

January 2, 2024

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. Present were Danny McCullough, Chair; Jason Hightower, Vice Chair; Jim Johnson, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Danny McCullough 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.

Jim Johnson moved to approve the following December 29, 2023 pays/special pays, totaling \$1,678,727.17: General, \$427,363.19; Employee Benefits, \$77,938.26; Appraiser, \$8,466.88; Rural Fire, \$273,177.58; Road and Bridge, \$809,635.01; Equipment Reserve, \$248.07; County Health Dept., \$12,880.67; Elderly, \$4,542.60; and Payroll Clearing, \$64,474.91. Danny McCullough seconded the motion. The motion passed 3-0. The amounts shown on this pay include the end of the year transfers totaling \$1,234,000.00. (There were also \$493,000.00 in Purchase Orders that do not appear on this Claims Register.)

Danny McCullough moved to approve add/abate/refund orders: #2023-001 through #2023-155, except for #2023-046, 093, 094, 095, 109 that were canceled. Jason Hightower seconded the motion. The motion passed 3-0.

Louis Aloï, AMR, reported on their activities for the past week. Aloï also presented a written report of their calls and call times for the month of December and for the year of 2023.

Randy Hegwald reported on the fire calls for the week and the yearly totals for 2023. Hegwald also discussed upcoming events at the Fire Stations and the Cyber Security Seminars on 1/13/24. The seminars will be held from 9:00 to 10:00 AM at the Courthouse Annex and 1:00 to 2:00 PM at the La Cygne Library.

Jessica Hightower presented an agreement for the Build America/Buy America Act. Jason Hightower moved to allow the Chair to sign the agreement as presented. Danny McCullough seconded the motion. The motion passed 3-0.

The Chair presented the prisoner count. There are currently 55 prisoners in-house including 40 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Darin Wilson informed the Commission that there is an Ad-Hoc Zoning Committee meeting tomorrow at 6:30 PM. Danny McCullough moved to appoint Morgan Brown to the open position on the Planning Commission. Jason Hightower seconded the motion. The motion passed 3-0.

Amanda Snyder presented the Health Dept. information for December and discussed upcoming events. Snyder stated that the concrete pad has been completed at the Health Dept. and the digital sign has been ordered. Snyder reported that two Health Dept. employees have completed their CPR Training Certification.

Dennis Hardy presented a Caterpillar Service Agreement with Foley Equipment for one of our Maintainers (Unit 322). The Commission would like more information on what it would cost us to do the work ourselves.

Shaun West discussed the Hell's Bend Bridge project and provided the Commission with additional information from our engineer.

Mack Carlisle addressed the Commission concerning re-striping County roads. Carlisle stated that the road from Mantey to Blue Mound was striped several years ago but is in bad need of re-striping.

At 10:23 AM the Chair asked for public comment. Brenda Conner addressed the Commission concerning the bridges on 1700 Road on her school bus route. Conner also stated that striping needs to be done on roads around Centerville and 1600 Road is wash-boarded, it needs to be maintained better. Conner also stated that it takes 45 minutes to get an ambulance to the Centerville area. Charlene Sims stated that some statements made by Emily Thies last week were false and Ms. Sims responded to some of those comments. Fred Kautt thanked the Commission for listening to complaints from the west side of the County and asked the Commission to take action on those complaints.

At 10:44 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 10:54 AM. Jason Hightower seconded the motion. The motion passed 3-0. The Commission, Clerk, Darin Wilson, Shaun West, and Counselor attended the executive session.

At 10:54 AM the executive session ended. No action was taken as a result of the executive session.

The Commission and Shaun West then continued their discussion of the Hell's Bend Bridge Project. The Commission asked if there was ever a consideration of eliminating the bridge and just having a railroad crossing. Danny McCullough stated that he is not in favor of continuing with the bridge project. Jim Johnson moved to not accept the bid we have for the bridge project, but if the State is willing to rebid the project, we would consider it. Danny McCullough seconded the motion. The motion passed 2-1. (Jason Hightower voted no.)

Shaun West discussed the fee schedules for the County Park and for the Solid Waste Dept. Danny McCullough stated that he would like to check into online registrations for the County Park.

Jason Hightower moved to adopt Resolution #2024-02, setting the 2024 County Park Rates including Peak Usage Rates. Danny McCullough seconded the motion. The motion passed 3-0.

The Clerk presented Resolution #2024-01, 2024 Salary Schedule. Jason Hightower moved to adopt Resolution #2024-01 as presented and approve the adjustments to salaries. Danny McCullough seconded the motion. The motion passed 3-0. Following are copies of Resolution #2024-01 and Resolution #2024-02:

RESOLUTION NO. 2024-01		RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS LINN COUNTY, KANSAS	
Made this 2nd day of January, 2024.		BE IT RESOLVED that the following wages be allowed for the year 2024.	
FULL TIME EMPLOYEES		SALARY per PAY PERIOD	
COUNTY COMMISSIONER		\$1,092.10	
COUNTY ATTORNEY		\$3,723.46	
COUNTY CLERK		\$2,884.00	
COUNTY REGISTER OF DEEDS		\$2,527.81	
COUNTY SHERIFF		\$3,234.08	
COUNTY TREASURER		\$2,483.86	
ASSISTANT COUNTY ATTORNEY		\$3,451.43	
COUNTY APPRAISER		\$2,643.79	
COUNTY COUNSELOR		\$3,559.62	
ECONOMIC DEVELOPMENT DIRECTOR		\$2,129.57	
FIRE CHIEF/EMERGENCY MANAGEMENT DIRECTOR		\$2,643.79	
DEPUTY FIRE CHIEF		\$1,847.11	
ASSISTANT EMERGENCY MANAGER		\$1,497.14	
IT MANAGER/TECHNICIAN		\$2,459.04	
PUBLIC HEALTH NURSE/ADMINISTRATOR		\$1,847.11	
TRANSPORTATION COORDINATOR/UTILITY CLERK		\$1,504.94	
NOKIUS WOOD DIRECTOR		\$1,221.37	
ZONING ADMINISTRATOR		\$2,459.04	
PUBLIC WORKS FIELD ADMINISTRATOR		\$1,221.37	
DEPUTY APPRAISER		\$1,604.94	
CAMA SPECIALIST/APPR. OFFICE MANAGER		\$1,397.32	
COMMERCIAL CHIEF APPRAISER		\$1,397.32	
APPRAISER I		\$1,497.14	
APPRAISER II		\$1,604.94	
APPRAISER III		\$1,604.94	
GIS CARTOGRAPHIC/TECHNICIAN II		\$2,459.04	
ADMIN. ASSISTANT-CO. ATTORNEY		\$1,604.94	
LEGAL SECRETARY/INVESTIGATOR		\$1,497.14	
VICTIM WITNESS COORDINATOR		\$1,604.94	
CLERK I		\$1,397.32	
CLERK II		\$1,497.14	
DEPUTY CLERK/DEPUTY ELECTION OFFICER		\$1,604.94	
CERTIFIED DEP. CLERK/DEP. ELEC. OFF.		\$1,221.37	
TREASURER I		\$1,304.00	
TREASURER II		\$1,497.14	
DEPUTY TREASURER		\$1,604.94	
MOTOR VEHICLE CLERK		\$1,497.14	
BULF		\$1,221.37	
LEAD CUSTODIAN/MAINTENANCE		\$1,497.14	
CUSTODIAN/MAINTENANCE I		\$1,254.80	
CUSTODIAN/MAINTENANCE II		\$1,397.32	
VAN DRIVER		\$16.31	
PARK MANAGER		\$20.00	
PARK MAINTENANCE/MARINA CLERK I		\$16.31	
PARK MAINTENANCE/MARINA CLERK II		\$17.47	
DEPUTY REG. OF DEEDS		\$1,847.11	
ROAD FOREMAN/ASPHALT FOREMAN		\$1,604.94	
ASSISTANT ROAD FOREMAN		\$2,067.83	
MECHANIC I		\$1,497.14	
MECHANIC II		\$1,604.94	
EQUIPMENT OPERATOR I		\$1,304.90	
EQUIPMENT OPERATOR II		\$1,397.32	
EQUIPMENT OPERATOR III		\$1,604.94	
HEALTH DEPT. SEC. ADMIN. ASSISTANT		\$1,397.32	
HEALTH DEPT. RN		\$28.62	
HEALTH DEPT. LPN		\$23.09	
UNDER-SHERIFF		\$2,387.07	
SHERIFF'S DEPUTY I		\$1,497.14	
SHERIFF'S DEPUTY II		\$1,604.94	
SHERIFF'S DEPUTY III		\$1,721.37	
SHERIFF'S DETECTIVE		\$1,721.37	
SHERIFF'S SERGEANT		\$1,847.11	
HEAD JAILER		\$1,721.37	
JAILER I		\$1,304.90	
JAILER II		\$1,397.32	
DISPATCH SUPERVISOR		\$1,604.94	
DISPATCHER I		\$1,397.32	
DISPATCHER II		\$1,497.14	
SHERIFF OFFICE MANAGER		\$1,604.94	
SHERIFF CLERK		\$1,497.14	
TRAFFIC CONTROL ASSISTANT		\$1,497.14	
SOLID WASTE COORDINATOR		\$1,721.37	
SOLID WASTE MECHANIC I		\$1,497.14	
SOLID WASTE MECHANIC II		\$1,604.94	
SOLID WASTE EQUIP. OPERATOR I		\$1,304.90	
SOLID WASTE EQUIP. OPERATOR II		\$1,397.32	
SOLID WASTE EQUIP. OPERATOR III		\$1,604.94	
PART TIME EMPLOYEES			
HEALTH DEPT. SEC. ASSISTANT		\$13.33	
REG. OF DEEDS		\$11.70	
CO. ATTORNEY		\$13.33	
SHERIFF'S DEPUTY		\$15.24	
DISPATCHER		\$15.24	
ZONING/CDCCON. DEV.		\$15.24	
PARK		\$10.97	
SOLID WASTE		\$10.97	
COMPACTOR OPERATOR		\$10.97	
SUBSTITUTE COMP. OPER.		\$10.97	
ELECTION WORKERS		\$8.75	
FIRE STATION CAPTAINS & LIEUTENANTS		\$25.00 per call + \$11.67	
FIREFIGHTERS		\$30.00 per call + \$10.00	
ATTEST:			
David L. Lamb, County Clerk			
*County Clerk salary includes 10% Election Officer salary.			
*County Treasurer salary includes Investment Officer salary but does not include Motor Vehicle salary.			

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LINN COUNTY, KS	
RESOLUTION NO 2024-02	
A RESOLUTION ESTABLISHING A SCHEDULE OF FEES FOR THE LINN COUNTY PARK AND MARINA BEGINNING JANUARY 1, 2024	
WHEREAS, the Board of Commissioners of Linn County, Kansas, has established a Schedule of Fees applicable to certain Linn County Park and Marina services; and	
WHEREAS, it is the desire of the Board of Commissioners to update the Schedule of Fees as applicable to the Linn County Park and Marina;	
WHEREAS, it is the desire of the Board of Commissioners to authorize the implementation of special Peak Usage Rates for Park services during periods of Peak Usage of the Park, including, but not limited to, Memorial Day, Independence Day and Labor Day;	
NOW THEREFORE it is resolved by the Board of Commissioners of Linn County, Kansas:	
1. The Schedule of Fees established herein shall be:	
General Fees	
Daily Admission Permit – \$5.00 per day	
Yearly Pass, Linn County Resident, Jan 1 – Dec 31 – \$30.00	
Yearly Pass, Non-Linn County Resident, Jan 1 – Dec 31 – \$30.00	
2 nd car yearly pass either res or not – \$10.00	
Shower Pass – 1 per person, Jan 1 – Dec 31 – \$50.00	
Replacement Sticker/2 time only – \$3.00	
Tent camping – \$12.00 daily	
Additional tent on same site – limit 3 per site total – \$5.00 daily	
Boat Slips – Anytime after midnight, until midnight same day – \$3.00	
R.V. Camping – Daily Rate, Check Out 11:00 AM	
30 amp electric only – \$16.00	
30 amp electric & water – \$17.00	
30 amp full hook up – \$18.00	
50 amp electric & water – \$19.00	
50 amp full hook up – \$20.00	
Shelter Rentals – Daily 8:00 AM – 10:00 PM	
Small Shelter house near Marina - \$50	
Large Shelter house, Electric Loop - \$60	

Cabins – Check in 11:00 AM, Check Out 2:00 PM	
Cabins – \$60 per night	
Cabin Pet fees – \$30 per stay	
2. The Schedule of Peak Usage Rates shall be:	
Memorial Day Weekend – 5/24/24 – 5/26/24 – Cabin Rental – \$75.00 per night plus tax	
Labor Day Weekend – 8/30/24 – 9/1/24 – Cabin Rental – \$75.00 per night plus tax	
Dancefestopia – 9/2/24 – 9/8/24 – Cabin Rental – \$75.00 per night plus tax	
Hunting Season – 11/1/24 – 11/15/24 – Cabin Rental – \$74.00 per night plus tax	
3. This Resolution will become effective January 1, 2024, following its approval and publication in the official newspaper of the County.	
RESOLVED THIS 2 ND DAY OF JANUARY, 2024.	
Danny McCullough, Chairman	
Jason Hightower, Vice-Chairman	
Jim Johnson, Member	
Attest:	
David Lamb, Clerk	

At 11:46 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 11:56 AM. Jason Hightower seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 11:56 AM the executive session ended. No action was taken as a result of the executive session.

Gary Thompson announced that the Commission will have an executive session to discuss the evaluations of the supervisors that report directly to the Commission.

At 11:59 AM Jim Johnson moved to recess from the Board of Commission meeting into executive session for 35 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, to discuss employee evaluations. The open meeting will resume in the Commission Room at 12:34 PM. Jason Hightower seconded the motion. The motion passed 3-0. The Commission attended the executive session.

At 12:34 PM the executive session ended. No action was taken as a result of the executive session.

At 12:35 AM Danny McCullough 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, to discuss employee evaluations. The open meeting will resume in the Commission Room at 12:40 PM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission attended the executive session.

At 12:40 PM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Danny McCullough moved to adjourn until 9:00 AM Monday, January 8, 2024. Jim Johnson seconded the motion. The motion passed 3-0.

Attest:

Commission Chair

County Clerk

January 8, 2024

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. Present were Jason Hightower, Vice Chair; Jim Johnson, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

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

Jim Johnson moved to approve the following pays/special pays, totaling \$255,060.65: General, \$109,498.94; Employee Benefits, \$134,931.98; Appraiser, \$290.01; Rural Fire, \$7,248.08; Road and Bridge, \$1,458.26; Equipment Reserve, \$385.69; County Health Dept., \$197.13; Elderly, \$986.23; and Sewer Dist. #1, \$64.33. Jason Hightower seconded the motion. The motion passed 2-0.

