 25 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 25 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 10:11 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, Commissioner-Elect Jason Hightower, Shaun West, and Missy Lancaster attended the executive session.

At 9:39 AM Missy Lancaster left the executive session.

At 9:54 AM Shaun West left the executive session and Sheriff Friend and Undersheriff Johnson entered.

At 10:11 AM the executive session ended. No action was taken as a result of the executive session.

At 10:12 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 10 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee. The open meeting will resume in the Commission Room at 10:22 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Commissioner-Elect Hightower, Counselor, Sheriff Friend, and Undersheriff Johnson attended the executive session.

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

Jennifer Leach and Jim McAtee, Peoples Telecommunications, addressed the Commission concerning her company's ARPA Project. Leach described additional work they are planning for their ARPA Project and would like to have an additional \$30,000.00 in ARPA funding. Rick James moved to give Peoples Telecommunications an additional \$30,000.00 in ARPA Funds. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented information on Purchase Order and Transfer Requests for the end of 2022. Pam Cannon, Kathy Bridges, Randy Hegwald, Kristy Schmitz, David Lamb, Jessica Hightower, Shaun West, and Janet Kleweno explained their requests. The Clerk discussed the year-end budget and cash requirements he is tracking and stated that if the requested amounts are approved, he might still need to make adjustments before the end of the year. Rick James moved to approve the Purchase Order and Transfer Requests as presented and to authorize the Clerk to adjust the requested amounts as needed to stay within budget and to avoid cash violations. Danny McCullough seconded the motion. The motion passed 3-0.

Roger Sims addressed the Commission concerning his online publication, the Linn County Journal. Sims asked the Commission to consider making the Linn County Journal an additional Official Publication for Linn County for 2023.

Shaun West discussed the Lake Region Solid Waste Management Plan. The Clerk presented Resolution #2022-37, for adoption of the Lake Region Solid Waste Management Plan for 2023. Jim Johnson moved to adopt Resolution #2022-37 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-37:



Shaun West then presented a Cost by Task Summary to the Commission. West stated that he is still waiting for an estimate from Terracon for the landfill project. West also stated that both Johnny Taylor and Carl Wieberg received their Pesticide Applicator Certifications. West then discussed the flooring project at the Parker Senior Center. The type of flooring we planned on using will not work. The estimate for a different type of flooring would be \$10,274.06, \$1,522.06 higher than the original estimate. West will get more information on the flooring before the Commission makes a decision. West informed the Commission that we had damage to bridge guardrail on one of our bridges. The accident was not reported and we do not know who was involved.

At 11:27 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 20 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 15 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 12:02 PM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Commissioner-Elect Hightower, Counselor, and Randy Hegwald attended the executive session.

At 11:42 AM Randy Hegwald left the executive session and Jessica Hightower and Darcy Wilson entered.

At 12:02 PM the executive session ended. No action was taken as a result of the executive session.

At 12:03 PM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 15 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 5 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 12:23 PM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, Commissioner-Elect Hightower, and Shaun West attended the executive session.

At 12:17 PM Shaun West left the executive session.

At 12:23 PM the executive session ended. No action was taken as a result of the executive session.

Jessica Hightower asked for permission to hire April Powell for the Full-Time Marina Clerk position at a wage of \$14.8537 per hour (Range 8, Step A). Rick James moved to approve hiring April Powell as requested. Jim Johnson seconded the motion. The motion passed 3-0. Hightower then informed the Commission that we need to order a particulate filter for our bucket truck that will cost \$6,200.00. Rick James moved to approve up to \$6,200.00 for the bucket truck repair. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough discussed the Senior Center in Pleasanton and counter offers from the City of Pleasanton.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Tuesday, December 27, 2022. Rick James seconded the motion. The motion passed 3-0.

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

Attest:

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

December 27, 2022

The Board of Linn County Commission met in regular session at 9:00 AM in the Commissioners' Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Those present were Jim Johnson, Chair; Danny McCullough, Vice Chair; Rick James, Member; David Lamb, County Clerk; Gary Thompson, County Counselor; and Jason Hightower, Commissioner-Elect. Jim Johnson led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jim Johnson moved to approve the minutes of the last regular meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Rick James moved to approve the following pays/special pays, totaling \$185,523.67: General, \$86,949.23; Appraiser, \$555.96; Rural Fire, \$586.52; Road and Bridge, \$73,206.95; County Health Dept., \$23,718.58; and Elderly, \$506.43. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve add/abate/refund orders: #2022-803 and #2022-804. Rick James seconded the motion. The motion passed 3-0.