At 9:03 AM Commissioner McCullough arrived.

At 9:04 AM Danny McCullough moved to recess from the Board of Commission meeting into executive session for 40 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 to discuss employee evaluations with Department Heads that report directly to the Commission. The open meeting will resume in the Commission Room at 9:44 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Shaun West, Randy Hegwald, Chris Martin, and Amanda Snyder attended the executive session.

At 9:44 AM the executive session ended. No action was taken as a result of the executive session.

At 9:45 AM Danny McCullough 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 to discuss employee evaluations with Department Heads that report directly to the Commission. The open meeting will resume in the Commission Room at 10:05 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission, Shaun West, Randy Hegwald, Chris Martin, and Amanda Snyder attended the executive session.

At 10:05 AM the executive session ended. No action was taken as a result of the executive session at this time.

Jason Hightower moved to reschedule the January 15th regular meeting to Tuesday, January 16th, due to the Martin Luther King, Jr. Holiday. Jim Johnson seconded the motion. The motion passed 3-0.

Danny McCullough moved to appoint Jason Hightower as the Commission Chair for 2024 and Jim Johnson as the Vice Chair for 2024. Jim Johnson seconded the motion. The motion passed 3-0.

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

Randy Hegwald reported on the fire calls for the week. Hegwald also discussed the duties of the Fire Board. The Commission asked Gary Thompson to prepare a resolution for next week to dissolve the Fire Board.

The Chair presented the prisoner count. There are currently 60 prisoners in-house including 39 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Darin Wilson presented proposed Plat #SD23-02 requested by GTGH LLC, located at 2000 Road and Vail Road. Jason Hightower moved to adopt the findings of Staff and approve the GTGH LLC Plat #SD23-02 as presented. Danny McCullough seconded the motion. The motion passed 3-0.

Mark Briggs, Citizens Against Solar, addressed the Commission concerning the process of the Zoning Regulations review. Briggs asked if there would be time for the public to speak about proposed regulation changes. Briggs, Richard Morrell, and the Commission discussed various topics including a public vote on the solar issue.

Darin Wilson stated that the Planning Commission will elect a new Chairman and Vice Chairman tomorrow, but he recommends that Richard Morrell remain the Chair of the Ad-Hoc Committee. Wilson also asked about holding another public hearing/forum to discuss Article 14 of the Zoning Regulations. Gary Thompson suggested having a public forum, not an official public hearing. Jason Hightower moved to allow Richard Morrell to remain in the Chairman position for the Ad-Hoc committee for another year. Jim Johnson seconded the motion. The motion passed 3-0.

At 11:19 AM the Chair asked for public comment. None was given.

Road Foreman Dennis Hardy discussed the proposed service agreement for Unit #322 and the costs of the service if we do not accept the service agreement. The Commission decided not to approve the service agreement.

Shaun West discussed the Lane Road area on Wall Street Road where we have done some line of sight clearing work. West asked to spend an additional \$4,214.00 to make it easier to maintain the line of sight needed at that corner. Jim Johnson stated that he believes we can solve the issue with our boom mower and save money.

Asphalt Foreman Tod Moeller presented his plan for 2024 asphalt projects and chip/seal projects. Moeller would like to work on additional striping over the next two years.

Shaun West informed the Commission that the State has agreed to re-let the Hell’s Bend Bridge Project for bids. West discussed the On-Call Engineering Service for 2024 and will make a recommendation next week. West presented an invoice for the painting in the old District Court building that was \$1,400.00 higher than expected (\$5,200.00 total cost). Danny McCullough moved to approve payment of the invoice as presented. Jason Hightower seconded the motion. The motion passed 3-0. West discussed the income from the landfill for 2023 including \$55,666.25 from commercial haulers. West informed the Commission that A-1 Pump & Jet Services will not be able to complete the Park Lagoon project until spring.

West then presented the following burial permits: Burial Permit #BP2024-01 and Burial Permit #BP2024-02, both requested by Miami County Rural Water District #3 for water lines located on County Road 1077 between 2100 Road and 2200 Road. Jim Johnson moved to approve Burial Permit #BP2024-01 and Burial Permit #BP2024-02 as presented. Jason Hightower seconded the motion. The motion passed 3-0. Burial Permit #BP2024-03 requested by Linn County Rural Water District #2 for water lines located west of Vernon Road on 1000 Road and east of Umphenour Road on City Lake Road. Jason Hightower moved to approve Burial Permit #BP2024-03 as presented. Danny McCullough seconded the motion. The motion passed 3-0.

At 12:27 PM Jason Hightower 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 possible new businesses. The open meeting will resume in the Commission Room at 12:37 PM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Jessica Hightower attended the executive session.

At 12:37 PM the executive session ended. No action was taken as a result of the executive session.

The Clerk presented the Sheriff’s Monthly Fee Report. Danny McCullough moved to accept the Sheriff’s Monthly Fee Report for December 2023 in the amount of \$105,660.67. Jim Johnson seconded the motion. The motion passed 3-0.

The Commission then reviewed the YTD Park Report for December 2023.

The Commission decided to move the 2024 goals discussion to next week.

Jessica Hightower asked the Commission to reappoint the following three Economic Development Committee members: Tiffany Nelson, Dist. #1; Elaine Jaeger, Dist. #2; and Matt Akes, Dist. #3. Jason Hightower moved to reappoint Nelson, Jaeger, and Akes as requested. Jim Johnson seconded the motion. The motion passed 3-0. Hightower also asked the Commission to appoint Brenda Tollett to the Economic Development Committee to fill a vacancy in Dist. #3. Jim Johnson moved to appoint Tollett as requested. Jason Hightower seconded the motion. The motion passed 3-0.

Jessica Hightower then discussed farm and hay leases that are expiring this year. After discussion, Jim Johnson moved to advertise the leases for 2-year terms. Danny McCullough seconded the motion. The motion passed 3-0.

Hightower also discussed the application for a High-Risk Rural Roads Grant. She would like to apply for a \$470,000.00 total project cost on County Road 1095 between 1150 Road and 1650 Road. Our share of the cost would be \$104,000.00. Danny McCullough moved to apply for the High-Risk Rural Roads Grant as presented. Jim Johnson seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Tuesday, January 16, 2024. Jim Johnson seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

January 16, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jason Hightower 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 \$902,617.64: General, \$506,157.66; Employee Benefits, \$101,890.90; Appraiser, \$14,285.86; Rural Fire, \$58,445.86; Road and Bridge, \$97,134.78; Equipment Reserve, \$6,682.74; 911 Telephone Tax, \$299.90; County Health Dept., \$28,496.40; Elderly, \$10,913.76; and Payroll Clearing, \$78,309.78. Jason Hightower seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-159 through #2023-161. Jim Johnson seconded the motion. The motion passed 3-0.

At 9:05 AM Jason Hightower 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 9:20 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Fire Board President Eddie Andersen attended the executive session.

At 9:14 AM Eddie Andersen left the executive session.

At 9:20 AM the executive session ended. No action was taken as a result of the executive session.

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

Randy Hegwald reported on the fire calls for the week. Hegwald asked for permission to add a credit card for Brian Shroyer to the Fire Dept. account. Jim Johnson moved to approve adding a credit card for Brian Shroyer on the Fire Dept. account. Jason Hightower seconded the motion. The motion passed 3-0. The Chair asked Hegwald to provide the training calendar for last year and for the upcoming year.

The Chair presented the prisoner count. There are currently 57 prisoners in-house including 38 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Jessica Hightower informed the Commission that we received the annual Southeast Kansas Regional Planning Commission invoice in the amount of \$3,838.65. Hightower asked the Commission to add Shaun West and Randy Hegwald to the SEK Regional Planning Commission Board to fill two positions that were held by previous employees. Jason Hightower moved to appoint Randy Hegwald and Shaun West to the SEK Regional Planning Commission Board. Jim Johnson seconded the motion. The motion passed 3-0.

Chris Martin discussed the Everygy bill on the old Sheriff's office. Martin is still waiting for more information from Everygy, but believes this is the minimum fee for a medium range commercial connection.

Shaun West presented the Cost Summary by Task for December 2023 for the Public Works Dept. West updated the Commission on the Hell's Bend Bridge Project. The Commission agreed to a \$500.00 fee with our engineers to look at the possibility of an at-grade railroad crossing instead of a bridge. West then recommended hiring Kaw Valley Engineering as our On-Call Engineer. Jason Hightower moved to use Kaw Valley Engineering as our On-Call Engineer for 2024. Danny McCullough seconded the motion. The motion passed 3-0. West informed the Commission that the latest estimate to complete the old District Court building remodeling is in mid-February. West then discussed an RPF for HVAC services for all County buildings. The Commission agreed to go out for bids. West asked the Commission to approve and sign the High-Risk Rural Roads Grant Agreement. Jim Johnson moved to enter into and sign the High-Risk Rural Roads agreement as presented. Jason Hightower seconded the motion. The motion passed 3-0. (This agreement is for County Road 1095 between 1650 Road and K152.) West and the Commission discussed the proposed 3 to 5 year equipment plan for Road & Bridge. The Commission asked to have the Road Foremen come to next week's meeting to discuss the plan. West informed the Commission that the John Deere tractor that was damaged in an accident has been repaired for \$12,216.00, but the repair shop found other issues with the tractor that could cost between \$4,500.00 and \$11,000.00 if it is repaired by the repair shop, but West believes we can save money by completing the repairs in our own shop.

At 10:14 AM the Chair asked for public comment. None was given.

Jim Johnson discussed Shaun West's contact with a landowner that has a feed lot. Commissioner Johnson stated that the landowner said that West told him that the Commission instructed him to contact the person, but Commissioner doesn't believe that Commission gave that instruction. Brad Aust discussed his cattle feeding operation and stated that he is permitted and regulated by the State.

At 10:27 AM Jason Hightower 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 10:42 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 10:29 AM Shaun West left the executive session.

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

Gary Thompson presented Resolution #2024-03, a Resolution Disbanding the Fire Board. Danny McCullough moved to adopt Resolution #2024-03 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Thompson also presented Resolution #2024-04, requiring the County Surveyor to review new surveys for compliance with County Zoning Regulations. Jason Hightower moved to adopt Resolution #2024-04 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Following are copies of Resolution #2024-03 and Resolution #2024-04:

RESOLUTION NO. 2024-03

A RESOLUTION DISBANDING THE BOARD OF TRUSTEES OF THE LINN COUNTY FIRE DISTRICT NO. 1 AND AMENDING AND REPEALING CERTAIN SECTIONS OF RESOLUTION NO. 2015-03.

Whereas, the Linn County Rural Fire District No. 1 was created in 1981 by the Board of Commissioners of Linn County; and

Whereas, under the statutes governing said District, and under the founding documents of said District, the Board of Commissioners of Linn County is the Governing Body of said District; and

Whereas, in 2006, in Resolution No. 06-12, the Board of Commissioners created a Board of Trustees of said District to serve in an advisory capacity to the Board of Commissioners in managing the District; and

Whereas, said Resolution was updated and replaced by Resolution No. 2014-13, which in turn was updated and replaced by Resolution No. 2015-03; and

Whereas, the Board of Commissioners believes that the Board of Trustees is no longer required for the successful management of the District; and

Whereas, the Board of Trustees of the District was created by the Board of Commissioners and exists at the pleasure of the Board of Commissioners;

Now Therefore, it is resolved by the Board of Commissioners of Linn County, Kansas:

1. Sections 1 and 2 of Resolution 2015-03 are hereby ratified and shall remain in effect.

2. Sections 3-7 of Resolution 2015-03 are hereby repealed.

3. Section 8 of Resolution 2015-03 is hereby revised to read in its entirety as follows:

"The Fire District shall maintain and Staff one or more stations as shall be created or authorized by the Commissioners from time to time through resolution or through approval of Standard Operating Procedures for the District. Said Stations shall be staffed with part-time fire-fighters in numbers recommended by the Fire Chief, and approved and authorized by the Commissioners by Motion, Resolution or through the Standard Operating Procedures."

4. Section 9 of Resolution 2015-03 is hereby revised to read in its entirety as follows:

"Standards for employment as a fire-fighter, rules governing the continuation of said employment, fire-fighting procedures, methods of operation of the District

and all specifics of how the District shall operate shall be governed by the District's Standard Operating Procedures and the County's Personnel Handbook. The Fire Chief may recommend to the Commission from time to time appropriate changes in the Standard Operating Procedures and the Personnel Handbook to accommodate the needs of the District."

5. Any portion of Resolution No. 2014-13 not previously repealed is hereby repealed.

6. Any portion of Resolution No. 06-12 not previously repealed is hereby repealed.

7. The Board of Trustees of the Linn County Rural Fire District No. 1 is hereby disbanded.

8. The Board of Commissioners of Linn County offers its thanks and appreciation to the current Board of Trustees and to all who have served on that Board since its inception.

9. The Board of Commissioners hereby ratifies the previous creation of the Linn County Fire District No. 1 (pursuant to KSA 19-3601 *et seq*) as memorialized in an un-numbered Resolution of the Board of Commissioners passed on March 30, 1981 and recorded in Commission Journal No. 18 at page 427.

10. The Board of Commissioners of Linn County shall continue to serve as the governing body of the Linn County Fire District No. 1.

RESOLVED THIS 16TH DAY OF JANUARY, 2024.


Jason Hightower, Chairman

Jim Johnson, Member

Danny McCullough, Member

ATTEST:

David Lamb, County Clerk



RESOLUTION NO. 2024-04

A RESOLUTION OF THE GOVERNING BODY OF LINN COUNTY, KANSAS, REQUIRING THE COUNTY SURVEYOR TO REVIEW NEW SURVEYS FOR COMPLIANCE WITH COUNTY ZONING REGULATIONS.

Whereas, KSA 58-2004 and KSA 58-2005 regulate the recording of land surveys; and

Whereas, the County is responsible for the enforcement of said statute; and

Whereas, prior to being recorded, surveys must be reviewed by the County Surveyor for certain features listed in Section (b)(1) of KSA 58-2005 in order to certify that said survey is in compliance with this Act; and

Whereas, Section (b)(4) of said statute authorizes the Board of Commissioners to adopt by resolution additional requirements for the County Surveyor to review, including review of proposed new tracts for compliance with zoning regulations; and

Whereas, the Board of Commissioners of Linn County, Kansas, desires that all surveys creating new tracts be reviewed for compliance with Linn County zoning regulations;

Now Therefore, It is Resolved by the Board of Commissioners of Linn County, Kansas:

1. Any Survey required by State statute or by County regulations, and any survey made with the intent of its being recorded with the office of the Register of Deeds, shall, prior to being submitted to the Register of Deed for recording, be submitted to the County Planning and Zoning staff for a comprehensive review of compliance with all County regulations, including zoning and subdivision regulations.

2. Surveys shall provide a signature block for the County Planning and Zoning staff to endorse the survey as complying with County regulations.

3. Upon completion of above described review, the County Planning and Zoning staff shall submit the survey to the County Surveyor for review and approval as required by statute and this Resolution.

4. The County Surveyor, or any surveyor appointed by the County and acting in the capacity of County Surveyor, shall not approve any survey plat for recording in Linn County if the survey fails to comply with County Zoning Regulations, including the regulations governing the creation of new tracts.

5. This review requirement is in addition to the review requirements found in KSA 58-2004 and KSA 58-2005(b)(1), (2), and (3).

RESOLVED THIS 16TH DAY OF JANUARY, 2024.

Jason Hightower, Chairperson

Jim Johnson, Member

Danny McCullough, Member

ATTEST:

David Lamb, County Clerk



Jim Johnson moved to approve merit increases that were discussed last week for the following Dept. Heads: Shaun West, 1 step (Range 16, Step Q), Randy Hegwald, 4 steps (Range 17, Step G), and Chris Martin, 2 steps (Range 18, Step N). Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson discussed how to post the notice for our Planning & Zoning forum concerning the Solar Issues. Commissioner Johnson suggested a front page ad in the Linn County News and the Linn County Journal, and using School Notification Systems. Randy Hegwald stated that he can send the notice out on Everbridge also. Jim Johnson also discussed posting flyers around town. Darin Wilson stated that he is checking with the school for a date to hold the forum.

At 11:15 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 11:30 AM. Jason Hightower seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 11:17 AM Jason Hightower left the executive session.

At 11:23 AM Jessica Hightower entered the executive session.

At 11:25 AM Jessica Hightower left the executive session.

At 11:30 AM the executive session ended. No action was taken as a result of the executive session.

The Commission discussed their goals for 2024, including: Danny McCullough stated that he wants to discuss Mutual Aid Agreements for Sheriff/Dispatch/Police & Fire, and he wants to have more time to review issues before making decisions, Jim Johnson stated that he wants to look into increasing to 5 Commissioners, and to work on a ditch cleaning plan. Jim Johnson and Jason Hightower both want to make decisions on the Landfill, and the Airport. Jason Hightower stated that he wants to work on an Employee Survey, and a Contingency plan if the Power Plant closes. Danny McCullough also stated that he wants to work on full utilization of our County Park. The Commission will discuss these topics next week and work on establishing their priorities on these issues.

The Clerk informed the Commission that we may need a Special Meeting in March for the Presidential Preference Primary Canvass.

Shaun West suggested making decisions on what to do with old County buildings this year also.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, January 22, 2024. Jim Johnson seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

2425

January 22, 2024

The Board of Linn County Commission met in regular session at 12:00 PM in the Commissioners’ Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

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

Jim Johnson moved to approve the following pays/special pays, totaling \$440,650.41: General, \$364,669.81; Appraiser, \$201.60; Rural Fire, \$4,457.93; Road and Bridge, \$59,726.67; 911 Telephone Tax, \$106.13; County Health Dept., \$2,513.12; SPARK/ARPA, \$8,500.00; Elderly, \$290.15; and Sewer Dist. #1, \$185.00. Danny McCullough seconded the motion. The motion passed 3-0.

The Chair read the report from AMR on their activities for the past week.

The Chair presented the prisoner count. There are currently 55 prisoners in-house including 37 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Randy Hegwald reported on the fire calls for the week.

Chris Martin discussed replacing three servers for the County. The total cost would be \$27,000.00. Jason Hightower moved to allow the IT Dept. to purchase two replacement servers and a metrics server for \$27,000.00. Jim Johnson seconded the motion. The motion passed 3-0.

Darin Wilson informed the Commission that Prairie View High School has an open date for our Public Forum on the Solar Regulations on February 26th. Danny McCullough stated that he thinks we should have an end date scheduled for the final review of the regulations. He would like to have the review done before the Public Forum. Jason Hightower asked Wilson to check on a later date, somewhere from mid to late March. Jim Johnson stated that we should ask the Planning Commission and Ad-Hoc Committee when they want to have the forum. Danny McCullough stated that he thinks we need to have an expert on solar at the meeting. The Commission stated that they would like to hear from the solar companies concerning what they can do for the County.

Shaun West stated that the engineering company is working on options for an at-grade crossing at the Hell’s Bend Bridge location. West stated that we have received a contract for review from Kaw Valley Engineering. West also stated that we bid the on-call engineering as a two-year contract. West informed the Commission that the mowing RFP will be available for review by the Commission soon.

At 12:53 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. The open meeting will resume in the Commission Room at 01:08 PM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 12:56 PM Shaun West and Jason Hightower left the executive session.

At 1:08 PM the executive session ended. As a result of the executive session, Jim Johnson moved to fire Jessica Hightower as an at-will employee. The motion died for lack of a second. Shaun West informed the Commission that Donald Fish has given us notice of his retirement and Jake Fleming has submitted his resignation. Jason Hightower moved to accept the retirement and resignation notices and to thank them for their service to the County. Danny McCullough seconded the motion. The motion passed 3-0.

At 1:09 PM the Chair asked for public comment. Sherri Gentry discussed Commission voting districts and stated that she believes she has been receiving the wrong ballot.

Interim Appraiser Lisa Kellstadt informed the Commission that she needs to apply for a 15 day extension for CVNs this year.

The Commission, Shaun West, and the Road & Bridge Foremen met to discuss the proposed 3 to 5 year equipment plan for the Road & Bridge Dept. Each of the Foremen explained their reasoning behind their equipment requests. No action was taken by the Commission.

The Clerk discussed the Commission voting districts with Sherri Gentry and the Commission. The Clerk explained that Valley Township has not changed Commission Districts since 2011 and showed the Commission and Gentry PDF copies of the ballots for the last several elections.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, January 29, 2024. Danny McCullough seconded the motion. The motion passed 3-0.

Attest:

Commission Chair

County Clerk

January 29, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jason Hightower 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 pay, totaling \$490,264.83: General, \$193,914.50; Employee Benefits, \$131,858.07; Appraiser, \$13,461.77; Rural Fire, \$6,087.50; Road and Bridge, \$48,881.47; Equipment Reserve, \$484.31; County Health Dept., \$15,672.62; Elderly, \$2,837.54; and Payroll Clearing, \$77,067.05; and the following special pay, totaling \$176.67: General, \$128.86; Employee Benefits, \$26.82; and Payroll Clearing, \$20.99. Jason Hightower seconded the motion. The motion passed 3-0.

The Chair reported on AMR's activities for the past week.

The Chair presented the prisoner count. There are currently 56 prisoners in-house including 36 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

The Chair also reported on the fire calls for the week.

The Clerk presented Cereal Malt Beverage License #2024-1 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 License #2024-1 as presented. Jason Hightower seconded the motion. The motion passed 3-0.

Jim Johnson moved to allow the Chair to sign the Notice to IRS Regarding Defeasance Escrow for Remedial Action for our Bond Reissue. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to sign a report verifying Lisa Kellstadt's hours for her RMA License. Jason Hightower seconded the motion. The motion passed 3-0.

Amanda Snyder reported on the Health Dept. activities for January and reported that they have scheduled a biometrics screening for employees on February 13th at the Annex. Snyder also informed the Commission that she will be out on medical leave from February 28th through March 20th. Snyder reported on other upcoming events and asked the Commission to appoint Dr. Sheryl Bushman to the Health Advisory Board for District #3. Jim Johnson moved to appoint Dr. Bushman as requested. Danny McCullough seconded the motion. The motion passed 3-0. Snyder then presented bids for the classroom remodel at the Health Dept. Bids received were: Randy Page, \$39,975.00; and Fresh Start Remodel, \$40,469.00. The Commission will review the bids and make a decision next week. Snyder would like to use additional grant funds for new workspaces in the Receptionist Office at the Health Dept. Snyder has a bid from Charles Bauer in the amount of \$8,825.00. The Commission will also make a decision on this project next week.

Jessica Hightower reported that the Economic Development Committee has rescheduled their meetings to the 1st Tuesday of the month at 9:00 AM in the Courthouse Annex. Hightower asked for approval of grant programs that were budgeted for this year. Jason Hightower moved to approve four Childcare Provider Grants in the amount of \$250.00. Danny McCullough seconded the motion. The motion passed 3-0. Danny McCullough moved to approve four Community Development Grants in the amount of \$250.00. Jim Johnson seconded the motion. The motion passed 3-0. Jason Hightower moved to approve 10 Summer Youth Employment Grants in the amount of \$1,200.00. Jim Johnson seconded the motion. The motion passed 3-0.

Hightower then discussed the following Linn County Housing Incentives that were approved last year: Demo Assistance, \$2,500.00 per landowner; Long Term Vacant, \$2,500.00 per landowner; and Paint Linn County, \$500.00 per residential property. There is a maximum of \$10,000.00 budgeted for these incentives.

Shaun West updated the Commission on the weather related road conditions. West stated that he 25-30 complaints last week, most were about muddy roadways. West presented the Agreement for On-Call Engineering Services with Kaw Valley Engineering, Inc. The agreement is for 2024 and 2025. Jason Hightower moved to approve the agreement as presented. Jim Johnson seconded the motion. The motion passed 3-0. West then discussed Requests for Proposals for mowing for 2024. Jim Johnson moved to approve sending out RFPs for mowing. Jason Hightower seconded the motion. The motion passed 3-0. West informed the Commission that Jason from BG Consultants will meet with the Commission on the first week of February to discuss the Hell's Bend Bridge Project. West then discussed the 3-5 year equipment plan. Jim Johnson asked why we need another skid steer. West reported that it is mainly a scheduling issue. Jim Johnson stated that he would like to see metered hour reports on our equipment. Danny McCullough discussed not having a road shop in his district. Danny McCullough moved to start the process to reopen the Dist. #2 Shop. The motion died for lack of a second. The Commission asked West to develop RFPs for chip/seal and asphalt to compare with the cost of completing chip/seal and asphalt with our own manpower and equipment. West reported that he has received several requests from Cities and Lake Development for assistance with their roads.

The Chair read a letter from Rogene McPherson concerning the road conditions on 1350 Road near the Aust cattle operation. Jason Hightower stated that he would like to have Shaun West and Darin Wilson meet with Mr. Aust to discuss his federal and state permits and his cattle operation. Danny McCullough stated that he would like to know what it would cost to have an online reservation system for the County Park. Danny McCullough also wants to know when we can finish the compactor agreements with the Cities. Darin Wilson read our regulations concerning confined animal feeding operations.

At 11:25 AM the Chair asked for public comment. None was given.

Richard Morrell, Planning and Zoning Commission Chair, asked if he could speak after Mark Briggs. Briggs stated that he is fine with his spot after Morrell. Morrell discussed the 5 meetings that have been held so far and stated that they reached a point in the last meeting where they cannot find any common ground and have no way for the work group to move on past that point. Morrell stated that the people against solar want a complete ban. Morrell asked for guidance from the Commission. Jason Hightower stated that he is still in favor of the committee reviewing the regulations. Richard Morrell stated that speaking for himself, not for the committee, he believes what is best for the County is highly regulated solar farms. Mark Briggs stated that he believes the forum was set up to find out what the public wants. Briggs stated that he believes fewer people want solar than those who don't want it. Richard Morrell asked for permission to take a vote of the committee on proposed changes and the majority rules.

Josh Framel, Clearway Energy, addressed the Commission concerning their proposed solar project. Framel stated that his company supports strict zoning regulations for solar farms. Framel presented a slide show with estimates of what his company would expect to pay for the CUP Application, Payments in Lieu of Taxes (PILOT), and Taxes after the 10 year exemption. The Commission, Framel, and Barry Matchett discussed various programs and PILOT amounts that could be offered by Clearway Energy. Framel and Matchett stated that they couldn't give an exact amount of PILOT payments until the Zoning Regulations were approved so they would have a better idea of the proposed size of their project.

Jim Johnson moved to postpone the ad-hoc committee meetings until after the public forum. The motion died for lack of a second.

At 1:03 PM Danny McCullough moved to take a 5 minute recess. Jason Hightower seconded the motion. The motion passed 3-0.

At 1:10 PM Jason Hightower 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 1:20 PM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 1:17 PM Shaun West left the executive session.

At 1:20 PM the executive session ended. As a result of the executive session, Shaun West asked to hire William Anderson as an Operator II in the South Shop at a wage of \$18.3611 per hour (Range 8, Step H) and Anthony Nation as an Operator I in the North Shop at a wage of \$17.5090 per hour (Range 7, Step K). Jason Hightower moved to hire Anderson and Nation as requested. Danny McCullough seconded the motion. The motion passed 3-0. West also asked to promote Kasey Jensen to the Assistant Foreman position in the South Shop at a wage of \$21.2591 per hour (Range 10, Step I). Danny McCullough moved to approve the promotion for Jensen as requested. Jason Hightower seconded the motion. The motion passed 3-0.

Jim Johnson asked Jason Hightower to read an email he received from the Pleasanton City Administrator. Hightower read the email in the open meeting. Jim Johnson accused Jason Hightower of trying to hide something.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, February 5, 2024. Jim Johnson seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

February 5, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jason Hightower 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 \$102,483.20: General, \$50,629.02; Employee Benefits, \$7,861.11; Appraiser, \$1,026.87; Rural Fire, \$5,346.68; Road and Bridge, \$29,187.44; 911 Telephone Tax, \$3,689.73; County Health Dept., \$1,411.37; Elderly, \$3,000.69; and Sewer Dist. #1, \$330.29. Danny McCullough seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-156 through #2023-158, #2023-162 through #2023-202, and #2023-206. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented the Sheriff’s Monthly Fee Report. Jason Hightower moved to accept the Sheriff’s Monthly Fee Report for January 2024 in the amount of \$98,514.46. Danny McCullough seconded the motion. The motion passed 3-0.

The Chair presented the prisoner count. There are currently 54 prisoners in-house including 39 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Jeff Boyd, AMR, reported on their activities for the past week and the calls and call times for January 2024.

Randy Hegwald reported on the fire calls for the week. Hegwald also reported that another student, Simon Shillito would like to job shadow him. The Commission agreed to allow Shillito to job shadow, as long as we have the signed liability release and parental consent. Hegwald then reported that the County Road 1077 cleanup should be finished soon. Hegwald informed the Commission that Station 930 is having a chili feed fundraiser this Friday.