Rick James moved to reschedule the next regular meeting to Tuesday, January 3<sup>rd</sup>, due to the New Year's Day Holiday. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented copies of the prisoner count. There are currently 51 prisoners in house including 28 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Louis Aloï, AMR, reported on their activities for the past week and updated the Commission on current issues they are dealing with.

Randy Hegwald reported on the fire calls for the week. Hegwald then presented bids for 8 battery powered Chainsaws, Cut-Off Saws, Chargers, and spare Batteries for the Fire Dept. Bids received were: Coleman Hardware, Stihl brand, \$8,351.86; Stainbrook's Auto Farm & Home, Milwaukee brand, \$9,015.84; and an internet quote, Husqvarna Brand, \$9,919.84. Jim Johnson moved to accept the bid from Coleman Hardware in the amount of \$8,351.86. Rick James seconded the motion. The motion passed 3-0.

Missy Lancaster reported on last week's activities and upcoming events for the Health Dept. Lancaster also asked for approval to pay Rockin' H Construction \$23,430.00 for the awning/drive thru project at the Health Dept. Rick James moved to pay Rockin' H Construction \$23,430.00. Danny McCullough seconded the motion. The motion passed 3-0.

Shaun West presented a proposal from RenoDry USA for the Courthouse foundation and information on the floor for the Parker Senior Center. West also discussed issues with broken pipes, water leaks, and road problems from the cold weather. The Commission stated that they would like to look at other options for the Parker Senior Center floor. No action was taken on the RenoDry USA proposal. Danny McCullough stated that he thinks we should work on the HVAC system before drying the Courthouse foundation.

Danny McCullough gave an update on the meeting with City officials last week.

At 9:25 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 5 minutes to discuss individual employees' performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1), to protect the privacy of the employee; and for 25 minutes for legal advice from the County Counselor which would be deemed privileged in the attorney-client relationship, pursuant to the consultation with attorney exception listed in K.S.A. 75-4319(b)(2), concerning obtaining legal advice from the County Counselor. The open meeting will resume in the Commission Room at 9:55 AM. Rick James seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, Commissioner-Elect Jason Hightower, and Shaun West attended the executive session.

At 9:43 AM Shaun West left the executive session.

At 9:55 AM the executive session ended. As a result of the executive session, Rick James moved to transfer William Ernest to the Mechanic/Assistant Foreman position at the south Road & Bridge shop at a wage of \$19.6470 per hour (Range 11, Step A). Danny McCullough seconded the motion. The motion passed 3-0. Also as a result of the executive session, Jim Johnson moved to approve and sign the Amendment to the Park Lease with Evergy, extending our lease through 2036. Rick James seconded the motion. The motion passed 3-0.

The Commission discussed the request from Roger Sims to make the *Linn County Journal* an additional official publication for the County for 2023. The Commission was concerned about the additional cost to the County and decided not to make the *Linn County Journal* an additional official publication. Rick James moved to adopt Resolution #2022-44, designating the *Linn County News* as the Official Newspaper for Linn County for 2023 and to authorize Department Heads and Elected Officials to use the Linn County Journal for any publications that are required to be published in the Official Newspaper. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2022-44:

RESOLUTION #2022-44

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS


BE IT RESOLVED: That effective January 1, 2023 the "Linn County News" is designated as the official County newspaper for year 2023.

APPROVED AND ADOPTED this 27th day of December, 2022 for year 2023.

BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

*Jim Johnson*, Chair  
*Danny McCullough*, Vice Chair  
*Rick James*, Member

ATTEST:  
*David L. Lamb*, County Clerk



The Clerk and Commission then discussed the Year-End Transfers and Purchase Orders. The Clerk informed the Commission that he had to reduce two of the transfer requests because of the ending cash values in the corresponding Funds. The reductions were \$5,000.00 from the Appraiser's requested transfer of \$20,000.00 to the Reappraisal Fund, and \$50,000.00 from the Road & Bridge requested transfer of \$350,000.00 to the Special Road & Bridge Fund. The Clerk also informed the Commission that we do not need to make a transfer of \$4,000.00 that was originally requested by the Sheriff, because the Sheriff was able to purchase some of the items needed for his project.

The Clerk presented the following Cereal Malt Beverage Licenses: License #2023-1 for Xpress Fuel, LLC, Beverly Rhodes, Resident Agent, located at 21657 Valley Road, La Cygne, KS 66040; Special Event License #2022-3 for Everybody's Special Event at the Fairgrounds, December 31st from 6:00 PM to 11:00 PM, Betsy Stokes, Owner, located at 8510 KS Highway 7, Mound City, KS 66056; and License #2023-2 for On The Go Prescott, Moussa Sobaiti, Resident Agent, located at 21356 Kansas Highway 239, Prescott, KS 66767. Danny McCullough moved to approve Cereal Malt Beverage Licenses #2023-1, #2022-3, and 2023-2 as presented, pending a completed application and payment from On the Go Prescott. Rick James seconded the motion. The motion passed 3-0.

The Clerk then presented the following Year-End Resolutions: Resolution #2022-40, Canceling 2020 Outstanding Warrants; Resolution #2022-41, 2023 Holidays; Resolution #2022-42, 2023 GAAP Waiver; Resolution #2022-43, 2023 Official Depositories for County Funds; Resolution #2022-45, 2023 Pay Dates; and Resolution #2022-46, 2023 Salary Schedule. Danny McCullough moved to adopt Resolutions #2022-40, #2022-41, #2022-42, #2022-43, #2022-45, and #2022-46 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Following are copies of Resolutions #2022-40, #2022-41, #2022-42, #2022-43, #2022-45, and #2022-46:

RESOLUTION #2022-40

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LINN COUNTY, KANSAS  
RESOLUTION NO. 2022-40

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

That the Board of County Commissioners, being the governing body of Linn County, Kansas, hereby canceled, pursuant to K.S.A. 10-815 that all the County warrants listed below are hereby canceled and set aside upon the records of the County. Such records shall show the date of cancellation and shall recite that such warrant is unpaid but canceled by reason of this resolution.


The County Warrants to be canceled are:

GENERAL FUND			
08/28/2020	#136519	Rachel Yvonn Jackson	\$ 20.00
09/21/2020	#136816	Shawn T. West	\$ 137.65
10/19/2020	#137157	Lymita Wilson	\$ 10.00
11/25/2020	#137705	David Southwick	\$ 17.25
12/28/2020	#138238	Advantage Embroidery	\$ 510.00
RURAL FIRE			
09/08/2020	#136661	Jeff Wisdom	\$ 25.00
11/30/2020	#137849	Jeff Wisdom & Station #920	\$ 100.00
PAYROLL			
12/11/2020	#78179	James Brun	\$ 64.76
12/11/2020	#78190	Michael C. Fougits	\$ 43.17

APPROVED AND ADOPTED THE 27th DAY OF DECEMBER, 2022.

ATTEST:  
*David L. Lamb*, County Clerk

*Jim Johnson*, Chair  
*Danny McCullough*, Vice-Chair  
*Rick James*, Member



RESOLUTION #2022-41

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

BE IT RESOLVED: That the following schedule be adopted as the official holidays for the year 2023:

January 2, Monday	New Year's Day
January 16, Monday	Martin Luther King - Jr. Day
February 20, Monday	President's Day
May 29, Monday	Memorial Day
July 4, Tuesday	Independence Day
September 4, Monday	Labor Day
October 9, Monday	Columbus Day
November 10, Friday	Veteran's Day
November 23 & 24, Thursday & Friday	Thanksgiving Day
December 25, Monday	Christmas Day

APPROVED AND ADOPTED this 27th day of December, 2022 for the year 2023.