Health Department Director Amanda Snyder reported that their WIC numbers increased in January. Snyder asked the Commission to approve the bid from Randy Page for the Classroom remodel in the amount of \$39,975.00, to be paid by COVID Grant funds. Jason Hightower moved to approve the bid as requested. Danny McCullough seconded the motion. The motion passed 2-1. (Jim Johnson voted no.) Snyder also asked for approval of the bid from Charles Bauer for the Receptionist Office remodel in the amount of \$8,825.00, to be paid by COVID Grant funds. Jason Hightower moved to approve the bid as requested. Danny McCullough seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

Jessica Hightower reported that the Economic Development Committee has canceled tomorrow’s meeting. The next meeting will be March 5th at 8:00 AM at the 4-H Building. The Commission and Hightower discussed the airport. Danny McCullough stated that he would like to sell the Precision Approach Path Indicator (PAPI) Lights. The Commission asked Jessica Hightower to send notice to the granting agency that we are planning on selling the PAPI Lights. The Commission, Clerk, and Counselor discussed the property taxes on the airport. Most of the tax is from the Commercial portion of the property.

KwiKom discussed their fiber project with the Commission. Jim Johnson asked about trenching in our roads. Commissioner Johnson also stated that he has seen trailers parked in our road. Commissioner Johnson stated that he thinks we need to have a third-party inspector on site. The Commission asked for a Request for Information (RFI) to be filed if there are any variances from the contract. KwiKom stated that if the County Road crew cuts a cable that is in the wrong location, the County will not be liable. The Commission and KwiKom discussed required notification if there is a variance from the contract. The Commission instructed Gary Thompson to develop a Memorandum of Understanding with KwiKom for variances on the project.

Shaun West discussed invoices from JRK Welding for compactor container repairs. The amount agreed upon was \$5,000.00 per container, but the cost has varied some depending on the condition of the container. We have one invoice for \$5,750.00 due to additional work that was needed, but we have had some invoices that were under \$5,000.00. The Commission agreed to approve the additional cost on the severely damaged container.

Danny McCullough moved to reopen the District #2 Road & Bridge Shop. The motion died for lack of a second.

The Commission asked West to check into training for Maintainer Operators. The Commission also asked West for additional cost information for chip/seal and asphalt projects.

Jason Hoskinson, BG Consultants, discussed options on the Hell’s Bend Bridge Project. Hoskinson also stated that BNSF does not want an at-grade crossing. The Commission stated that they would like to have the project rebid.

At 11:06 AM the Chair asked for public comment. None was given.

Mark Briggs discussed issues with fiber in the roadways. Briggs discussed the timeline of the correspondence and issues concerning the solar farm discussion/actions.

Clearway Energy representative Barry Matchett discussed the questions that were asked by the Commission last week.

The Commission and Darin Wilson discussed Planning & Zoning Commission members attending meetings by Zoom. Jim Johnson moved to allow the Planning & Zoning Commission Members to attend meetings by Zoom and be allowed to vote. Danny McCullough seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, February 12, 2024. Jim Johnson seconded the motion. The motion passed 3-0. (The February 12, 2024 meeting was canceled due to lack of a quorum.)

Commission Chair

Attest:

County Clerk

February 20, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer. (The February 12, 2024 Commission Meeting was canceled due to lack of a quorum.)

Jason Hightower 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 from 02/09/24, totaling \$533,511.80: General, \$280,063.30; Employee Benefits, \$100,177.06; Appraiser, \$13,212.47; Rural Fire, \$3,437.06; Road and Bridge, \$51,526.82; County Health Dept., \$11,050.32; Elderly, \$3,115.56; and Payroll Clearing, \$70,929.21; and the following pays/special pays from 02/19/24, totaling \$187,378.07: General, \$123,019.39; Employee Benefits, \$9,096.00; Appraiser, \$500.00; Rural Fire, \$371.66; Road and Bridge, \$47,717.26; Equipment Reserve, \$2,274.09; 911 Telephone Tax, \$3,481.32; County Health Dept., \$306.37; and Elderly, \$611.98. Jason Hightower seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-203 through #2023-205 and #2023-207 through #2023-224. Danny McCullough seconded the motion. The motion passed 3-0.

Louis Aloï, AMR, reported on their activities for the past week. Aloï then introduced the new AMR Operations Manager, Dawn Brooks. Brooks discussed her background in EMS.

The Chair presented the prisoner count. There are currently 56 prisoners in-house including 35 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

The Chair reported on the fire calls for the past two weeks.

The Clerk presented the Treasurer’s 2023 4th Quarter Interest Report and Delinquent Tax Report. 2023 4th Quarter Interest was \$38,738.90. The 2023 Total Interest was \$245,295.49. December 31, 2023 Delinquent Real Estate Taxes are \$1,142,480.56 and Delinquent Personal Property Taxes are \$26,442.86.

Chris Martin reported that the radio project is almost done. Martin confirmed that remote attendance for Planning & Zoning Commission meetings is only by Zoom. Martin also discussed other issues to deal with concerning Zoom meetings. Gary Thompson and Chris Martin will work on a policy for remote meeting attendance.

The Clerk asked the Commission about the Lake Region Solid Watse Authority agreements that would add Shawnee County to the group. The Commission will wait until next week when Shay Hanysak is present to answer questions before taking action.

Shaun West discussed repairs needed on a tractor and on a motor grader. Jason Hightower moved to approve repairs to a 2016 John Deere 670GP in the amount of \$5,230.06. Jim Johnson seconded the motion. The motion passed 3-0. West informed the Commission that the only quote he received for repairing the door in the South Road & Bridge Shop was from Overhead Door in the amount of \$6,728.00. The Commission asked West to get additional quotes before making a decision. West then presented an Application for Assistance from the City of Pleasanton for a gravel road. (Magnolia Street from 10th St. to Park St.) Commission did not approve the request at this time due to work that needs to be done on our roads. West also presented a Surplus Property Resolution. Jason Hightower moved to adopt Resolution #2024-05 declaring items from the Road & Bridge Dept. Surplus Property. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-05:



Shaun West informed the Commission that he only received two HVAC bids, one was late, one was on time. The Commission agreed to consider both bids. The bids received were: Myrick Mechanical, \$6,542.72 per year; Webber Heating & Cooling, Opt. 1, \$3,900.00 per year and Opt. 2, \$6,240.00 per year. West will review the bids and make a recommendation next week. West also presented a bid for the Park Shelter House Roof from Roofing Force. Roofing Force listed two options: Option 1, \$19,589.55; and Option 2, \$20,809.05. The Commission wants to discuss the project with Randy Page before making a decision.

Jay Allen gave an update on the STARS program. Following is a copy of the information presented by Dr. Allen:

STARS Budget

Start date August 2022 to present

FSCC Contribution

- \$282,000 wages (2 years)
- \$400,000 simulators
- Machines/equipment and supplies, Welding \$51000, Carpentry \$5000, HEO \$2000, Allied health \$15000 Total Approximate \$73000
- This is a list of the big items that are in our possession or salary guarantee.
- \$755,000 Contribution so far

USD's Contribution.

- \$15000 year 1 fixed cost (water, gas, electric)
- Year 2 estimated \$25000. Waiting on exact numbers through Jan 1, class size doubled Transportation for student events \$3000
- USD 344 Owns Building. 15000 Purchase HDEP Welder
- Approximately \$60,000 (over 2 years)

County Contribution.

- 1 mil, estimated 330,000 220,000 received .
- \$207,000 Remodel East side for Classrooms, class areas and office
- \$24000/year for Janitor, reception administrative assistant. Board approved
- \$16000 Workforce placement Board approved

This is initial large item budget. We have received approximately \$30,000 in cash donations that have helped with small and medium purchases and are over \$200,000 donations for facility improvement (over 2 years). I will dig a little deeper as time allows if additional information is needed.

At 10:04 AM the Chair asked for public comment. Jason Cahill spoke against solar farms and asked for a County vote on the issue. Ali Hamilton asked if the forum could be livestreamed and about the KORA request for GT’s billing. Amanda Reed discussed taxes paid by Everygy and contributions from Clearway.

Rodney Warren, Foley Equipment Company, discussed the needed repairs on the 953C Track Loader at the landfill in the amount of \$17,904.98. Danny McCullough moved to approve up to \$19,000.00 for the repairs. Jim Johnson seconded the motion. The motion passed 3-0.

Bradley Phillips, Heritage John Deere, discussed the proposed Customer Service Advisor program and rental programs.

Stephanie Walker addressed the Commission concerning a rock quarry CUP adjoining her property. Walker stated that 80% of the adjoining property owners are opposed to this CUP.

Gary Thompson presented the following 3 applications for C&D dumping assistance: James Kerr, 202 S. 7th St., Mound City; City of Pleasanton, 200 W. 1st St., Pleasanton; and City of Pleasanton, 107 E. 13th St., Pleasanton.

While the Commission was reviewing the C&D assistance requests, Gary Thompson and the Commission discussed a KORA request for Gary Thompson’s hourly time logs. Jim Johnson moved to waive privilege on the time logs requested by the KORA. Danny McCullough seconded the motion. The motion passed 3-0. The Clerk will send the time logs to the requestor.

Jason Hightower moved to approve the three C&D assistance requests. Danny McCullough seconded the motion. The motion passed 3-0.

Shaun West asked about the rock savers for the maintainers. West will get bids for the rock savers. The Commission also agreed to allow West to get bids for a South Shop Road Tractor, Tires, Fuel, and Culverts. West then presented a Change Order from Terracon on the landfill project that would add \$5,000.00 to the project. Jason Hightower moved to approve and sign the Change Order as presented. Jim Johnson seconded the motion. The motion passed 3-0.

West informed the Commission that one of the Solid Waste Containers has additional damage and will cost \$6,500.00 to \$7,500.00 to rebuild, a new container would cost at least \$10,000.00. Danny McCullough moved to approve up to \$7,000.00 to rebuild the container. Jim Johnson seconded the motion. The motion passed 3-0.

West reported that our mechanic would need additional tools costing \$1,899.00 to repair the John Deere Tractor in the Pleasanton Shop with metal shavings in pan. The Commission agreed to purchase the tools. West also reported that he has one bid for ADA Compliant Door openers for the Courthouse and old District Court Building in the amount of \$9,655.00. The Commission would like to have more bids before making a decision.

At 11:35 AM Jason Hightower 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 11:45 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Shaun West attended the executive session.

At 11:39 AM Shaun West left the executive session.

At 11:45 AM the executive session ended. No action was taken as a result of the executive session.

Theresa Miller addressed the Commission concerning the priorities and general attitude of the Commission and asked Jim Johnson to resign. Mark Briggs discussed KORA requests including requests about Gary Thompson’s salary.

Gary Thompson presented a proposed Memorandum of Understanding with KwiKom. The Commission agreed to send the MOU to KwiKom for their review.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, February 26, 2024. Jim Johnson seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

February 26, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jason Hightower 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 pay, totaling \$564,939.00: General, \$185,859.40; Employee Benefits, \$197,310.05; Appraiser, \$12,936.52; Rural Fire, \$13,999.90; Road and Bridge, \$52,247.38; 911 Telephone Tax, \$10,813.05; County Health Dept., \$10,643.04; SPARK/ARPA Fund, \$4,110.78; Elderly, \$3,249.38; Sewer Dist. #1, \$20.00; and Payroll Clearing, \$73,749.50. Jason Hightower seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-225 through #2023-228. Danny McCullough seconded the motion. The motion passed 3-0.

Dawn Brooks reported on AMR’s activities and call times for the month of February.

Randy Hegwald reported on the fire calls for the week. Hegwald asked to purchase 1150 feet of fire hose for \$3,448.00 plus shipping from the Special Fire Equipment budget. Danny McCullough moved to approve up to \$3,600.00 for the fire hose. Jim Johnson seconded the motion. The motion passed 3-0. Hegwald then stated that we are under a Burn Advisory today, but tomorrow we may be in a Burn Ban.

The Chair presented the prisoner count. There are currently 60 prisoners in-house including 37 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Chris Martin discussed the Everygy bill on the old Sheriff’s office. Martin stated that it would not cost us to disconnect the service, but it would cost \$25.00 to reconnect. We also have some electrical work that needs to be done before we can disconnect the power. Martin can get prices for the electrical work that needs to be done. Jim Johnson moved to disconnect the power to the old Sheriff’s Office and to give Chris Martin the authority to get the electrical work done. Jason Hightower seconded the motion. The motion passed 3-0. Chris Martin reported that the Administrator Training has been completed on the new notification system. The Commission will meet with Martin and the possible administrators next week at Noon.

The Clerk presented the annual Rural Opportunity Zone Resolution. Jason Hightower moved to adopt Resolution #2024-06 with no contribution from the County this year. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-06:



Shaun West presented a CDL Training Agreement with Anthony Nation. Jason Hightower moved to approve the CDL Training Agreement as presented. Jim Johnson seconded the motion. The motion passed 3-0. West discussed the quote from Overhead Door last week in the amount of \$6,728.00 for replacement of a door. West has a new quote from Covey Overhead Door of Nevada to repair the existing door for \$1,639.00. West will get the door repaired with the cheaper quote. West then discussed the 1095 Road project from 1650 Road to Kansas Highway 152. West stated that we may get a better deal by doing the whole project next year. West also discussed the HVAC maintenance bids and recommended accepting the bid from Webber Heating & Cooling in the amount \$240.00 per unit for 26 units. The Clerk stated that we could cover the cost from the Special Building budget this year and then budget for the program next year.

Shaun West then discussed the 3-5 year equipment plan for Public Works. Joyce Hall discussed the January Cost Summary by Task and the Dust Control program. Hall reported that Scottwood Industries has quoted \$1.44 per gallon for the chemical this year. We would need to charge \$2.10 per foot based on this year’s quote. Jason Hightower moved to approve the price of \$1.44 per gallon for the chemical and the cost of \$2.10 per foot for dust control for property owners. Jim Johnson seconded the motion. The motion passed 3-0.

The Commission suggested negotiating with the local rock quarries for rock prices. Shaun West discussed various other reports that were sent to the Commission before today’s meeting and projects that the Public Works Depts. are working on. The Commission and West then discussed the Pleasanton Road Shop. Danny McCullough would like to open that shop again.

Angie Randall asked the Commission about having work sessions instead of dealing with everything in the Commission meeting. Randall asked if they have considered having 5 Commissioners. Randall also discussed losing several elected officials this year and spoke about various other issues the County is dealing with.

Undersheriff Bobby Johnson presented information on the KP&F retirement system and discussed how Linn County’s pay and benefits compare to other law enforcement agencies. Paige Ashley from KPERS discussed the benefits and costs of the KP&F program. Ashley explained two options for joining KP&F and discussed a study that would need to be done to calculate the cost of one of the options. Danny McCullough stated that he is in favor of the program. Sheriff Friend also spoke in favor of the program. Danny McCullough moved to move forward with the KP&F system and do the KP&F back study that will cost the County approximately \$1,500.00. Jason Hightower seconded the motion. The motion passed 3-0.

At 11:08 AM the Chair opened a public hearing for the Lake Region Solid Waste Authority Management Plan. LRSWA Coordinator Shay Hanysak explained the management plan. The Chair asked for public comment, none was given. At 11:11 AM the Chair closed the public hearing. Danny McCullough moved to adopt Resolution #2024-07, approving the Lake Region Solid Waste Authority Management Plan. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-07:



Shay Hanysak then explained that Shawnee County wants to join the Lake Region Solid Waste Authority and how that would work. Jason Hightower moved to approve and sign the Memorandum of Understanding and Agreement of Recycling, Resource Recovery and Waste Reduction; the Interlocal Agreement Establishing a Regional Solid Waste Authority; and the Household Hazardous Waste Collection Program Interlocal Cooperation Agreement No. 4. Danny McCullough seconded the motion. The motion passed 3-0.

At 11:21 AM the Chair asked for public comment. Emily Thies presented information on the solar companies that are proposing projects in Linn County and stated that solar companies can use eminent domain. Thies also reviewed the timeline associated with solar issues in Linn County. Ali Hamilton asked about the KORA request concerning Gary Thompson’s contract and salary. Sherri Gentry read the minutes from the meeting when the Commission agreed to put a moratorium on solar farms. Jason Hightower read a response he had prepared addressing the opponents of solar farms.

The Commission held a lengthy discussion concerning solar farms, the moratorium, PILOT programs, etc. Danny McCullough moved to reject the first proposal from Clearway for their PILOT, and to start negotiations with Clearway on a PILOT. Jim Johnson seconded the motion. The motion passed 3-0. After additional discussion, Jim Johnson moved to amend the moratorium stating that we will not take applications for a CUP for a solar farm until we lift the moratorium or take action otherwise. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough moved to approve Option #2 from Webber Heating and Cooling for quarterly maintenance/inspections on our HVAC units in the amount of \$240.00 per unit per year for a total of \$6,240.00. Jason Hightower seconded the motion. The motion passed 3-0.

At 1:14 PM Danny McCullough 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 1:19 PM. Jason Hightower seconded the motion. The motion passed 3-0. The Commission, Clerk, and Counselor attended the executive session.

At 1:19 PM the executive session ended. No action was taken as a result of the executive session.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, March 4, 2024. Jim Johnson seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

March 4, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Gary Thompson, County Counselor. Jason Hightower led the Pledge of Allegiance. Gary Thompson opened the meeting with prayer.

Jason Hightower 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 \$168,089.90: General, \$81,568.42; Employee Benefits, \$99.00; Appraiser, \$976.87; Rural Fire, \$4,296.56; Road and Bridge, \$38,105.55; Equipment Reserve, \$15,029.98; County Health Dept., \$2,701.39; SPARK/ARPA, \$20,346.00; Elderly, \$3,577.20; and Sewer Dist. #1, \$1,388.93. Danny McCullough seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-229 through #2023-239. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented the Sheriff's Monthly Fee Report. Jason Hightower moved to accept the Sheriff's Monthly Fee Report for February 2024 in the amount of \$86,445.25. Danny McCullough seconded the motion. The motion passed 3-0.

The Chair presented the prisoner count. There are currently 59 prisoners in-house including 36 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Dawn Brooks, AMR, reported on their activities for the past week.

Randy Hegwald reported on the fire calls for the week. Hegwald reported on a truck that broke down last week, but it should be a warranty repair. Hegwald reported that the Fort Scott Fire Dept. asked about our old Motorola radios. They would like to trade some fire hose for the radios. The Commission agreed to allow Hegwald to work out a deal with the Fort Scott Fire Dept.

Jessica Hightower reported that the Economic Development monthly meeting is tomorrow at 8:00 AM at the 4-H Building.

At 9:12 AM Jason Hightower 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 9:32 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Randy Hegwald attended the executive session.

At 9:20 AM Randy Hegwald left the executive session and Shaun West entered.

At 9:29 AM Shaun West left the executive session.

At 9:32 AM the executive session ended. No action was taken as a result of the executive session.

Shaun West discussed a Landowner Agreement/Waiver with Linda Wunderly for tree and fence clearing work in the road right of way. The agreement would cover 0.6 miles on Montgomery Road between 100 Road and 200 Road. Jason Hightower moved to allow West to sign the agreement with Linda Wunderly, and to clean out the ditch while we are clearing the trees. Jim Johnson seconded the motion. The motion passed 3-0.

West then discussed Rock Savers/Eradicators for maintainers. Murphy Tractor had the lowest bid at a cost of \$6,770.00 per unit for 3 units. Jason Hightower moved to approve the bid from Murphy Tractor in the amount of \$6,770.00 each for 3 units. Danny McCullough seconded the motion. The motion passed 3-0.

West also discussed the roads around the Aust feed lots. West stated that the landowner would agree to dust control, West needs to meet with Aust and Commission to discuss total project/issues. West reported that we are looking at options to bid the High-Risk Rural Road project on County Road 1095. The Hell's Bend Bridge Project bid letting is set for April. West then discussed the Road Equipment and Employee List and will review options for the future of the Road shops with Danny McCullough. West and the Commission reviewed the numbers for Park shelter house usage.

At 9:53 AM the Chair asked for public comment. Rick James addressed the Commission concerning solar farms. James also commented on Gary Thompson's contract and the STARS program. James also announced that he filed for State Representative last Friday. David Fisher discussed the CivicPlus notification system and asked the Commission to require all Dept. Heads to use the CivicPlus system for notices to the public.

Jim Johnson moved to request the resignation of Gary Thompson due to breach of contract. The motion died for lack of a second. Gary Thompson then offered his resignation effective immediately.

Jason Hightower stated that he would like to go to a Consent Agenda at the beginning of the meeting covering the Minutes, Claims, and Add/Abate/Refund orders. Jim Johnson and Danny McCullough stated that they like what we are doing now. Jason Hightower also stated that we need to do a better job controlling people speaking out of turn during a meeting. Jason Hightower then discussed how to handle agenda items. Hightower would like to have the person's name, who they represent, and topic listed on the agenda.

Danny McCullough asked if it would help if he took over the Chair position to ease the tension between Jason Hightower and Jim Johnson. No action was taken.

Christina Lamb, Fastenal, discussed proposed contracts for managing our supply bins in the Road Shops for the next three years. Ms. Lamb will send more information on pricing.

At 10:22 AM Danny McCullough moved to recess until 11:30 AM. Jason Hightower seconded the motion. The motion passed 3-0.

At 11:30 AM the Commission meeting reconvened.

Ray Seif, KDOT Aviation Director, discussed options for our airport. Seif stated that the pavement does need some work and there are grants available. Seif also discussed the fuel system being down and stated that emergency grants for that type of issue are available. Seif discussed various options that we could use to keep the airport in operation. Seif discussed the value of an airport for the community. Seif stated that there is a 10-year period after receiving a grant that the airport must remain open for public use. If the airport is closed, we would have to pay back some or all of the grant funds. David Fisher asked Seif about the emergency funding that could be available. Seif explained how the emergency grants work. Jessica Hightower asked the Commission to consider going out for bids for a management company.

Chris Martin and the Commission discussed possible policies for the new Notification System. Martin asked how the Commission would like to set up management of the notices that go out. Martin will discuss notifications that could be used with interested department heads.

Jim Johnson moved to accept Gary Thompson’s resignation effective today. Danny McCullough seconded the motion. The motion passed 3-0.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, March 11, 2024 and to hold a workshop with representatives of Clearway Energy at 2:00 PM today. No action will be taken at the workshop. Jim Johnson seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

March 11, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Burton Harding, County Attorney. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jason Hightower 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 pay, totaling \$619,483.75: General, \$243,599.26; Employee Benefits, \$122,753.31; Appraiser, \$12,907.85; Rural Fire, \$13,599.65; Road and Bridge, \$78,184.77; 911 Telephone Tax, \$7,320.73; County Health Dept., \$10,609.11; SPARK/ARPA Fund, \$14,800.00; Elderly, \$3,260.86; and Payroll Clearing, \$112,448.21. Jason Hightower seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-240 through #2023-245, and #2023-247 through #2023-251. Jim Johnson seconded the motion. The motion passed 3-0.

The Chair presented the prisoner count. There are currently 66 prisoners in-house including 41 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Dawn Brooks reported on AMR's activities for the week.

The Chair read a report from the Health Dept. for their February activities and their upcoming activities.

Randy Hegwald reported on the fire calls for the week. Hegwald asked the Commission to approve applications from Garrett Feugate and Tristian Ewert to Job Shadow with the Fire Dept. Feugate, Ewert, and their parents have signed the appropriate liability releases. Jason Hightower moved to approve the Job Shadowing applications as presented. Jim Johnson seconded the motion. The motion passed 3-0. Jim Johnson moved to accept resignation of Luke Coyer as a Firefighter at Station 940 (Parker). Jason Hightower seconded the motion. The motion passed 3-0. Jim Johnson moved to terminate Alyssa Coyer as a Probationary Firefighter at Station 940. Danny McCullough seconded the motion. The motion passed 3-0.

Jessica Hightower reported that we have awarded the first Child Care Grant of the year to Jennifer Johnson from Pleasanton in the amount of \$250.00. Hightower discussed setting up a meeting with Pleasanton to discuss the airport taxes.

Shaun West reported that he talked to the rock quarries about discounts for the County, but no other discounts are available. There may be a special project discount available from one of the rock quarries. West then discussed meeting with Brad Aust about the roads around his feed lot. Mr. Aust suggested reimbursing some local landowners for dust control if those landowners want to have it applied. The Commission and Mr. Aust discussed an issue with the height of the road bed. Mr. Aust stated that he has the material available if the County wants to build up the road bed. West also discussed recommendations for the Planning & Zoning Director's salary, ditch projects, and discussed training opportunities for our Road & Bridge employees. West stated that we need to discuss equipment needs for the landfill. West presented bids for the Park Lagoon Piping Project. The Commission agreed to allow West to proceed with the piping project, since the cost will be under his spending limit. West then reported on the remodeling project in the old District Court building. West is working with department heads and Chris Martin to get the project finished. West has also discussed the Park Shelter House roof with Randy Page. Page informed West that there was an issue with the way the roofing material was applied.

At 10:02 AM Jason Hightower 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 10:12 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, County Attorney, and Shaun West attended the executive session.

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

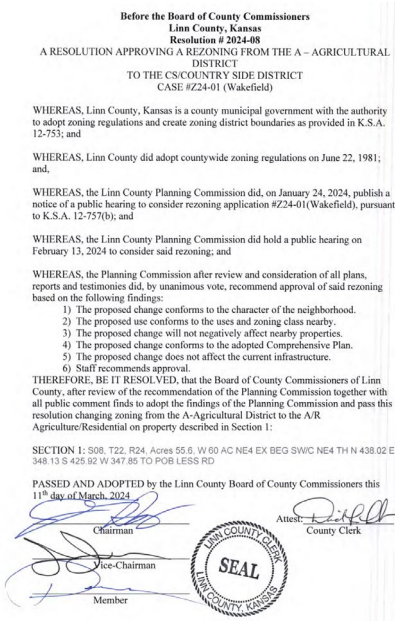
At 10:13 AM the Chair asked for public comment. None was given.

Darin Wilson presented a request from the City of La Cygne to waive C&D dumping fees for James & Deborah Ryan. Jason Hightower moved to approve C&D Wavier #CD24-005 as presented. Jim Johnson seconded the motion. The motion passed 3-0.

Darin Wilson presented Zoning Change Case #Z24-01 requested by David and Peggy Wakefield to re-zone a property from the A-Agricultural Zone to the CS-Countryside Zone for lot split purposes. The Planning Commission recommends approval by a unanimous 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 the current infrastructure.
- 6) Staff recommends approval.

After reviewing the findings of the Planning Commission, Jason Hightower moved to adopt the findings of the Planning Commission, approve Zoning Case #Z24-01, and adopt Resolution #2024-08. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-08:



Darin Wilson then informed the Commission that the Planning & Zoning Commission has elected Paul Porter as the new Chair, and Elizabeth Staton as the new Vice-Chair.

Randy Hegwald asked to hire Morgan Wakefield as a Probationary Firefighter for Station 910 (Mound City). Jim Johnson moved to hire Morgan Wakefield as a Probationary Firefighter for Station 910, pending pre-employment drug test and paperwork. Danny McCullough seconded the motion. The motion passed 3-0.

Josh Framel, Clearway Energy, addressed the Commission concerning potential PILOT payments. Framel and the Commission discussed various ways to structure PILOT payments including level payments for 10 years, 2% increased payments for 10 years, and a large payment up front but then no additional payments for 4 years.

Burton Harding stated that he will be available until the Commission hires a new County Counselor.

Danny McCullough suggested moving the Commission meetings to the small courtroom in the Justice Center. Jim Johnson suggested having nighttime Commission meetings. The Commission then discussed an RFP for a County Counselor.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, March 18, 2024. Jim Johnson seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

March 18, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Burton Harding, County Attorney. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jason Hightower 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 \$159,004.25: General, \$122,483.51; Appraiser, \$661.00; Rural Fire, \$1,615.07; Road and Bridge, \$30,044.52; Equipment Reserve, \$2,040.00; County Health Dept., \$941.19; and Elderly, \$1,218.96. Jason Hightower seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-252 through #2023-254, and #2023-256 through #2023-260. Jim Johnson seconded the motion. The motion passed 3-0.

The Commission reviewed the YTD Park Report for February 2024.

Dawn Brooks, AMR, reported on their activities for the past week.

Randy Hegwald reported on the fire calls for the week. Hegwald then asked to hire two new Firefighters. Jim Johnson moved to hire Jason Webber as a Probationary Firefighter at Station 940 (Parker). Jason Hightower seconded the motion. The motion passed 3-0. Danny McCullough moved to hire Morgan Wills as a Probationary Firefighter at Station 920 (Pleasanton). Jason Hightower seconded the motion. The motion passed 3-0.

The Chair presented the prisoner count. There are currently 66 prisoners in-house including 47 from other jurisdictions. There is 1 Linn County prisoner farmed out to another County.

Jessica Hightower informed the Commission that the Sidewalk Grant Applications are ready. The Sidewalk Grant Program will allow a maximum of \$5,000.00 for the year, up to \$2,500.00 per City. Danny McCullough moved to approve 2024 Sidewalk Grant Program as presented. Jason Hightower seconded the motion. The motion passed 3-0.

Shaun West presented multiple bids to the Commission. The Commission first opened bids for tires. West stated that he needs to have the tire bids approved today. Tire bids received were: Pomp’s Tire Service, Pittsburg, \$43,782.20; and Goodyear Commercial Tires, Kansas City, \$33,881.07. Public Works will review the bids and make a recommendation later in the meeting. The Commission then continued opening the following bids that will be approved at a later meeting:

Chip/Seal Bids: Blevins Asphalt, Mobilization \$11,000.00, Peeling & Sweeping, \$15,322.00, Option 1 (all included) \$592,977.00, Option 2 (all included) \$583,464.00, Option 3 (no materials) \$221,970.00; Circle C Paving, Option 1 (no materials or prep), \$148,285.00, Option 2 (all included); Vance Brothers, Option 1 (all included based on ANCO), \$643,601.50, Option 2 (all included using limestone), \$604,756.50. Bailey’s Asphalt did not bid, they only submitted a brochure.

<u>Hay/Crop Ground Bids:</u>	<u>La Cygne Industrial Park</u>	<u>Airport</u>	<u>Linn Co. Park</u>	<u>Landfill Crop</u>
Umphenour Farms		\$3,758.00		
Charles Johnson		\$4,024.00		
Linda Conley		\$4,760.00		
Chad Gorman				\$1,750.00
Dalton McGinnis	\$815.00	\$4,527.00	\$2,500.00	\$2,600.00
Larry Reynolds	\$20.00		\$2,530.00	
Charles Bright		\$3,822.80	\$2,300.00	
Cole Davis		\$4,527.00	\$4,140.00	

(No bids were received for Landfill Hay Ground.)

Fuel Bids: MFA Oil, Garnett, Dyed Diesel, \$3.1691, Clear Diesel, \$3.1656, Unleaded, \$2.7635. (No other fuel bids were received.)

Mowing Bids: Scarecrow Farm Lawn Care, \$19,950.00; Midwest Maintenance LLC, \$25,472.70, Hartman Landscaping, \$20,895.00, and Dreamscape Innovations, \$26,250.00.

Culvert Bids: Olathe Winwater, \$23,098.40 (Plastic); CONMAT Inc, \$15,228.89 (Plastic), \$21,709.19 (HD Plastic); J&J Drainage, \$12,517.50 (Metal); Metal Culverts Inc, \$23,316.20 (Metal); and Welborn Sales, \$19,056.55 (Plastic), \$18,099.60 (Metal).

Road Tractor Bids: Kenworth, 565 HP-5 year/300,000 mile warranty, \$181,292.00, 525 HP-5 year/300,000 mile warranty, \$180,404.00, 500 HP-7 year/300,000 mile warranty, \$180,393.00, plus Wet Kit Install, \$11,763.00, plus Documentation Fee, \$500.00; Peterbilt, \$170,786.00; and Nextran Truck Centers (Mack), \$154,992.00.

Jason Hightower moved to adopt Resolution #2024-09, declaring items from Public Works as surplus property. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-09:



Shaun West presented a Memorandum of Agreement with Evergy for 2 bridges on our roads that are owned by Evergy. The MOA states that Evergy is responsible for maintenance and repair of the bridges. Jim Johnson moved to approve and sign the MOA as presented. Jason Hightower seconded the motion. The motion passed 3-0. West then reported on a meeting and agreement with Brad Aust, and discussed responses from Tony Melini related to the Landfill. West informed the Commission that we need to send out an RFP for engineering for the proposed swim beach at the County Park. The Commission agreed to get bids for engineering the swim beach. West reported that the flooring project at the Pleasanton Senior Center should start this week. West discussed the remodeling project in the old District Court building. Chris Martin is working on the fiber connections for the building and West would like to have the carpets steam cleaned after the remodeling work is done, before we move employees into the building. The Commission agreed to allow West to get prices for steam cleaning.

After reviewing the tire bids that were opened earlier in the meeting, Shaun West recommends purchasing tires from Goodyear Commercial Tires for \$33,881.07. Jason Hightower moved to approve purchasing the tires from Goodyear. Jim Johnson seconded the motion. The motion passed 3-0.

At 10:05 AM Jason Hightower 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 10:10 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, County Attorney, and Shaun West attended the executive session.

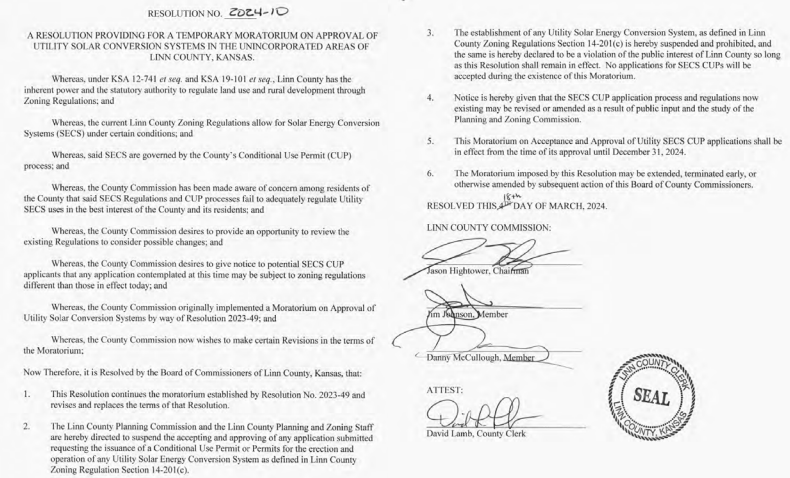
At 10:08 AM Shaun West left the executive session.

At 10:10 AM the executive session ended. As a result of the executive session, Jason Hightower moved to approve a new Job Description for a Part-Time Van Driver and Office Clerk in the Public Works Dept. Jim Johnson seconded the motion. The motion passed 3-0. Jason Hightower then moved to hire Nicole Brown for the Part-Time Van Driver and Office Clerk position for a maximum of 30 hours per week at a wage of \$16.4267 per hour (Range 7, Step B). Danny McCullough seconded the motion. The motion passed 3-0.

At 10:13 AM the Chair asked for public comment. Ali Hamilton asked for approval for a Trading Post via County Road sign on the highway. Jim Johnson moved to ask KDOT for a Trading Post sign. Danny McCullough seconded the motion. The motion passed 3-0.

Danny McCullough moved to schedule a Special Meeting for the Election Canvas on Wednesday, Mar 27th, 9:00 AM. Jason Hightower seconded the motion. The motion passed 3-0.

The Chair read a proposed resolution that would suspend accepting and approving any applications for Utility Solar Energy Conversion Systems until the moratorium ends. Darin Wilson discussed wrapping up the ad-hoc committee meetings so that the Planning Commission can make a recommendation on Solar Energy regulations. Jim Johnson moved to adopt Resolution #2024-10 as presented. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-10:



At 10:31 AM Danny McCullough 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 Attorney 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 Attorney. The open meeting will resume in the Commission Room at 10:41 AM. Jason Hightower seconded the motion. The motion passed 3-0. The Commission, Clerk, Attorney, and Shaun West attended the executive session.

At 10:35 AM Shaun West left the executive session.

At 10:41 AM the executive session ended. As a result of the executive session, Danny McCullough moved to change the Planning & Zoning Administrator/Codes Enforcement Officer to a salaried position at a salary of \$54,316.60 per year. Jason Hightower seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

Barry Matchett, Clearway Energy, discussed possible issues with making the PILOT a condition of the CUP. Matchett stated that Clearway will continue to work with the County on this project and wants to make this the best agreement in the State. Matchett also commended the ad-hoc committee for their work on the solar issues. Matchett discussed his understanding of the timeline of the process. Darin Wilson also explained the timeline as it stands now.

At 10:58 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 11:13 AM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission attended the executive session.

At 11:11 AM the Clerk entered 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 Monday, March 25, 2024. Jason Hightower seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

March 25, 2024

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. Present were Jim Johnson, Vice Chair; Danny McCullough, Member; and David Lamb, County Clerk. 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 pay, totaling \$490,169.74: General, \$210,874.64; Employee Benefits, \$143,115.54; Appraiser, \$15,497.51; Rural Fire, \$18,771.23; Road and Bridge, \$41,792.98; Equipment Reserve, \$925.69; 911 Telephone Tax, \$3,936.06; County Health Dept., \$12,129.44; Crime Victim Assistance, \$400.00; Elderly, \$3,042.47; and Payroll Clearing, \$39,684.18. Danny McCullough seconded the motion. The motion passed 2-0.

Danny McCullough moved to approve add/abate/refund orders: #2023-261 through #2023-279. Jim Johnson seconded the motion. The motion passed 2-0.

The Vice Chair presented the prisoner count. There are currently 67 prisoners in-house including 48 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Dawn Brooks reported on AMR’s activities for the week.

Randy Hegwald reported on the fire calls for the week.

Darin Wilson updated the Commission on the work of the Ad-Hoc Committee. The Planning Commission will meet on April 9th to review the proposed regulation updates. Wilson also stated that there is training available for the Planning Commission for \$2,500.00 plus mileage from Mr. Kaup. Wilson would like to have permission to hire Kaup for the training. (No action was taken at this time due to the Chair being absent.) Wilson also presented two applications for waiver of C&D Fees on the following properties: 13840 W 200 Road, Mound City, Deborah Samyn; and 212 E Walnut, Blue Mound, Mindy Jackson. Danny McCullough moved to approve the applications for waiver of C&D Fees as presented. Jim Johnson seconded the motion. The motion passed 2-0.

Shaun West made the following recommendations on last week’s bids: Scarecrow Farm Lawn Care for mowing, and MFA Oil Company for fuel. West then started to discuss the Land Leases, but the Commission stated that they would rather wait until all three Commissioners are present to approve the bids. West reported that the trees have been removed on the Montgomery & 100 Road project and that the ditching is almost done. West asked for permission to advertise for Part Time Mowers and for a Mechanic. The Commission agreed to allow West to advertise the positions. West informed the Commission that the power company is topping some trees in the right of way near 800 Road and Wattles Road so we can remove the trees. West also asked for permission to go out for bids on the Wall Street Road project, the Commission agreed to allow West to go out for bids. West then discussed the Park Shelter House roof. Danny McCullough stated that he would rather patch the roof for now instead of replacing it, Jim Johnson agreed with Danny McCullough. West also asked about trading two vehicles between the Fire Dept. and the Noxious Weed Dept. The Commission agreed to allow the trade of vehicles.

Johnny Taylor discussed the 2024 Noxious Weed Management Plan and this year’s cost share program for Noxious Weeds. Jim Johnson moved to adopt Resolution #2024-11, setting the Cost Share Cap for 2024 at \$30,000.00. Danny McCullough seconded the motion. The motion passed 2-0. Following is a copy of Resolution #2024-11:



Jim Johnson moved to approve the 2024 Noxious Weed Management Plan as presented. Danny McCullough seconded the motion. The motion passed 2-0.

At 9:47 AM the Vice Chair asked for public comment. None was given.

At 9:48 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 9:58 AM. Danny McCullough seconded the motion. The motion passed 2-0. The Commission and Clerk attended the executive session.

At 9:58 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 Wednesday, March 27, 2024. Danny McCullough seconded the motion. The motion passed 2-0.

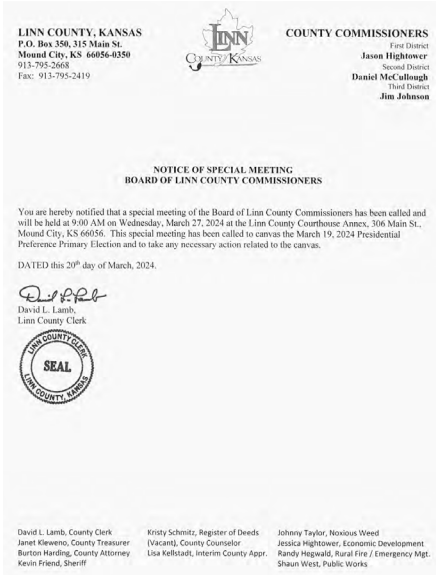
Commission Chair

Attest:

County Clerk

March 27, 2024

The Board of Linn County Commission met in special session as the Board of Canvassers at 9:00 AM in the Commissioners’ Meeting Room, Linn County Courthouse Annex, Mound City, Kansas. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; and David Lamb, County Clerk. Following is a copy of the Notice of Special Meeting:



Election Officer David Lamb reviewed the results of the March 19, 2024 Presidential Preference Primary Election and the Post-Election Audit with the Board of Canvassers. Jason Hightower moved to approve the Post-Election Audit results as presented. Danny McCullough seconded the motion. The motion passed 3-0. The Board of Canvassers then reviewed the 6 Provisional Ballots. Jim Johnson moved to accept the recommendation of the Election Officer to not count 1 provisional ballot and to count the other 5 ballots. Jason Hightower seconded the motion. The motion passed 3-0. The Board of Canvassers then opened the provisional ballots and ran them through the ballot scanner. At 9:14 AM Jim Johnson moved to approve the Election Abstract with the results of the provisional ballots and adjourn the Board of Canvassers’ meeting. Danny McCullough seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

April 1, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; and David Lamb, County Clerk. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jason Hightower moved to approve the minutes of the last Regular Meeting and the March 27th Special Meeting. Jim Johnson seconded the motion. The motion passed 3-0.

Jim Johnson moved to approve the following pays/special pays, totaling \$221,378.70: General, \$158,976.88; Appraiser, \$1,399.04; Rural Fire, \$1,736.38; Road and Bridge, \$44,991.05; Equipment Reserve, \$142.87; County Health Dept., \$12,416.53; SPARK/ARPA Fund, \$191.99; Elderly, \$1,466.11; and Sewer Dist. #1, \$57.85. Jason Hightower seconded the motion. The motion passed 3-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-280 through #2023-288. Danny McCullough seconded the motion. The motion passed 3-0.

The Chair reported on the fire calls for the week.

The Chair presented the prisoner count. There are currently 70 prisoners in-house including 52 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Dawn Brooks, AMR, reported on their activities for the past week.

Shaun West reviewed the February Cost Summary by Task. West then made recommendations for the following bids that were opened two weeks ago: Mowing-Scarecrow Farm Lawn Care in the amount of \$19,950.00. Jason Hightower moved to approve the bid from Scarecrow Lawn Farm Care as recommended. Danny McCullough seconded the motion. The motion passed 3-0. Land Leases-Airport-Linda Conley \$4760.00; La Cygne Industrial Park-Dalton McGinnis \$815.00; Landfill Crop Ground-Dalton McGinnis \$2,600.00; Linn County Park-Cole Davis \$4,140.00. Jason Hightower moved to approve the land lease bids as recommended. Danny McCullough seconded the motion. The motion passed 3-0. Fuel-MFA Oil Company-\$3.1691 per gallon dyed diesel, \$3.1656 per gallon clear diesel, \$2.7635 per gallon unleaded gas. Jim Johnson moved to approve the fuel bids as recommended and to allow Shaun West to sign the contract. Danny McCullough seconded the motion. The motion passed 3-0.

At 9:14 AM County Attorney Burton Harding arrived.

Shaun West reported that Dust Control signup ends this Friday. West then presented two applications for Burial Permits. BP2024-04 requested by Alisha Rogers for a natural gas line located on Lyman Road south of 750 Road. Jim Johnson moved to approve Burial Permit #BP2024-04. Danny McCullough seconded the motion. The motion passed 3-0. BP2024-05 requested by Josh Mitchell for a water line located on 500 Road east of Casida Road. Danny McCullough moved to approve Burial Permit #BP2024-05. Jim Johnson seconded the motion. The motion passed 3-0.

Tony Raboin, Program Director, HealthStar One Air Ambulance, discussed service for our area. Raboin discussed how their bases are set up at hospitals and stated that they use hospital staff to help with their calls, so they would not be able to set up a base at our airport.

Amanda Snyder reviewed the Health Dept. activities for the month and presented the Aid to Local Health Dept. Grant Application. Grants included on the application are IAP, \$4,240.00; MCH, \$28,652.33; PHEP, \$13,467.00; and State Formula, \$15,764.00. Jason Hightower moved to approve and sign the Grant Application in the amount of \$62,123.33. Danny McCullough seconded the motion. The motion passed 3-0.

Shaun West asked the Commission to approve the bid for culverts from J&J Drainage in the amount of \$17,827.50. Jason Hightower moved to approve the culvert bid as requested. Jim Johnson seconded the motion. The motion passed 3-0. West also asked the Commission to approve the Nextran bid for a Road Tractor in the amount of \$162,492.00. Jim Johnson suggested only having one road tractor for the County. The Road Foremen stated that that would reduce productivity for the Road & Bridge Dept. The Commission stated that they would like to see usage logs for the current trucks before taking any action. West also recommended the Chip/Seal Bid from Blevins Asphalt Construction Co. in the amount of \$609,786.00 (Option 2). Tod Moeller suggested doing the work ourselves. The Commission and Road Foremen discussed the maintenance on gravel roads. The Commission stated that they don't want to accept the Chip/Seal bid, they would rather do the work in-house. West informed the Commission that Bolton Carpet Cleaning will clean the carpets in the old District Court building by April 9th for \$694.40. The Commission agreed to get the carpets cleaned by Bolton Carpet Cleaning.

At 10:33 AM Jason Hightower 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 10:48 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, Attorney, and Shaun West attended the executive session.

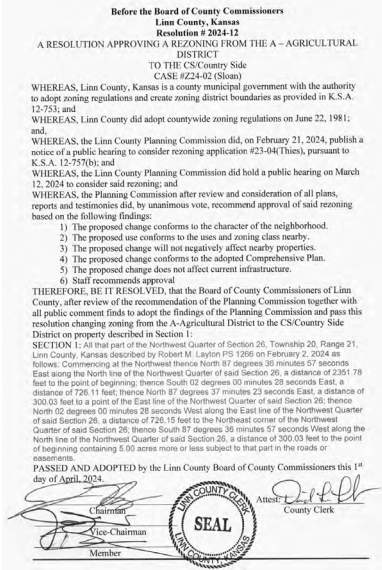
At 10:48 AM the executive session ended. As a result of the executive session, Jason Hightower moved to accept the resignation of Aurelia Carothers from the County Park with the understanding that she will stay until we find a replacement Cabin Cleaner. Jim Johnson seconded the motion. The motion passed 3-0. Also, as a result of the executive session, Jason Hightower moved to allow Shaun West to sign a Proclamation Document with KDOT for going out for bids on the Hell's Bend Bridge project. Danny McCullough seconded the motion. The motion passed 3-0. West then gave the Commission a Cost Summary by Location/Task for selected locations.

At 10:57 AM the Chair asked for public comment. None was given.

Darin Wilson presented Zoning Case #Z24-02 requested by Kenneth Sloan, to re-zone a property in Sec. 26, Twp. 20, Range 21, from A-Agricultural to CS-Country Side. The re-zoning case is recommended for approval by a unanimous vote of the Planning Commission 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 CS/Countryside 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.

After reviewing the findings, Jason Hightower moved to adopt the findings of the Planning Commission, approve Zoning Case #Z24-02, and adopt Resolution #2024-12. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-12:



Wilson then presented Conditional Use Permit Case #CUP24-01 requested by Mulberry Limestone for a rock quarry located in Sec. 30, Twp. 19, Range 25, in the A-Agricultural Zone. Case #CUP24-01 is recommended for approval by a 6-3 vote of the Planning Commission with the following findings:

- 1. The use does fit with the **character of the neighborhood** as all nearby properties are Agricultural and there is an existing Rock Quarry across the road.
- 2. The **zoning of nearby properties** are Agricultural and CountrySide.
- 3. The property is **suitable for proposed use**.
- 4. The proposed use (same as across the rd.) does not appear to **detrimentally affect nearby properties**.
- 5. Property will remain as **currently zoned** as Agricultural and has been vacant
- 6. With proper conditions the use will not detrimentally affect the **public health, safety, and welfare**, and would benefit the public by providing a boost to local economy.
- 7. The requested CUP **conforms to the Linn County Current Comprehensive Plan**.
- 8. **Planning and Zoning with a 6-3 vote recommends** approval of this CUP with recommendations and finding from Golden vs. the City of Overland Park.

And the following conditions:

- 1. Must comply with all state and federal regulations.
 - 2. Permits be kept on file with Linn County Planning and Zoning office.
 - 3. Hours of operation 7:00 am to 5:00 pm. Monday - Friday
 - 4. Heavy equipment “hours of operations” shall not include maintenance on equipment loading or unloading of equipment for transport, operations that occur indoors and operations necessitated by emergency situations.
 - 5. No storage of explosives
 - 6. Ingress and Egress to 2400 Rd.
 - 7. CUP permit to be renewed in 5 yrs.
- IN ADDITION**
Set truck routes. Road Maintenance Agreement set by BOCCC.
Dust abatement.
Berms and Buffers to be seeded with grass.
Pre-blast survey Cost incurred by Quarry Owner and done annually.
Entrance to be Concreted.

Zach Walker addressed the Commission concerning the proposed CUP for a rock quarry. Walker is a homeowner in the area. Walker presented a map of the area showing houses and businesses near the proposed quarry and showing those who signed a petition against the project. Stephanie Walker also spoke against the proposed CUP for a rock quarry. Tammy Blank spoke about the existing issues in the area due to the current quarries and other activities along the roads near the quarries, but she is in favor of the new quarry. Robert Suppenbach, City of Linn Valley, requested road and traffic studies on 2400 Road and Ullery Road. Lewis Donelson spoke about the heavy truck traffic on Ullery and 2400 Roads. Craig Gooden discussed the maintenance of the roads and stated that much of the traffic is from Linn Valley, not heavy trucks. Gooden is in favor of the rock quarry. Brad Stainbrook spoke in favor of the rock quarry.

At 11:36 AM Burton Harding left the meeting.

Jake Wade, property owner of the proposed rock quarry property, offered to use a 200-foot setback instead of the required 100-foot setback. Wade also offered to plant trees on the berm around the property. Wade showed a map of the area with his proposals for making the area look better. Wade discussed various other ways that the quarry and major contractors could help with the roads and other issues associated with the quarry. Wade also volunteered to take care of 100 feet of the road at the entrance to the quarry. Darin Wilson also informed the Commission that a Protest Petition has

been received concerning this CUP, so if the Commission wants to approve Case #CUP24-01, it will have to be by a unanimous vote. Danny McCullough stated that he doesn’t believe our findings are sufficient. Darin Wilson suggested tabling the CUP for a week so he can give more detail on the findings. Danny McCullough moved to table the decision on CUP #24-01 until next week. Jason Hightower seconded the motion. The motion passed 3-0.

Darin Wilson asked about the proposal for training for the Planning Commission. Jim Johnson moved to approve hiring Mr. Kaup for the training for approximately \$2,500.00. Danny McCullough seconded the motion. The motion passed 3-0.

At 12:21 PM Jason Hightower 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 12:36 PM. Danny McCullough seconded the motion. The motion passed 3-0. The Commission, Clerk, and Dustin Schuler attended the executive session.

At 12:32 PM Dustin Schuler left the executive session and Lisa Kellstadt entered.

At 12:36 PM the executive session ended. No action was taken as a result of the executive session.

At 12:37 PM 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 12:52 PM. Jason Hightower seconded the motion. The motion passed 2-0. The Commission, Clerk, and Lisa Kellstadt attended the executive session.

At 12:47 PM Lisa Kellstadt left the executive session and Dustin Schuler entered.

At 12:48 PM Dustin Schuler left the executive session.

At 12:52 PM the executive session ended. As a result of the executive session, Danny McCullough moved to hire Lisa Kellstadt to fill the remaining portion of the Appraiser term which expires on June 30, 2025, at a salary of \$78,146.00 per year (Range 17, Step R). Jason Hightower seconded the motion. The motion passed 3-0.

Jessica Hightower informed the Commission that the Economic Development Committee meets tomorrow, and the Airport Committee is meeting with City of Pleasanton on Apr. 4th. Danny McCullough moved to remove Rochelle Schreckhise from the Housing Committee and to add Kim Hargrove as a Dist. 2 member. Jason Hightower seconded the motion. The motion passed 3-0. Danny McCullough moved to approve Policy Letter #2024-01 concerning remote attendance at meetings. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Policy Letter #2024-01:

Policy Letter No. 2024-01

A POLICY ESTABLISHING GUIDELINES FOR THE USE OF REMOTE ATTENDANCE BY MEMBERS OF COUNTY BOARDS, COMMITTEES AND COMMISSIONS:

Whereas, it is the desire of the governing body of Linn County, Kansas, to encourage broad participation in the County's various boards, committees and commissions; and

Whereas, regular participation in the meetings and activities of such boards may, from time to time, be inconvenient or impossible for busy citizens; and

Whereas, technology has emerged that makes remote attendance at such meetings and events possible and practical; and

Whereas, the governing body of Linn County, Kansas, desires to establish guidelines to govern such participation in County boards, committees and commissions to encourage consistency, fairness and efficiency;

Now Therefore the following policy is established and ordered by the Governing Body of Linn County, Kansas:

- This Policy shall apply to all advisory boards, committees, and commissions of the County, including the County Commission.
- Members of any County board, committee or commission may attend any meeting of the board, committee or commission remotely, when adequate communication facilities are available.
- Members may attend by either of two communication media: a) by watching the meeting in streaming mode, when such mode is available; b) by participation by Zoom in a video and audio mode.
- Members desiring to attend remotely are responsible for notifying the appropriate responsible staff person or elected official in advance of intent to attend the meeting remotely and of the medium intended to be used. A minimum of 4 hours notice during business hours is required to provide ample opportunity for the staff person or elected official to assure that appropriate equipment is available.
- The responsible staff person or elected official shall coordinate with the remote attendee and the County IT department to facilitate the remote attendance.
- The Board Chair shall be responsible for running the Zoom Meeting, including the admission of remote attendees to the meeting.

- Remote participants may only join a meeting using direct county services, and may not be provided through another meeting participant or attendee.
- Members of any board, committee or commission attending remotely by phone, in an audio only mode, may be included in any executive session of the board, committee or commission on the following conditions:
 - The member's attendance in the executive session has been announced in advance in the open meeting.
 - The Member will connect to the executive session via the County's phone system equipment.
- Members participating remotely must be seen in the meeting room and on the live stream of the meeting.
- Members of any board, committee or commission who desire to vote in the meeting must be in attendance by way of Zoom audio and video mode. Members only observing by streaming or only participating by phone (audio only) may not vote in the meeting or be counted as present for the purpose of constituting a quorum.
- When this policy letter refers to "Zoom", it refers specifically to Zoom Communication or Zoom Meetings software and NOT to any similar platform provided by any other service.
- Notwithstanding any guideline in this Policy Letter, members who are unable to attend a meeting remotely due to any failure of equipment or software, or any other technical problem, shall have no recourse against the County or the responsible staff member or elected official. Remote attendance is to be deemed a privilege and a convenience, not in any sense a right of the member.


The Policy Letter is approved by the Linn County, Kansas, Commission this 15th day of April, 2024.

Jason Hightower, Chairman

Danny McCullough, Member

Jim Johnson, Member

Attest:
David Lamb, County Clerk



Shaun West recommended using our on-call engineer to develop the engineering design plan for the landfill building and roadway design. The Commission agreed to allow West to have the on-call engineer to work on the plan.

With nothing further on the agenda Jim Johnson moved to adjourn until 9:00 AM Monday, April 8, 2024. Jason Hightower seconded the motion. The motion passed 3-0.

Attest:

Commission Chair

County Clerk

April 8, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; David Lamb, County Clerk; and Burton Harding, County Attorney. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

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

Jim Johnson moved to approve the following pay, totaling \$665,030.43: General, \$214,950.67; Employee Benefits, \$230,023.59; Appraiser, \$12,905.27; Rural Fire, \$10,844.41; Road and Bridge, \$42,764.03; Equipment Reserve, \$9,366.80; County Health Dept., \$13,607.60; SPARK/ARPA Fund, \$314.00; Elderly, \$48,335.30; and Payroll Clearing, \$81,918.76. Jason Hightower seconded the motion. The motion passed 2-0.

Jason Hightower moved to approve add/abate/refund orders: #2023-289 and #2023-290. Jim Johnson seconded the motion. The motion passed 2-0.

The Clerk presented the Sheriff’s Monthly Fee Report. Jim Johnson moved to accept the Sheriff’s Monthly Fee Report for March 2024 in the amount of \$145,797.94. Jason Hightower seconded the motion. The motion passed 2-0.

The Commission reviewed the YTD Park Report for March 2024.

Jason Hightower moved to adopt Resolution #2024-14 appointing Lisa Kellstadt as the County Appraiser and to sign an Employment Agreement with County Appraiser Lisa Kellstadt. Jim Johnson seconded the motion. The motion passed 2-0. Following is a copy of Resolution #2024-24:



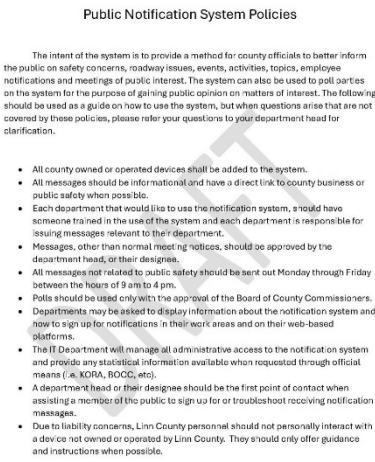
The Chair presented the prisoner count. There are currently 63 prisoners in-house including 46 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Dawn Brooks reported on AMR’s activities for the week.

Randy Hegwald reported on the fire calls for the week. Hegwald also asked the Commission about purchasing a used Tender. The Commission agreed to allow Hegwald to look into purchasing the truck.

Jessica Hightower reported on last week’s Economic Development Committee meeting and grants that were awarded. The following businesses will receive the Summer Youth Employment Grants for 2024: Coleman Hardware, Dreamscape Innovations, F&M Bank, Mound City Ag, Mound City Butcher Block, Peoples Telecom, Roberts Family Dental Care, Shalom Retreat Center, Stainbrook’s, and Truly Insurance. The alternates are Hines Family Farms and The Blu Flamingo. Hightower also reported on an Airport Committee Meeting last week with the City of Pleasanton.

Chris Martin discussed a proposed Public Notification System Policy. The Commission asked Martin to send a copy to Department Heads for their comments. Following is a copy of the proposed policy:



At 9:22 AM Jason Hightower 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 9:32 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission, Clerk, Attorney, and Chris Martin attended the executive session.

At 9:32 AM the executive session ended. No action was taken as a result of the executive session.

Shaun West presented several Land Leases for approval: Jason Hightower moved to approve and sign the Crop Land Lease at the Landfill with Dalton McGinnis in the amount of \$2,600.00 per year for two years. Jim Johnson seconded the motion. The motion passed 2-0. Jim Johnson moved to approve and sign the Hay Ground Lease at the Airport with Linda Conley in the amount of \$4,760.00 per year for two years. Jason Hightower seconded the motion. The motion passed 2-0. Jason Hightower moved to approve and sign the Hay Ground Lease at the La Cygne Industrial Park with Dalton McGinnis in the amount of \$815.00 per year for two years. Jim Johnson seconded the motion. The motion passed 2-0. Jim Johnson moved to approve and sign the Lawn Care Agreement with Scarecrow Farm Lawn Care in the amount of \$19,950.00 for one year. Jason Hightower seconded the motion. The motion passed 2-0. West discussed bridge inspections and maintenance and stated that there are grants available that could help with our bridge expenses. West asked the Commission about discussing developing a bridge priority plan with our on-call engineer. The Commission suggested asking the company that is doing the bridge inspections. West then discussed the cells at the landfill and the groundwater monitoring. Jason Hightower moved to approve the Supplemental Agreement on Groundwater Test Well Monitoring with Terracon Consultants in the amount of \$12,500.00. Jim Johnson seconded the motion. The motion passed 2-0. The Commission opened bids for Oil for Chip & Seal Projects. Bids received were: Wright Asphalt Products, CRSTR \$2.47 per gallon and CRS2P \$2.55 per gallon; Coastal Energy, MC-30 \$3.135 per gallon, EA-300 \$2.485 per gallon, and CRS-2P \$2.385 per gallon; Vance Brothers, MC30 \$3.24 per gallon, CRS2P \$2.33 per gallon, and EA300 \$2.62 per gallon. All three companies listed additional charges for other services such as demurrage, return freight, pumping, etc. Public Works will qualify the bids and make a recommendation. West discussed the Dock Project at County Park and stated that additional parts will be needed. The Commission will discuss that project when all Commissioners are present. West then discussed hiring the Don Wood Moving Company from Fort Scott to move the Appraiser and GIS Offices into the old District Court building. The moving company will charge \$1,600.00 per day and is insured. West estimates the move will take two days. The Commission agreed to allow West to contract with the Don Wood Moving Company for the project.

At 10:02 AM the Chair asked for public comment. None was given.

At 10:04 AM Jason Hightower 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 10:14 AM. Jim Johnson seconded the motion. The motion passed 2-0. The Commission and Clerk attended the executive session.

At 10:14 AM the executive session ended. No action was taken as a result of the executive session.

Nathan Fawson and Bryan Cook from the Southeast Kansas Mental Health Center addressed the Commission concerning their services and their collaboration with the Linn County Sheriff's Department on the following topics:

- Mobile Crisis Response
- Police Co-Responding
- Police Email Updates and Increased Community Outreach
- Increased Contact and Discharge Planning with patients at Osawatomie State Hospital
- Proposal to Increase Use of Outpatient Treatment Orders (OTO)
- Increased Treatment with Jail Residents.

Cook would like to add an additional staff member to handle issues in Linn County. Sheriff Friend stated that he supports these programs. County Attorney Burton Harding also stated that he supports the programs.

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, April 15, 2024. Jim Johnson seconded the motion. The motion passed 2-0.

Commission Chair

Attest:

County Clerk

April 15, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; David Lamb, County Clerk; and Burton Harding, County Attorney. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jason Hightower 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 \$178,576.25: General, \$77,240.19; Appraiser, \$742.96; Rural Fire, \$2,932.02; Road and Bridge, \$90,207.64; 911 Telephone Tax, \$3,581.42; County Health Dept., \$1,646.37; and Elderly, \$2,225.65, except for Check #154325 in the amount of \$2,825.00. Jason Hightower seconded the motion. The motion passed 2-1. Danny McCullough voted no.

Randy Hegwald reported on the fire calls for the week.

The Chair presented the prisoner count. There are currently 68 prisoners in-house including 48 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Dawn Brooks, AMR, reported on their activities for the past week.

Shaun West presented the County Park Hay Purchase Agreement with Cole Davis in the amount of \$4,140.00 per year for two years. Jason Hightower moved to approve the agreement as presented. Jim Johnson seconded the motion. The motion passed 3-0. West discussed dust control and some landowners self-applying dust control. The Commission agreed that the County should apply dust control to our roads, not the landowners. West then asked to hire Walter Hardy and Devin Rhodes as Seasonal Employees for mowing in the South Shop area. Jason Hightower moved to hire Hardy and Rhodes at an hourly wage of \$12.7415 (Range 3, Step D). Jim Johnson seconded the motion. The motion passed 3-0. West also informed the Commission that there will be additional cost on the Park Lagoon Project. The Commission agreed to move forward with the project.

Johnny Taylor presented information on purchasing a UTV for the Noxious Weed Dept. Taylor reviewed various price quotes and recommended purchasing a new Polaris Ranger from Jay Hatfield, Pittsburg, for \$14,998.00. Taylor also recommended purchasing a custom spray rig for \$3,531.69 and a trailer from Neal Manufacturing for \$2,850.00. Jim Johnson stated that he is not in favor of spending more money right now. The Commission asked for more information from Taylor before making a decision.

The Commission and West discussed a request from Mound City Township for grading and gravel hauling in Woodland Cemetery. Jason Hightower moved to approve the request for assistance. Jim Johnson seconded the motion. The motion passed 3-0.

The Clerk presented a corrected Resolution for the appointment of Lisa Kellstadt as County Appraiser. Danny McCullough moved to adopt Resolution #2024-15 as presented. Jim Johnson seconded the motion. The motion passed 3-0. Following is a copy of Resolution #2024-15:



Jason Hightower moved to remove Joab Ory from the Planning Commission and replace him with Butch Boley. The motion died for lack of a second.

At 9:58 AM the Chair asked for public comment. None was given.

Stephanie Walker addressed the Commission concerning the proposed CUP for a rock quarry.

Darin Wilson presented Conditional Use Permit Case #CUP24-01 that was tabled last week. Wilson presented the Findings of the Planning Commission, listed applicable Articles from the Zoning Regulations, and reviewed the Conditions approved by the Planning Commission. Wilson also informed the Commission that the CUP was recommended for approval by a 6-3 vote and stated that K.S.A. 19-2960 (c) states that regardless of a protest petition, a CUP for a mining operation only requires a majority vote of the Commission. After reviewing the findings and conditions, Jason Hightower moved to adopt the findings of the Planning Commission, approve Case #CUP24-01, and adopt Resolution #2024-13. The motion died for lack of a second. Jim Johnson stated that he would like to send it back to the Planning Commission. Jim Johnson moved to send the CUP back to the Planning Commission to review setbacks, vegetation screening, and berm requirements. Jason Hightower seconded the motion. The motion passed 3-0.

At 10:34 AM Jason Hightower 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 10:39 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission, Clerk, Darin Wilson, and County Attorney attended the executive session.

At 10:39 AM the executive session ended. No action was taken as a result of the executive session.

Jason Hightower moved to schedule a special meeting on April 22, 2024, from 6:00 PM to 9:00 PM at the Courthouse Annex to receive training from James Kaup concerning Planning & Zoning Regulations, with no action being taken at the Special Meeting. Danny McCullough seconded the motion. The motion passed 3-0. Following is a copy of the Notice of Special Meeting:



Danny McCullough stated that he would be in favor of canceling our agreement with the Southeast Kansas Regional Juvenile Center. We would need to give notice by July 1, 2024 in order to cancel the agreement effective January 1, 2025.

At 10:46 AM Jason Hightower 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 interview candidates for the County Counselor position. The open meeting will resume in the Commission Room at 11:16 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission and Burton Harding attended the executive session.

At 11:16 AM the executive session ended. No action was taken as a result of the executive session.

At 11:17 AM Jason Hightower 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 interview candidates for the County Counselor position. The open meeting will resume in the Commission Room at 11:47 AM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission and Conrad Miller attended the executive session.

At 11:47 AM the executive session ended. No action was taken as a result of the executive session.

At 11:47 AM Jason Hightower 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 interview candidates for the County Counselor position. The open meeting will resume in the Commission Room at 12:17 PM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission and Mark Hagen attended the executive session.

At 12:17 PM the executive session ended. No action was taken as a result of the executive session.

At 12:18 PM Jason Hightower 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 interview candidates for the County Counselor position. The open meeting will resume in the Commission Room at 12:28 PM. Jim Johnson seconded the motion. The motion passed 3-0. The Commission attended the executive session.

At 12:28 PM 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 22, 2024. Danny McCullough seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk

April 22, 2024

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. Present were Jason Hightower, Chair; Jim Johnson, Vice Chair; Danny McCullough, Member; and David Lamb, County Clerk. Jason Hightower led the Pledge of Allegiance. David Lamb opened the meeting with prayer.

Jason Hightower 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 pay, totaling \$659,921.55: General, \$325,118.32; Employee Benefits, \$159,027.76; Appraiser, \$13,181.82; Rural Fire, \$14,973.31; Road and Bridge, \$41,144.99; 911 Telephone Tax, \$115.67; County Health Dept., \$30,001.47; Elderly, \$2,304.00; and Payroll Clearing, \$74,054.21. Danny McCullough seconded the motion. The motion passed 3-0.

Jim Johnson moved to hire Mark Hagen as the County Counselor at a rate of \$175.00 per hour with no employee benefits, and to allow the Chair to sign Hagen's Employment Contract. Jason Hightower seconded the motion. The motion passed 3-0. Danny McCullough thanked Burton Harding for his assistance. Mark Hagen introduced himself to the audience.

The Chair presented the prisoner count. There are currently 59 prisoners in-house including 45 from other jurisdictions. There are no Linn County prisoners farmed out to other Counties.

Randy Hegwald reported on the fire calls for the week.

Dawn Brooks reported on AMR's activities for the week.

Jason Hightower moved to certify and sign the Direct Election Cost invoice in the amount of \$12,050.49 for reimbursement from the State of Kansas for the Presidential Preference Primary. Danny McCullough seconded the motion. The motion passed 3-0.

Janet Kleweno presented the Treasurer's Quarterly Interest Report. YTD Interest as of 3/31/24 is \$191,656.43. Last year's first quarter interest was \$37,570.79.

Kleweno then discussed an automatic door for the back door of the Courthouse to meet ADA requirements. There is also some concrete work that needs to be done around the entrance. Shaun West will work on getting a new quote for the door and will look at the needed concrete work.

Chris Martin discussed the new notification system. Jason Hightower moved to approve the policy for the system as it was previously presented. Jim Johnson seconded the motion. The motion passed 3-0.

Shaun West reported that one of our new seasonal mowers started work today. West discussed what it would take to reopen the Pleasanton Road Shop. West proposed having Tod Moeller as the supervisor in that shop with various employees, including grader operators, reporting directly to him. Jim Johnson stated that he would like to just have one Road and Bridge Foreman with other assistants reporting to that Foreman. Danny McCullough moved to transfer two of the grader operators to report to Tod Moeller in the Pleasanton Shop and to create a road maintenance district in that area in the PubWorks system. Jason Hightower seconded the motion. The motion passed 2-1. (Jim Johnson voted no.) West reported that he met with the Lake Region Solid Waste Authority last week to discuss Household Hazardous Waste. West also reported that Kaw Valley Engineering has sent a proposal for the Solid Waste project and would like to meet with the Commission to discuss.

West then presented bids for the asphalt project to complete Wall Street Road. Bids received were: Killough Construction, 5.5 miles, \$689,152.95; and Bettis Asphalt, 5.5 miles, \$607,695.00. West and Moeller will qualify the bids and make a recommendation.

West discussed online registration at the County Park and stated that he needs to check with Chris Martin about the project and compatibility with our software program. West also discussed the Park Lagoon project and stated that A-1 Pump & Jet is done with their portion of the project and that the local farmer is pleased with the outcome.

Johnny Taylor discussed the UTV pricing and presented additional trailer quotes and information from John Deere. Taylor also discussed lease/purchase options with John Deere. Jim Johnson stated that he would like to wait until the off-season for spraying and do more research. Johnny Taylor recommends purchasing either a Gator or Polaris for outright purchase but would prefer the Gator. Danny McCullough stated that he is in favor of buying John Deere outright with trailer & spray rig. After discussion, Danny McCullough moved to approve purchasing a John Deere Gator, a trailer from Big Tex Trailer World, and a custom spray rig from Fairbank Equipment, not to exceed \$37,000.00. Jason Hightower seconded the motion. The motion passed 2-1. (Jim Johnson voted no.)

Shaun West reported that Appraiser and GIS Offices have moved into the old District Court building. West also reported that there is a punch-list to finish building. West then reported that the new Transportation Bus should be delivered soon.

At 10:23 AM the Chair asked for public comment. None was given.

Darin Wilson reminded the Commission of the Planning & Zoning training tonight and stated that he needs a letter from the Commission concerning the Rock Quarry CUP.

At 10:25 AM Danny McCullough moved to recess from the Board of Commission meeting into executive session at 10:30 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 11:00 AM. Jason Hightower seconded the motion. The motion passed 3-0. The Commission, Clerk, Counselor, and Forrest Rhodes, Attorney from Foulston Siefkin attended the executive session. (Forrest Rhodes attended the executive session by phone.)

At 10:48 AM Forrest Rhodes left the executive session.

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

With nothing further on the agenda Jason Hightower moved to adjourn until 9:00 AM Monday, April 29, 2024. Danny McCullough seconded the motion. The motion passed 3-0.

Commission Chair

Attest:

County Clerk