ATTEST:  
*David L. Lamb*, County Clerk

*Jim Johnson*, Chair  
*Danny McCullough*, Vice Chair  
*Rick James*, Member



RESOLUTION #2022-42

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

WHEREAS, The Board of Commissioners, Linn County, Kansas has determined that the financial statements and reports for the year ending December 31, 2023 to be prepared in conformity with the requirements of K.S.A. 75-1120(a) are not relevant to the requirements of the cash basis and budget laws of this State and are of no significant value to the Board of Commissioners or the members of the general public of Linn County and,

WHEREAS, There are no revenue bond ordinances or other ordinances or resolutions of said municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120(a) for the year ended,


NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Linn County, Kansas in regular meeting duly assembled this 27th day of December, 2022 that the Board of Commissioners, Linn County, Kansas request the Director of Accounts and Reports to waive the requirements of K.S.A. 75-1120(a) as they apply to Linn County for the year ending December 31, 2023.

BE IT FURTHER RESOLVED, that the Board of Commissioners shall cause the financial statements and financial reports of the Board of Commissioners of Linn County to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

THEREFORE, on this 27th day of December, 2022 the County Clerk is instructed to file a waiver request to the Division of Accounts and Reports in Topeka, Kansas for the year ending December 31, 2023.

ATTEST:  
*David L. Lamb*, County Clerk

*Jim Johnson*, Chair  
*Danny McCullough*, Vice Chair  
*Rick James*, Member



RESOLUTION #2022-43

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

BE IT RESOLVED: That effective January 1, 2023 the following banks are designated as the Official Depositories for the County funds and that these and no other banks be utilized by the County Treasurer for such County deposits until this Resolution be succeeded:

FARMERS & MERCHANTS BANK	FARMERS STATE BANK	LABETTE BANK	LANDMARK NATIONAL BANK	PRESCOTT STATE BANK	FIRST OPTION BANK	FIRST NATIONAL BANK
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BE IT RESOLVED ALSO: That the Farmers & Merchants Bank of Mound City, Kansas be designated as the depository to be utilized by the Register of Deeds.

APPROVED AND ADOPTED this 27th day of December, 2022 for year 2023.

ATTEST:  
*David L. Lamb*, County Clerk

*Jim Johnson*, Chair  
*Danny McCullough*, Vice Chair  
*Rick James*, Member



RESOLUTION #2022-45

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LINN COUNTY, KANSAS

BE IT RESOLVED: That the following schedule be adopted as the schedule of pay dates for the year 2023:

PAYROLL	VOUCHERS (Due by 5:00 AM)	MONTH	ACCOUNTS PAYABLE (Due before Noon)	VOUCHERS (Due before Noon)
January 13	January 9	January	January 9	December 30, 2022
January 27	January 23	January	January 23	January 13
February 10	February 6	February	February 6	January 27
February 24	February 21	February	February 21	February 10
March 10	March 6	March	March 6	February 24
March 24	March 20	March	March 20	March 10
April 7	April 3	April	April 3	March 24
April 21	April 17	April	April 17	April 7
May 5	May 1	May	May 1	April 21
May 19	May 15	May	May 15	May 5
			May 30	May 19
June 2	May 30	June	June 12	June 2
June 16	June 12	June	June 28	June 16
June 30	June 26	June		
July 14	July 10	July	July 10	June 30
July 28	July 24	July	July 24	July 14
August 11	August 7	August	August 7	July 28
August 25	August 21	August	August 21	August 11
September 8	September 5	September	September 5	August 25
September 22	September 18	September	September 18	September 8
October 6	October 2	October	October 2	September 22
October 20	October 16	October	October 16	October 6
			October 30	October 20
November 3	October 30	November	November 13	November 3
November 17	November 13	November	November 27	November 17
December 15	November 27	December	December 11	December 1
December 29	December 25	December	December 26	December 15

APPROVED AND ADOPTED this 27th day of December, 2022 for the year 2023.

ATTEST:  
*David L. Lamb*, County Clerk

*Jim Johnson*, Chair  
*Danny McCullough*, Vice Chair  
*Rick James*, Member



RESOLUTION NO: 2022-46		RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS LINN COUNTY, KANSAS			
Made this 27th day of December, 2022.					
BE IT RESOLVED that the following wages be allowed for the year 2023:					
FULL TIME EMPLOYEES		SALARY	PER PAY PERIOD		
COUNTY COMMISSIONER		\$1,032.00			
COUNTY ATTORNEY		\$3,348.78			
COUNTY CLERK		\$2,444.44			
COUNTY REGISTER OF DEEDS		\$2,376.20			
COUNTY SHERIFF		\$3,084.41			
COUNTY TREASURER		\$2,384.25			
ASSISTANT COUNTY ATTORNEY		\$1,686.44			
COUNTY APPRAISER	\$2,494.18	\$3,500.00			
COUNTY COUNSELOR	\$2,909.21	\$3,834.54			
ECONOMIC DEVELOPMENT DIRECTOR	\$1,976.66	\$2,600.75			
FIRE CHIEF/EMERGENCY MANAGEMENT DIRECTOR	\$2,494.18	\$3,287.50			
DEPUTY FIRE CHIEF	\$1,697.50	\$2,217.68			
ASSISTANT EMERGENCY MANAGER	\$1,347.83	\$1,778.13			
IT MANAGER/TECHNICIAN	\$2,309.43	\$2,287.50			
IT SUPPORT TECHNICIAN	\$1,697.50	\$2,237.41			
PUBLIC HEALTH NURSE/ADMINISTRATOR	\$2,309.43	\$2,818.50			
TRANSPORTATION COORDINATOR/UTILITY CLERK	\$1,155.29	\$1,409.95			
NONIUS WOOD DIRECTOR	\$1,455.33	\$1,778.13			
ZONING ADMINISTRATOR	\$1,671.76	\$1,918.22			
PUBLIC WORKS FIELD ADMINISTRATOR	\$2,309.43	\$2,818.50			
DEPUTY APPRAISER	\$1,671.76	\$1,918.22			
CAMA SPECIALIST/APPR. OFFICE MANAGER	\$1,455.33	\$1,918.22			
COMMERCIAL CHIEF APPRAISER	\$1,455.33	\$1,918.22			
APPRAISER I	\$1,247.71	\$1,522.75			
APPRAISER II	\$1,347.83	\$1,644.57			
APPRAISER III	\$1,455.33	\$1,778.13			
GIS ADMINISTRATOR	\$2,309.43	\$2,818.50			
GIS CARTOGRAPHER/TECHNICIAN II	\$1,455.33	\$1,778.13			
ADMIN. ASSISTANT/CO. ATTORNEY	\$1,455.33	\$1,778.13			
LEGAL SECRETARY/PARALEGAL	\$1,347.83	\$2,071.68			
VICTIM WITNESS COORDINATOR	\$1,455.33	\$1,778.13			
CLERK I	\$1,347.71	\$1,522.75			
CLERK II	\$1,347.83	\$1,644.57			
DEPUTY CLERK/DEPUTY ELECTION OFFICER	\$1,455.33	\$1,778.13			
CERTIFIED DEP. CLERK/DEP. ELEC. OFF.	\$1,371.76	\$1,918.22			
TREASURER I	\$1,155.29	\$1,409.95			
TREASURER II	\$1,347.83	\$1,644.57			
DEPUTY TREASURER	\$1,455.33	\$1,778.13			
MOTOR VEHICLE CLERK	\$1,371.76	\$1,918.22			
BALEF	\$1,347.83	\$1,644.57			
LEAD CUSTODIAN/MAINTENANCE I	\$1,155.29	\$1,409.95			
CUSTODIAN/MAINTENANCE II	\$1,347.71	\$1,522.75			
VAN DRIVER	\$144.44	\$182.98 per hour			
PARK MANAGER	\$18.18	\$23.88 per hour			
PARK MAINTENANCE/MARINA CLERK I	\$144.44	\$182.98 per hour			
PARK MAINTENANCE/MARINA CLERK II	\$16.60	\$21.60 per hour			
DEPUTY REG. OF DEEDS	\$1,347.83	\$1,778.13			
ROAD FOREMAN/SIGNAL FOREMAN	\$1,697.50	\$2,217.68			
ASSISTANT ROAD FOREMAN	\$1,455.33	\$1,918.22			
MECHANIC I	\$1,347.83	\$1,644.57			
MECHANIC II	\$1,455.33	\$1,778.13			
EQUIPMENT OPERATOR I	\$1,155.29	\$1,409.95			
EQUIPMENT OPERATOR II	\$1,347.71	\$1,644.57			
EQUIPMENT OPERATOR III	\$1,455.33	\$1,778.13			
HEALTH DEPT. SEC./ADMIN. ASSISTANT	\$1,247.71	\$1,522.75			
HEALTH DEPT. RN	\$24.75	\$32.61 per hour			
HEALTH DEPT. LPN	\$23.22	\$27.97 per hour			
UNDERSHERIFF	\$2,138.36	\$2,692.72			
SHERIFFS DEPUTY I	\$1,347.83	\$1,644.57			
SHERIFFS DEPUTY II	\$1,455.33	\$1,778.13			
SHERIFFS DEPUTY III	\$1,671.76	\$1,918.22			
SHERIFFS DETECTIVE	\$1,671.76	\$2,237.41			
SHERIFFS SERGEANT	\$1,697.50	\$2,071.68			
HEAD JAILER	\$1,671.76	\$1,918.22			
JAILER I	\$1,155.29	\$1,409.95			
JAILER II	\$1,347.71	\$1,522.75			
DISPATCH SUPERVISOR	\$1,455.33	\$1,778.13			
DISPATCHER I	\$1,247.71	\$1,522.75			
DISPATCHER II	\$1,347.83	\$1,644.57			
SHERIFF OFFICE MANAGER	\$1,455.33	\$1,778.13			
SHERIFF CLERK	\$1,347.83	\$1,644.57			
TRAFFIC CONTROL ASSISTANT	\$1,347.83	\$1,644.57			
SOLID WASTE COORDINATOR	\$1,371.76	\$1,778.13			
SOLID WASTE MECHANIC I	\$1,347.83	\$1,644.57			
SOLID WASTE MECHANIC II	\$1,455.33	\$1,778.13			
SOLID WASTE EQUIP. OPERATOR I	\$1,155.29	\$1,409.95			
SOLID WASTE EQUIP. OPERATOR II	\$1,347.71	\$1,644.57			
SOLID WASTE EQUIP. OPERATOR III	\$1,455.33	\$1,778.13			
PART TIME EMPLOYEES					
HEALTH DEPT. SEC. ASSISTANT	\$11.46	\$15.11			
REG. OF DEEDS	\$8.83	\$11.95			
CO. ATTORNEY	\$11.46	\$13.96			
SHERIFFS DEPUTY	\$13.37	\$16.93			
DISPATCHER	\$13.37	\$16.93			
ZONING/CONSP. DEV.	\$9.10	\$11.95			
PARK	\$9.10	\$11.95			
LEAD WASTE	\$9.10	\$11.95			
COMPACTOR OPERATOR	\$9.10	\$11.95			
SUBSTITUTE COMP. OPER.	\$9.10	\$11.95			
ELECTION WORKERS	\$8.26	\$8.26			
FIRE STATION CAPTAINS & LIEUTENANTS	\$35.00 per call + \$11.67				
FIRE FIGHTERS	\$30.00 per call + \$10.00				
	per hour after 3 hours				
	per hour after 3 hours				

ATTEST:



David L. Lamb, County Clerk

Jim Johnson, Chair  
 Danny McCullough, Vice Chair  
 Rick Simels, Member

\*County Clerk salary includes 10% Election Officer salary  
 \*\*County Treasurer salary includes Investment Officer salary but does not include Motor Vehicle salary.

The Clerk asked the Commission about approving the bills on December 30, 2022. The Commission agreed to review the bills and give approval by email. The Clerk will also send copies of the bills and a notice of the Commission approval to the newspapers.

At 10:18 AM Danny McCullough moved to take a 12 minute recess. Rick James seconded the motion. The motion passed 3-0.

At 10:30 AM, the Chair opened the 2022 Amended Budget Hearing. The Chair asked for public comment, none was given. At 10:31 AM the Chair closed the 2022 Amended Budget Hearing. Danny McCullough moved to approve the 2022 Amended Budget as presented. Jim Johnson seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Tuesday, January 3, 2023. Danny McCullough seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk