

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Walt Regehr, Jr., Commissioner Dick Works, Commissioner Kent Thompson, and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Rob Francis, commissioner elect, were present to observe the meeting.

Commissioners corrected and approved the minutes of December 31, 2008.

Ron Holman, Allen County House and Grounds Director, discussed bids for lights in the county clerk's office, lights and ceiling tiles in the commission, conference and computer rooms. He requested bids from Day Construction, Home Detail and Superior Builders. Only one bid was submitted. Day Construction bid is for new ceiling tile and grid as used in the public works office for 20x16 commission room with 8 T5 two lamp lights, 12x32 computer room with 8 T5 two lamp lights, 20x12 conference room with 4 T5 two lamp lights and replace 16 lights in the clerk's office (no ceiling tiles) for a sum of \$8,900.00. Discussion followed. The plan would be to replace the lights in the clerk's office and computer room on Presidents Day, which is a county holiday, and then the other two offices as can be scheduled. Commissioner Works moved to accept the bid from Day Construction. Commissioner Thompson seconded, motion passed 3-0-0.

Gary McIntosh, commissioner elect, joined the meeting.

Bill King, Public Works Director, discussed issues on county roads.

Bill had presented bids for Hydraulic Excavator (track hoe) on December 16, 2008. Bids had been received from Martin Tractor for a 2009 CAT 315D for \$190,822.40 less \$18,000.00 trade allowance for a total \$172,822.40 with a 12 month or 1500 hour full machine, extended warranty for 60 months on power train and hydraulic would need to add \$4,750.00, with delivery 90 – 120 days; Berry Tractor for a 2009 KOMATSU PC 160 LC-7 for \$144,500.00 less \$37,500.00 trade allowance for a total of \$107,000.00 with a 12 month unlimited hours, with an optional premier warranty 5 year or 5,000 hours need to add \$6,000.00 with delivery 60 – 90 days. The county would be trading in a KOMATSU PC 150 LC-6, which was purchased new from Berry Tractor in 2000 for \$136,150.00. Commissioner Works moved to accept the bid from Berry Tractor with extended warranty and trade in. Commissioner Thompson seconded, motion passed 3-0-0.

Bill will be advertising for a track hoe operator and landfill position in the Iola Register. He stated one of the blade men operators will be retiring in July. Discussion followed.

Thomas R. Williams, Allen County Sheriff, reported on the project in the water heater room. Discussion followed.

Pam Beasley, Allen County EM Director, reported on the Allen County, Kansas Local Hazard Mitigation Plan. Pam stated the draft copy has been approved and ready for the next step. She received a letter providing the status of the plan: Local Jurisdiction is Allen County; Date Submitted December 5, 2008; Date Completed December 22, 2008; Plan Review Type DMA2K; Review Status Approved pending adoption with the date of final approval pending. Commissioners congratulated Pam on a job well done.

Commissioner Works moved to go into executive session for 5 minutes to discuss attorney client privilege. Commissioner Thompson seconded, motion passed 3-0-0. Those in the room will be Chairman Regehr, Commissioner Works, Commissioner Thompson, Thomas R. Williams, Allen County Sheriff, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:00 a.m. Commissioners reconvened at 10:05 a.m. No action was taken.

Alan reported his computer crashed and Advantage Computer is working on restoring it.

Commissioners discussed Neighborhood Revitalization with the City of Iola. Discussion followed. Alan stated the statutes are what guides the plan and allows the county treasurer to refund or not refund monies. Allen County has completely withdrawn from the City of Iola's Neighborhood Revitalization Plan as of January 1, 2009.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Thompson seconded, motion passed 3-0-0. Those in the room will be Chairman Regehr, Commissioner Works, Commissioner Thompson, Elaine Dugan, EMS Director, Terry Call, Assistant EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:15 a.m. Commissioners reconvened at 10:20 a.m. No action was taken.

Commissioners reviewed the annual reports of Iola Township and LaHarpe Volunteer Fire Department, which contracts with Fire District #2.

Commissioners discussed Elected and Appointed official's wages. Commissioner Regehr moved to approve a 3.5% increase for Elected and Appointed official's salaries effective January 1, 2009 excluding commissioners. Commissioner Thompson seconded, motion passed 3-0-0.

Bill Shirley, City of Iola Commissioner, thanked the Allen County Commission for a job well done.

Commissioners approved the following documents:

- a) Journal Entries #144-147
- b) Employee Vouchers
- c) Clerk's Vouchers Totaling- \$121,552.99

With no further business to come before the board, the meeting was adjourned until January 12, 2009 at 10:00 a.m. in the Commission room of the courthouse. This will be when the new commissioners are sworn into office and will hold a meeting after the swearing in.

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Walt Regehr, Jr., Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Kent Thompson, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      January 12, 2009**

The Allen County Board of Commissioners met in regular session at 10:00 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioner McIntosh moved to appoint Commissioner Works as chairman for 2009. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner McIntosh discussed the Allen County Hospital Advisory Board. Commissioners requested Sherrie to set up a tour of the hospital.

Commissioner Francis moved to reappoint Ken Gilpin, Tom Nevans and Neal Barclay to the Allen County Revolving Loan Committee. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Ed Miller to serve on the SEK Mental Health Board until December 31, 2010. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to reappoint Andy Dunlap and Commissioner Dick Works as his alternate to the Regional Planning Revolving Loan Committee. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Dr. Frank Porter, Joan Willis and Jean Barber to the Multi County Health Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Brenda Swanson to Resource, Conservation and Development Committee. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Anna Mae Works and Verna Devine to the Southeast Kansas Area Agency on Aging Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to appoint Commissioner Works to serve on the Local Emergency Planning Committee (LEPC). Commissioner Francis seconded, motion passed 3-0-0.

Commissioner McIntosh moved to reappoint Beverly Middleton to the SEK-AAA Advisory Council Members. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to appoint Commissioner Gary McIntosh and Bill King, alternate, to the Southeast Kansas Solid Waste Operating Authority and Operating Authority Board of Directors. Commissioner Works seconded, motion passed 3-0-0.

Commissioner McIntosh moved to reappoint Dick Works, to the Executive Committee of the Southeast Kansas Regional Planning Commission. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Ron Moore (Secretary) to serve as PBC Secretary with his term to expire in February 2011. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to name Iola Register as the Official County Newspaper for 2009. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner McIntosh moved to appoint Commissioner Francis to serve on the SEK Juvenile Detention Center Board. Commissioner Works seconded, motion passed 3-0-0.

Rodney Burns, Schlotterbeck and Burns requested a signed contract for the 2008 audit. He stated they have audited Allen County for several years. Discussion followed on what is included in the audit contract. The cost to the county will be \$13,300 plus expenses, which is \$400 more than 2007's audit. Commissioner McIntosh moved to accept the contract for 2008 audit. Commissioner Francis seconded, motion passed 3-0-0.

Rodney requested a contract to do the 2010 Budget at a cost of \$1,200. Commissioner Francis moved to accept the contract for 2010. Commissioner McIntosh seconded, motion passed 3-0-0.

Terry Call, EMS assistant Director, discussed the contract with the City of Iola on turning over the records of the accounts. He explained the problems with past billing issues with the insurance companies. Commissioners approved to talk with the city to work something out.

Bill King, Public Works Director, discussed the compactor at the landfill. He stated it has worn out and will need to be replaced in a few months.

Bill discussed the Allen County Regional Airport and the apron project. The Master Plan with an estimate of \$100,000 has to be completed before other grants will be approved. Discussion followed.

Bill discussed bridge projects scheduled within the county in the next five years.

Bill reported he needs to hire employees. He hopes to have names for next Tuesday's meeting.

Bill discussed the landfill expansion plan. He stated permits are in order.

Commissioner Works reviewed a grant requesting funding for the Elderly Van operating expense. Commissioner McIntosh moved to approve Chairman Works sign the grant requesting operating expenses. Commissioner Francis seconded, motion passed 3-0-0.

Michael Burnett and Eric Sanders, Allen County EMS, joined the meeting.

Commissioner McIntosh moved to go into executive session for 15 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Elaine Dugan, EMS Director, Terry Call, Assistant EMS Director, Nathan Cunningham, EMICT and Sherrie L. Riebel, Allen County Clerk. The time is now 10:55 a.m. Commissioners reconvened at 11:10 a.m. No action was taken.

Commissioner Francis moved to appoint Nathan Cunningham as interim director at the departure of Elaine Dugan for a period of six month or until another director is hired, at the wages he is currently making with Allen County. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to have Nathan go with Commissioner Francis to have discussions with the City of Iola. Commissioner Works seconded, motion passed 3-0-0.

Bob Johnson asked about the meetings with the City of Iola and Allen County whether or not it would be an open meeting. Discussion followed.

Alan Weber, Allen County Counselor, discussed the Neighborhood Revitalization with the City of Iola.

Alan discussed delinquent taxes owed by Stewart Manufacturing. Discussion followed on options for the county.

Alan discussed information requested by the Census. He stated they want to know if there are any homeless shelters in Allen County, Kansas. There is none.

Commissioner Francis moved to go into executive session for 5 minutes to discuss attorney client privilege. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:26 a.m. Commissioners reconvened at 11:31 a.m. No action was taken.

Commissioner Francis moved to approve Chairman Work's signature on the Treasurer's bonds for Osage Township, Deer Creek Township, and Geneva Township. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to let the Iola Senior Center have one of the old computers that was to go to auction. Commissioner McIntosh seconded, motion passed 3-0-0.

## **RESOLUTION NUMBER 200901**

**A RESOLUTION EXEMPTING ALLEN COUNTY, KANSAS FROM THE PROVISIONS OF K.S.A. 75-1117 (SUPP. 1978), 75-1120 (SUPP. 1982), 75-1121 (SUPP. 1988), AND 75-122 (SUPP. 1983) SO AS NOT TO REQUIRE ALLEN COUNTY, KANSAS TO MAINTAIN FIXED ASSET RECORDS AND OBSERVE FIXED ASSET ACCOUNTING PRACTICES.**

**BE IT RESOLVED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS:**

**WHEREAS**, Allen County, Kansas has determined that the financial statements and financial reports for the year ending December 31, 2009, to be prepared in conformity with the requirements of K.S.A. 75-1120(a) are not relevant to the requirements of the cash basis and

budget laws of this state and are of no significant value to Allen County, Kansas or the members of the general public of Allen County, Kansas; and

**WHEREAS**, there are no revenue bond ordinances or other ordinances or resolution of said municipality which require financial statements and financial reports to be prepared in conformity with said act for the year ending December 31, 2009;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Allen County, Kansas, in regular meeting duly assembled this 12th day of January, 2009, that the said Board of County Commissioners requests the Director of Accounts and Reports to waive the requirements of said law as they apply to Allen County, Kansas for the year ending December 31, 2009.

**BE IT FURTHER RESOLVED** that the said Board of County Commissioners shall cause its financial statements and financial reports of the said municipality to be prepared on the bases of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this state.

Commissioner McIntosh moved to adopt Resolution 200901. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners reviewed the annual Osage Township and LaHarpe/Elm Cemetery report.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$14,730.93
- b) Payroll Changes
- c) Journal Entries #147 for 2008
- d) Journal Entries #1-2 for 2009

With no further business to come before the board, the meeting was adjourned until January 20, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      January 20, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Nathan Cunningham, EMS Director, reported he has not heard anything back from the City of Iola concerning ambulance.

Chairman Works reviewed a Cereal Malt Beverage license request from Rhenda Whitworth on behalf of the Humboldt Speedway. Commissioner Francis moved to approve the Cereal Malt Beverage license from Humboldt Speedway. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill King, Public Works Director, discussed the State of Kansas cuts to Special City/County Highway funds. Discussion followed.

Bill reported there was a fire at the Allen County Landfill caused by a "HOT" load. He explained in detail what had happened. Discussion followed.

Bill reported on an incident at Monarch Cement Company involving a county bridge. Bill will have a bridge inspector come and inspect the bridge.

Bill requested to go into executive session to discuss non-elected personnel. Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Bill King, Public Works Director. The time is now 9:05 a.m. Commissioners reconvened at 9:15 a.m. No action was taken.

Commissioner Works requested a motion to hire two positions in Public Works department. Commissioner Francis so moved. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill discussed some road preparation for an upcoming project around the Savonburg area.

Bill reported on a call from the City of LaHarpe requesting aid on their roads.

Commissioners discussed the Homeland Security Board. Commissioner Francis moved to reappoint Sheriff Thomas R. Williams to serve on the SEK Regional Homeland Security Council for January 1, 2009 through December 31, 2010. Commissioner McIntosh seconded, motion passed 3-0-0. Sheriff Williams was actually appointed in 2008 to serve a three-year term.

Sandra Drake, Allen County Appraiser, presented bids for a colored copier and printer. Mark Henry, Copy Products, was present to speak about his bid. Bids were received from Modern Copy Systems for a Kyocera CS-2550 Digital Laser Color Copier, Network Printer Color Scanner with 25 copies or prints per minute in color or black and white, reversing automatic document feeder, unlimited duplex (automatic 2-sided copying), two universal 300 sheet paper tray, 50 sheets multi-purpose tray, 25% to 400 % reduction and enlargement, electronic & rotate sort, copier stand, 3 year or 150,000 copy warranty for \$2,695.00 plus \$500 fax option or Kyocera 2525E Digital Laser Copier, Network Printer with 25 copies or prints per minute, reversing automatic document feeder, unlimited duplex (automatic 2-sided copying), two universal 500 sheet paper tray, 100 sheets multi-purpose tray, Standard 40 GB Hard Drive, 25% to 400 % reduction and enlargement, electronic & rotate sort, copier stand, 3 year or 150,000 copy warranty for \$4,175.00 plus \$750 fax option or Kyocera FS-C5015N Digital Laser Copier, Network Printer with 17 Color prints per minute, 500 sheet paper tray, Standard 10/100 Base TX Network Interface, 100 sheets multi-purpose tray for \$495.00; Total Copy Systems of Kansas, Inc. for a Copy Star 2550 System with 2 - 300 sheet paper desk, electronic sort, RDF document feeder, toner, developer, sheet by-pass tray 100 sheets, Network print ready, Network FAX, scanner, includes full service maintenance for the first 12 months, agreement covers all equipment, parts, labor, preventative maintenance and service visit on copier excludes paper and toner with delivery and installation at no charge for \$3,682.00 or a E-Studio 220 CP, color laser printer, 4800 print quality, 128MB memory, toner set, 250 sheet tray includes full service Maintenance for first 12 months agreement covers all equipment, parts, labor, preventative maintenance, and service visit on printer excludes paper and toner, delivery and installation at no charge for \$398.00. Copy Products, Inc. bid was for a Toshiba E-Studio 233 (23 copies per minute), reversing automatic document feeder, unlimited automatic duplexing, 2 - 500 sheets paper cassettes, 1 - 100 sheet bypass tray, electronic rotate sorting, 80 Gig hard drive for E-filling (scan documents to copier hard drive, retrieve and print at any time, scan forms, letterheads, handbooks, etc.- 200 user boxes, 100 folders per box, 400 pages per folder), 15 Amp surge protector for \$3,099.00 plus fax option of \$595.00 or a Konica Minolta Bizhub 250 (25 copies per minute) reversing automatic document feeder, unlimited automatic duplexing, 2 - 550 sheets paper cassettes, 1 - 150 sheet bypass tray, electronic rotate sorting, Network print - PCL 5/6 & post script - standard, Network Scan - Standard, console & 15 Amp surge protector for \$3,408.00 plus fax option of \$529.00 and an E-Studio 220 CP Color Printer with 24 pages per

minute Black/22 pages per minute Color, 1 – 250 sheet paper cassette, Network print – PCL 6 & PostScript 3 – standard for \$580.00. Discussion followed. Commissioner Francis moved to accept the bid from Copy Products, Inc. for the Konica Minolta Bizhub 250 for \$3,408.00 plus fax option of \$529.00. Commissioner McIntosh seconded, motion passed 3-0-0.

Larry Tucker, City of Humboldt Administrator and Robert Sharp, City of Humboldt Mayor, discussed the Humboldt area ambulance service. He reported the City of Humboldt really appreciates the ambulance service in Humboldt and requested the continued presence of an ambulance in the City of Humboldt. Discussion followed on types of service available from the Allen County Ambulance.

Larry reported they would be having a meeting on Feb 23 to discuss and plan for projects within the City of Humboldt. He explained in detail what some of the ideas would be.

Larry reported the City of Humboldt is studying the possibility of recruiting a Director for Economic and Business Development for Humboldt, Allen and Neosho County. Because of Humboldt’s geographical location, they believe this position could be located at Humboldt to serve the county areas. Jana Taylor, Iola Area Chamber of Commerce, was present for discussion. Discussion followed. Although a formal job description has not yet been completed, some of the major job duties for this position could be as follows:

1. Promote new business development in Allen and Neosho County.
2. Counsel new and small business in areas of business planning, marketing, cash forecasting and accounting.
3. Provide resources for business development training through regional and local colleges.
4. Provide access to resources for business financing.
5. Report to local governing bodies periodically to updates progress.
6. Coordinate business development with area Chamber of Commerce and Job recruitment agencies.

Humboldt is also exploring the idea of hosting a business incubator site for the Director of Business Development and to provide space for those wanting to start a business. Business incubator programs are designed to provide support, counseling and resources to help small business become successful. Larry stated they do not believe this would be any duplication of effort, because the need is so great, other agencies are spread too thin and cannot give the effort needed to support developing Allen and Neosho County businesses. To start this program, the City of Humboldt is asking Allen County to provide funding to help cover the salary, benefits, clerical costs, office supplies and transportation expenses for the Economic Business Development director position.

The City of Humboldt would also provide similar in-kind funding plus provide local office space, access to computers, Internet, telephone and other office equipment. It is expected that to operate such a position, a budget of approximately \$78,000 would be needed the first year and \$93,000 the second. To fund the position, and assessment based upon the current tax valuation between the entities could be allotted as follows:

Agency	Assessed <u>2007 Valuation</u>	2009 <u>Assessment</u>	2010 <u>Assessment</u>
City of Humboldt	N/A	\$26,000	\$31,000
Allen County	\$84,632,201	\$23,823	\$28,405
Neosho County	<u>\$100,097,608</u>	<u>\$28,177</u>	<u>\$33,595</u>
	\$184,729,809	\$78,000	\$93,000

Larry presented several scenarios he feels would work for the area. Discussion followed on how the person would be supervised. Commissioner McIntosh stated he felt it would need to be a long time commitment if the plan were to work and that other cities within Allen County would need to be included. Larry stated he would like to see a 5-year plan. Commissioners will take his request under consideration.

Terry Beck, Midwest Insurance Technicians Vice President of Marketing Operations, gave a history of himself to the new commission. He explained he had a service to offer to the commission, which would help lower the cost of health insurance. He is a broker who would consolidate all the bid information to find the best option for the county. Mr. Beck explained the process and cost his company would provide would be \$10 per employee, which would include families. The company, to get lower costs uses a report called Healthy Data. Commissioners stated they would take this option under consideration.

Alan Weber, Allen County Counselor, reported on the Tax Foreclosure Sale.

Alan discussed the meeting at Fire District #3 last week. Discussion followed. Alan will touch base with the Fire Chief.

Commissioners reviewed the annual Elsmore Township financial report.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$286,350.67 signed 1/16/2009
- b) Payroll Changes
- c) Journal Entries # 3-5
- d) Abatements – PP Value 1095, \$162.42, Year 1994
- e) Abatements – PP Value 188, \$28.08, Year 1996
- f) Abatements – PP Value 188, \$26.08, Year 1997
- g) Abatements - PP Value 30145, \$4377.36. Year 2008
- h) Abatements – 16/20TK Value 108, \$12.06, Year 1998
- i) Abatements – RE Value 19101, \$2296.56, Year 2008

With no further business to come before the board, the meeting was adjourned until January 27, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

January 27, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the January 20, 2009 meeting.

Donald Doherty, HRH Insurance Employee Benefits Sales Executive, presented information to the commission. HRH (Hilb Rogal & Hobbs) is the third largest broker in the United States. Donald is from Fort Scott and his company is located there. The fees are the same no matter which health insurance company they use. Discussion followed. He presented and reviewed handout with information on how his company would benefit Allen County. Don reported HRH Insurance has merged with Willis Company about two months ago, so the name is now Willis HRH. Don discussed incentives to offer to the employees. The fees range depending on the groups choice of what is done usually between 2% & 5 % commission. Discussion followed.

Nathan Cunningham, EMS Director, initiated the talks with the City of Iola.

Nathan asked whether the county would be paying for the \$450.00 per first responder classes. Discussion followed on grants and first responder applicants. Commissioner Francis moved for



the county to pay for the first responder's class to those who pass the state exam. Commissioner McIntosh seconded, motion passed 3-0-0.

David Toland, Thrive Executive Director, discussed working in areas outside of the City of Iola. He explained how they are working with the City of Elsmore to set up a playground since the nearest playground is in the City of Savonburg. The City of Elsmore was the successful bidder in the amount of \$5,000 for the playground equipment at the Johnson County Community College. David presented pictures of the equipment. He is asking for Allen County's help to remove equipment and restore the playground at the college. Bill King, Public Works Director, stated this is an enormous job. The drive up with equipment would be a three hour drive both ways and the chances of tearing up the ground with the equipment. The equipment has to be removed by February 16, 2009. Jeremy Hopkins, Allen County Road Foreman, stated he would estimate two days to remove just the poles if all the equipment was already gone. Discussion followed on volunteers and professionals working on the removing and installation of the equipment. Concerns were stated and discussed.

Bill King, Public Works Director, and Mitch Garner, Allen County Regional Airport Manager, discussed the grant at the airport. Bill explained how the process has to work for the State Grant. He presented an example of how it has to be done, the project has to be done and sent within two weeks. Discussion followed on independent reviews since the project is estimated over \$100,000. Consultants that bid on the project are Allgeier-Martin, Burns & McDonnell, and BWR. HNTB sent no response. Discussion followed. Bill requested the commission fill out the rating chart and the Chairman of the Commission sign the same.

Commissioners discussed David Toland's request. Bill has projects already lined up that take priority. Commissioners discussed what other options could help out the City of Elsmore. Commissioners wanted to take under consideration for a week so that other options may be investigated.

Bill reported MSHA has set stricter restrictions for mine safety. They now have to have 24 hours for the first safety class instead of 8 hours as before. He explained how this would be affecting the services at the quarry.

Commissioner McIntosh discussed a letter from Jim Smith concerning the trash along the river. City of Humboldt takes care of the park at their river, but the City of Iola stated it isn't their issue. Discussion followed.

Thomas R. Williams, Allen County Sheriff, and Roy Smith, Master Deputy, discussed Homeland Security. Sheriff Williams discussed issues within the rooms themselves in the court area. Roy explained how inmates are brought over through a secure hallway; the girls in the court area are susceptible to the inmates, if they sometimes have to wait about 20 minutes. The idea would be to put a door in the last level before they get into a holding room. Discussion followed. There will be some policy changes with the inmates and their attorney. Sheriff Williams explained the current procedure and the changes requested. These changes will help the court area but not access to the public.

Pam Beasley, EM Director, and Sheriff Williams discussed Homeland Security. Sheriff Williams reported the state will be placing a matching grant for all Homeland Security. He explained the requirements and options. Sheriff requested the commission consider a line item in the 2010 Budget for Homeland Security. He doesn't like the idea of the region pooling monies. Discussion followed.

Pam requested Chairman Works sign a shared user agreement with the Kansas Department of Transportation. This would allow Allen County to operate their communications equipment on the State of Kansas' 800 MHz digital P25 radio communication system. Sheriff gave the new commissioners an update on the history of the radios and what, where and why. Allen County's cost would be around \$10,000 to \$12,000 for just the Sheriff's office. Commissioner Francis moved to authorize Chairman Works signature on the State of Kansas' 800 MHz digital P25 radio communication system user agreement. Commissioner seconded, motion passed 3-0-0.

Pam explained the C.E.R.T. (Community Emergency Response Team) for Allen County. She stated Allen County's LEPC committee is hosting this for Allen County. She is waiting on response from the State of Kansas.

Sherrie presented bids for redoing the Allen County website. Bids were received from Advantage Computer for \$3,110.00 which would include domain registration, design and training, set up fee and website hosting per month; Allen County Community College for \$1,085.00 which includes complete need analysis, including design and overall construction of site design and development, to be completed no later than 2 months after the agreement is made, complete maintenance of site for one year, including updates, the updates will be run twice a month on the 1<sup>st</sup> and on the 15<sup>th</sup> of every month, emails sent to Anna Catterson for changes made to website, maintenance will begin following the design and once the site has been uploaded, server and domain name, 60.00 per year and will begin once the site is live. Discussion followed. Commissioner McIntosh moved to approve the Allen County Community College to redo the Allen County website. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner McIntosh move to appoint Commissioner Francis to serve as ex-officio to the Iola Industries Board. Chairman Works seconded, motion passed 3-0-0.

Commissioners will be meeting in regular session on Monday, February 9, 2009 so that they may attend County Government Day at the Capital on February 10th, their regular meeting day.

Alan Weber, Allen County Counselor, reported he has been working diligently on the Tax Foreclosure Sale. Discussion followed.

Commissioners discussed Fire District #3 Board appointments with Alan. Commissioner Francis moved to appoint Kevin Covey to serve on the Fire District #3 Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Chairman Works discussed Treasurer's Bonds for Logan and Marmaton Townships. Commissioner Francis moved to approve the two treasurers bond. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners reviewed the annual township reports of Cottage Grove, Deer Creek, Humboldt, Geneva and Marmaton Townships

Rhonda Fernandez, Professional Insurance Consultant, introduced herself and business to the Allen County Commission. She discussed wellness and employee services. Rhonda explained what her company would do in consulting for Allen County. Discussion followed.

Commissioner Francis moved to approve Rhonda Fernandez to serve as consultant for Allen County for a fee of \$12,600.00 in lieu of commission. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 123,268.43
- b) Payroll Changes
- c) Abatements – PP Value 113, \$15.06, Year 2008
- d) Abatements – RE Value 14672, \$2634.72, Year 2008
- e) Added – PP Value 6326, \$975.42, Year 2008

With no further business to come before the board, the meeting was adjourned until February 3, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the January 27, 2009 meeting.

Ron Holman, Allen County House and Grounds, discussed the evergreens around the flowerbeds. He reported that Carla Nemecek, Allen County Extension Ag Agent, suggested the evergreens come out. Ron explained he is going to put a berm where the brick flowerbeds were and plant flowers for spring.

Ron requested an executive meeting to discuss non-elected personnel. Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Ron Holman, House and Grounds Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:46 a.m. Commissioners reconvened at 8:51 a.m. No action was taken.

Sherrie discussed Fire District #3 Board. No action was taken at this time.

Sherrie related Jennifer Conway requested to use the south half of the courtyard on July 10, 2009 to hold Relay for Life. Commissioners approved.

Sherrie discussed SEKRPC General Commission board. Mark Barnett, who has moved from the area, needs to be replaced on the board. Commissioners requested Sherrie contact the City of Moran for a nomination.

Commissioners appointed Commissioner Gary McIntosh to serve on the Resource, Conservation & Development Board in place of Brenda Swanson who had resigned from the board.

Chuck Richey, Allen County Citizen, joined the meeting to observe.

Bill King, Public Works Director, discussed hiring seasonal workers or not. He stated he would like to bring back one individual for the landfill. Discussion followed on what to cut back on or not. He said if he doesn't have bodies for the equipment it sets still. Options and different ways to solve the shortfall of monies from the State of Kansas on Special Highway funds were discussed.

Bill requested an executive meeting to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:12 a.m. Commissioners reconvened at 9:22 a.m. No action was taken.

Thomas R. Williams, Allen County Sheriff, stopped in to visit with the commission.

Commissioners discussed the request to move the City of Elsmore playground equipment, purchased from Johnson County Community College. They stated finishing the landfill is a higher priority.

Bill discussed recycling. He stated there is not any market at this time for some of the items.

Commissioner Works called the public hearing of a road vacation. Freddy Partida, SSCGP, Skyler Clark, Allen County resident, Judy Brigham, City of Iola Administrator, Cory Schinstock, City of Iola Assistant Administrator, were present for the Vacation Hearing of portions of 1300 & Nebraska Roads. Location published was Nebraska Road A/K/A Ewing Road and beginning

approximately 1375 feet North of the Southeast corner of the Southeast quarter of Section 34, Township 24, Range 18, in Iola Township, Allen County and on the west right of way of 1400 Street A/K/A State Street, thence West on line to its intersection with 1300 Street, thence South on 1300 Street to its end, approximately one quarter mile at Southwest corner of Southeast quarter of Section 34, Township 24, Range 18, in Iola Township, Allen County, Kansas. Proposed change to Nebraska Road A/K/A Ewing Road and beginning approximately 1375 feet North and 500 feet West of the Southeast corner of the Southeast quarter of Section 34, Township 24, Range 18, in Iola Township, Allen County and on the west right of way of abandoned railroad, thence West on line to its intersection with 1300 Street, thence South on 1300 Street to its end, approximately one quarter mile at Southwest corner of Southeast quarter of Section 34, Township 24, Range 18, in Iola Township, Allen County, Kansas.

Cory commented on holding off on the vacation until an egress and aggress easements are done. He would like to work with Sutherlands on the easements. Discussion followed on the gate that was installed and regulations on the type of gate. Freddy stated they have an agreement with Sutherlands to get back into the pipelines. Skyler stated he was interested in where the vacation would start. Commissioners recessed the hearing until February 17, 2009.

Alan discussed the Flood Plan and where the county is on getting ready to tear down the homes to be bought out by Allen County. Skyler Clark's home is one affected by the flood. Discussion followed.

Alan requested an executive session for attorney client. Commissioner Francis moved to go into executive session for 5 minutes to discuss Attorney Client Privilege. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Alan Weber, Allen County Counselor. The time is now 10:11 a.m. Commissioners reconvened at 10:16 a.m. No action was taken.

Chairman Works discussed Treasurer's Bond for Elm Township. Commissioner Francis moved to approve the treasurers bond. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to appoint Mike Miller to serve on the Fire District #3 Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Nathan Cunningham, EMS Director, reported the First Responders class started Monday evening. There were only three people in attendance last night but more are welcome.

Nathan reported on the grant for the building.

Nathan stated he sent a press release on Burn Awareness for this week.

Nathan reported he had met with the City of Iola Fire Department on hosting a state meeting next fall.

Commissioners reviewed the annual reports of Carlyle & Salem Township, City of Mildred and Fire District #4.

Commissioners reviewed the 2009 inventory for the Iola Senior Center.

Commissioners will not be meeting on Tuesday, February 10, 2009 but will be meeting on Monday, February 9, 2009 to conduct regular session.

Commissioner McIntosh moved to adjourn the meeting until 2:00 p.m. at the Allen County Hospital.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$179,983.56
- b) Payroll Changes
- c) Journal Entries #6-7

Commissioners reconvened the meeting at Allen County Hospital from 2:00 to 3:00 p.m.

With no further business to come before the board, the meeting was adjourned until February 9, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

February 9, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Commissioners corrected and approved the minutes of February 3, 2009 meeting.

Commissioners discussed items from the new commissioners meeting held last Thursday and Friday that Commissioners McIntosh and Francis attended.

Sherrie reported on some mechanical issues at the Moran Senior/Community Center.

Bill King, Public Works Director, Mitch Garner, Allen County Regional Airport Manager, and Glen Davison, P.E. Allgeier, Martin and Associates, Inc., discussed the Airport Master Plan Update, Airport Layout Plan and Independent Fee Estimate. The original estimate was made in 1986. Glen explained the history of the grant application process. He explained Allgeier, Martin and Associates, Inc. charges would be \$ 204,000.00. Federal grants pay 95%, County's share 5%. An independent fee estimate from QED is \$196,680.00. The grant has to be applied for by February 11, 2009. Allgeier, Martin and Associates, Inc. have been working with Allen County for years on the planning and are very familiar with the current layout. Glen stated 270 to 300 days is the estimated time line to complete the plan. Discussion followed on details on the process and the service Allgeier, Martin and Associates, Inc will provide. Allgeier, Martin and Associates, Inc will take inventory, make forecasts, look at facility requirements, look at airport alternatives, present a layout plan, and present a financial plan and final documentation. Commissioner Francis moved to file the application with FAA through Allgeier, Martin, and Associates on behalf of the Allen County Commission. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill discussed the danger of traffic ignoring signs and flagmen in the process of any roadwork. He was very passionate about the safety of his employees. Discussion followed on options.

Bill reported there will be visitors at the Allen County landfill on March 21 to view the gas system, which is used to heat the buildings. Discussion followed.

Commissioners discussed the Neighborhood Revitalization paybacks with Sharon K. Utley, Allen County Treasurer. Commissioners stated it was their understanding that Sharon cannot reimburse two landowners that were outside the City of Iola's Neighborhood Revitalization Plan. Commissioners requested Sharon get documentation to show that the law allows her to reimburse outside the plan.

Nathan Cunningham, EMS Director, requested to go into executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:02 a.m. Commissioners reconvened at 10:07 a.m. No action was taken.

Nathan discussed a First Responders Grant. We will not qualify for the grant until after May 2009. Discussion followed.

Nathan discussed the State Grant for the EMS building. He had visited with the State about requirements and qualifications.

Nathan reported on a tour of a building within the City of Iola. Discussion followed on pros and cons.

Alan Weber, Allen County Counselor, discussed a letter from the Trego County Commissioners concerning Juvenile Justice Authority. Discussion followed. No action was taken.

Alan reported the state flood representative is to visit with him tomorrow.

Commissioners reviewed the annual reports of Fire District #2 Allen County Rural Fire and Fire District #3.

Commissioner McIntosh moved to go into executive session for 30 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the session will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Terry Call, Assistant EMS Director, Kent Thompson, Thompson Realty and Francis Kinzle, Access Realty. The time is now 11:00 a.m. Commissioners reconvened at 11:30 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$24336.66
- b) Payroll Changes
- c) Journal Entries #9
- d) Abatements – Oil Value 1352, \$171.20, Year 1991
- e) Abatements – Oil Value 5705, \$647.38, Year 2006
- f) Abatements – Oil Value 4369, \$510.92, Year 2007
- g) Abatements – Oil Value 6417, \$811.20, Year 2008
- h) Abatements – Gas Value 49912, \$7139.06, Year 2008
- i) Abatements – PP Value 3870, \$593.18, Year 2008
- j) Abatements – RE Value 0, \$7.94, Year 1992
- k) Abatements – RE Value 0, \$6.44, Year 1993

With no further business to come before the board, the meeting was adjourned until February 17, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      February 17, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the February 9, 2009 meeting.

Ron Holman, Allen County House and Grounds Director, presented bids to replace cabinets and sink in the Appraiser's office. Bids were received Kitchens & More for \$3,785.99, Home Detail for \$5,188.30 and Day Construction for \$5,640.00. Discussion followed. Commissioner Francis moved to accept the bid from Kitchens & More for \$3,785.99. Commissioner McIntosh seconded, motion passed 3-0-0.

Ron reported 31 persons have applied for the job opening in his department.

Bill King, Public Works Director, discussed a sign at the Community Action Building on State Street. Discussion followed. Commissioners will go by and view sometime this week.

Bill presented maps on roads he would like to see closed or limited maintenance. Jason Schmidt, landowner, was present for the discussion. Discussion followed on problems of people going down these roads and tearing up farmer's fields. Commissioners will go view the roads before taking action.

Bill discussed cost of oil for 2009. Bids will be going out for this year's oil for chip and seal. Discussion followed.

Bill reported on work happening in his department throughout the county.

Sharon K. Utley, as county resident, requested an old sign "Chandler's". Commissioners stated it would go to county auction.

Sharon asked if Commissioner McIntosh has visited with Judy Brigham, City of Iola Administrator, about Neighborhood Revitalization. He reported research would be done.

Kathy McMurry, Mayor of Savonburg, Glen and Joann Wolfe and Jay Jackman, Savonburg citizens, discussed some issues with the Fire District #3 Board. A letter from Rhonda Wolfe concerning the board was read. Mayor McMurry stated there are things going wrong on the board. Discussion followed on other issues by the Wolfe's. Jay stated the chief should not be on the board. Each of the Savonburg residents agreed that the chief should not be on the board. Alan advised there should be by-laws for Fire District #3. It is on the agenda for February 28<sup>th</sup>. Discussion followed in great length.

Chairman Works moved to open the continued Road Vacation from February 3, 2009. No persons attending for or against. Commissioners reviewed Resolution 200902.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF ALLEN COUNTY, KANSAS, VACATION A CERTAIN SECTION OF  
COUNTY ROAD LOCATED WITHIN THE TOWNSHIP OF IOLA,  
ALLEN COUNTY, KANSAS  
RESOLUTION NUMBER 200902**

**WHEREAS**, the Board of County Commissioners of Allen County, Kansas has proposed to vacate a section of county road located on Nebraska Road A/K/A Ewing Road and beginning approximately 1375 feet North of the Southeast corner of the Southeast quarter of Section 34, Township 24, Range 18, in Iola Township, Allen County, pursuant to K.S.A. 68-102a.

**WHEREAS**, said county road is described as follows:  
Nebraska Road A/K/A Ewing Road and beginning approximately 1375 feet North and 500 feet West of the Southeast corner of the Southeast quarter of Section 34, Township 24, Range 18, in Iola Township, Allen County and on the west right of way of abandoned railroad, thence West on line to its intersection with 1300 Street, thence South on 1300 Street to its end, approximately one quarter mile at Southwest corner of Southeast quarter of Section 34, Township 24, Range 18, in Iola Township, Allen County, Kansas.

**WHEREAS**, notice of said proposed vacation has been given by the County Clerk as required by K.S.A. 68-102a.

**WHEREAS**, the Board has found and determined that said road is not a public utility by reason of non use and inconvenience and the necessity for said road as a public utility does not justify the expenditure of the necessary funds to keep the same in condition for public travel, and

**WHEREAS**, said vacation consists of less than two consecutive miles, as required by statute;

**BE IT, THEREFORE, RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS:**

1. That the section of county road between Section Thirty-four (34), Township Twenty-four (24), Range Eighteen (18), Iola Township, Allen County, Kansas, as more fully described above, be and the same is hereby vacated.
2. That the County Clerk cause a certified copy of this resolution to be filed and recorded in the office of the Register of Deeds of Allen County, Kansas.
3. That this resolution shall take effect and be in force from and after its passage by the Board.

**ADOPTED AND APPROVED** at this hearing on the 17th day of February 2009.

Commissioner McIntosh moved to approve the Resolution 200902 for the road vacation. Commissioner Francis seconded, motion passed 3-0-0.

Sherrie discussed long distance changes and charges.

Cheri Clark, President of Advantage Computer and Steve Prasko, Vice president Advantage Computer, were present to discuss the annual contract with the county. Cheri discussed the work and services provided by Advantage Computer. The contract is for \$1,200 per year; which the charges are \$70.00 per hour charge to the customer over the regular rate of \$95.00 per hour. Discussion followed. Commissioner Francis moved to authorize the chairman's signature on the contract. Commissioner McIntosh seconded, motion passed 3-0-0.

Nathan Cunningham, Allen County Emergency Medical Director, discussed personnel. Discussion followed on procedure for hiring.

Nathan reported on an accident at the Moran Ambulance Station on Friday while the crew were on a transfer. A person ran into the front of the station hitting a gas meter and damaging the front of the station. No one was hurt. The building has been fixed.

Nathan requested to go into executive session to discuss land acquisition. Commissioner McIntosh moved to go into executive session for 10 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:43 a.m. Commissioners reconvened at 10:53 a.m. No action was taken.

Alan Weber, Allen County Counselor, notified the Commission that the meeting for Fire District #3 would be March 10, 2009 not February 28 as previously noted.

Commissioners asked Alan to review the AT&T contract for long distance before next weeks meeting.

Alan reported on a meeting with Micky Davis, FEMA representative. Discussion followed on questions from landowners.

Thomas R. Williams, Allen County Sheriff, discussed road vacations and low maintenance roads.

Jerry Boyd, Capital Equipment Company, explained his boss wants to unload some 2008 equipment from inventory for a bargain. Discussion followed. No action was taken.



Nathan requested to go into executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, Emergency Medical Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:25 a.m. Commissioners reconvened at 11:30 a.m. No action was taken.

Commissioner Francis moved to authorize Nathan to hire the person of his choice. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners reviewed Logan Township's annual report.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$43,661.31
- b) Payroll Changes
- c) Abatements PP-Value 11558, \$1438.82, Year 2008
- d) Abatements TK-Value 209, \$12.00, Year 2008
- e) Abatements GAS-Value 21483, \$3008.80. Year 2008

With no further business to come before the board, the meeting was adjourned until February 24, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      February 24, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the February 17, 2009 meeting.

Ron Holman, Allen County House and Grounds Director, requested to go into executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Ron Holman, Allen County House and Grounds Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:48 a.m. Commissioners reconvened at 9:53 a.m. No action was taken.

Commissioner Francis moved to ratify Ron's decision to hire the highest scoring applicant. Commissioner McIntosh seconded, motion passed 3-0-0.

Ron presented color samples for cabinets and countertop in the appraiser's office. Commissioners decided to go with the popular vote for colors.

Chairman Works discussed a letter of support for a walking trail in and around the City of Humboldt. Commissioners approved the letter of support.

Bill King, Public Works Director, discussed a solid waste meeting coming up in Lindsborg, KS. Discussion followed on recycling and utilizing gases at the landfill.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Bill reported the green army surplus dump truck is no longer feasible to repair. He explained there are some projects coming up where he will need a dump truck. Discussion followed on options and jobs.

Bill discussed road and bridge projects and what grants might be available in 2009 and 2010. He discussed the stimulus package that will possibly be coming from the Federal Government.

Bill discussed information for the apron project at the Allen County Regional Airport. He mentioned security issues that will need to be looked at as the airport grows. Discussion followed.

Bill reported the MSHA (Mine Safety Health Association) training in the Assembly room would be held the next two days. He has invited the surrounding cities to send employees in need of the certification.

Bill discussed 911 Funds to replace county street signs. Discussion followed on different items that could be paid for out of 911. The topic of 911 brought on a discussion about county residents not having addresses on mailboxes or houses to find the correct place in county.

Bill discussed some of the roads to be considered for closing. The roads were mentioned in prior commission meetings.

Bill explained about dust abatement and the process. They will be taking bids on the chemicals before long.

Sheriff Williams reported on an incident in the Law Enforcement Center Monday. He stated Kathy Clark, Supervisor of Corrections, talked an inmate out of a serious situation.

Sheriff Williams discussed a grant project for this area from the Homeland Security.

Commissioners went out to the Veterans Wall to view the set up.

Sharon K. Utley, Allen County Treasurer, requested two new computers for her office so that she may run the new tax software. Discussion followed. Bids presented were from Advantage Computers for an AMD Athlon with XP Professional 2 GB memory 160 GB SATA hard drive, three year warranty, 2007 Office Basic/Excel for \$734.00 each for a total of \$1,866.00; Dell Computers a Vostro 220 mini tower with Windows, Vista/SP Professional 160 GB Serial ATA hard drive DDR@ memory, 1 year warranty for \$917.00 each for a total of \$1,834.00 or a Vostro 22 mini tower with windows Vista/SP Professional 160 GB Serial ATA Hard drive DDR2 Memory for 3 year warranty for each \$986.00 for a total of \$1,972.00, both Dell computers also include 2007 Office Basic. Commissioner Francis moved to approve the purchase of two computers from Advantage Computers. Commissioner McIntosh seconded, motion passed 3-0-0.

Sharon discussed the need for security cameras in the Treasurer's office. Sharon presented a bid from Advantage Computer for 3 cameras for \$1,765.00 with support and Wal-Mart for 4 cameras would be \$1,216.03 without support. Discussion followed. Commissioners requested Sharon to visit with the court and see who did their cameras.

Alfred Link, and Mike Byers, representatives for the veterans, discussed adding to the Veteran's Wall with two extra windows and to cement the ground within the semi circle and around outside to the current south sidewalk. Discussion followed on planning and scheduling.

Sharon K. Utley, Allen County Treasurer, requested to go into executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Sharon K. Utley, Allen County Treasurer, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:12 a.m. Commissioners reconvened at 10:22 a.m. No action was taken.

Nathan Cunningham, Allen County EMS Director, requested to go into executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for

15 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, Allen County EMS Director, Terry Call, Assistant EMS Director and Sherrie L. Riebel, Allen County Clerk. The time is now 10:26 a.m. Commissioners reconvened at 10:41 a.m. No action was taken.

Nathan reported the discussion with the City of Iola concerning the ambulance is on going and will be discussed at the City Commission meeting this afternoon.

Nathan discussed continuing education training. The cities will be invited to participate. Discussion followed.

Nathan Cunningham, Allen County EMS Director, requested to go into executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, Allen County EMS Director, Terry Call, Assistant EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:52 a.m. Commissioners reconvened at 10:57 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:58 a.m. Commissioners reconvened at 11:03 a.m. No action was taken.

Commissioners scheduled a special meeting for Wednesday, February 25, 2009 at 8:30 a.m. concerning the Ambulance.

Alan reported on the AT&T contract. He stated it looked fine. Commissioner Francis moved to approve the contract with AT&T for 5,000 minutes per month for \$175.00 with over block to cost \$0.042 per minute. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$189,468.93 for February 19, 2009
- b) Clerk's Vouchers Totaling \$55,885.43
- c) Payroll Changes
- d) Journal Entries #9-10
- e) Abatements PP-Value 432, \$70.02, Year 2007
- f) Abatements PP-Value 4386, \$676.28, Year 2008
- g) Abatements RE-Value 4051, \$545.32, Year 2008

With no further business to come before the board, the meeting was adjourned until February 25, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

February 25, 2009

The Allen County Board of Commissioners met in special session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Nathan Cunningham, Allen County EMS Director, explained that he and Commissioner Francis had met with the City of Iola Commission. Discussion followed. Nathan stated Mayor Maness had called and stated the City of Iola is interested in working out a solution. Commissioner McIntosh asked if the City of Iola is going to let the county run the ambulance service. Commissioner Francis stated yes, Mayor Maness had mentioned that in a phone conversation last evening the City of Iola is willing to let the county run the ambulance but there are some issues to be worked out.

Commissioner Francis requested to go ahead and accept the grant and find land in the City of Iola to build an Ambulance Station.

Commissioner McIntosh stated he would still like to see a contract in effect before buying land. Commissioner Francis stated the county would have to have a building regardless if the city runs their ambulance service or if the county runs the entire service. Discussion followed.

Alan Weber, Allen County Counselor, stated he would still like to see a letter of intent.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 8:41 a.m. Commissioners reconvened at 8:46 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 8:46 a.m. Commissioners reconvened at 8:56 a.m. No action was taken.

Commissioner McIntosh stated the county would be accepting the grant and look for land here in Iola contingent upon the City of Iola and Allen County working out a contract.

Chairman Works explained the commission would be looking at land in the City of Iola but not at the doctor's donated land. Discussion followed.

Bob Johnson, Iola Register, asked how soon the county and city would be coming to a contract. Nathan stated the goal is to be as soon as possible.

Bob asked what the county would be doing with the land purchased in the City of Gas. Several ideas were tossed around. No action was taken.

Commissioner Francis and Nathan will be setting up another meeting with the City of Iola.

With no further business to come before the board, the meeting was adjourned until March 3, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved minutes of the February 24<sup>th</sup> and February 25<sup>th</sup> meetings.

Ron Holman, Allen County House & Grounds Director, introduced his new employee Teena Solander.

Ron discussed contracting mowing. Commissioners asked Ron to contact Slife Mowing to see if their price will remain the same before making a decision.

Glenda Creason and Paul Sorenson, Iola Senior Citizen Center representatives, discussed projects for the center. Glenda presented a list which includes faucet repair (which is scheduled), park benches need to have cement under them (Glenda stated the concrete companies sometimes have extra they might donate), floor drain hole does not work, light fixtures were installed in 1969 (They had received bids from F & S Supply for \$2,967.00 to replace 30 drop in troffer fixtures or \$2,100 for 30 electronic ballast retrofits, which has a kit with four big #50 tubes for each fixture), replacing the tile in the front and back area (Bid estimate from Decorator Supply for around \$4,000.00). She explained the Community Involvement Task Force and Thrive Allen County had held a fundraiser for the Senior Center last summer and raised \$654.00 toward their lighting expenses. They have other needed repairs in the building, which includes the cabinets and counter top. They have volunteers scheduled to paint the walls of the back part of the building. She reported they have been approached by an organization that has shown interest in assisting the senior center with some repairs. They have only had one telephone conversation and are in the process of scheduling one or more meetings. Commissioners asked her to get more bids on the lighting. The commission will schedule a walk through at the Senior Center soon.

Sherrie stated Fred Taylor wants to establish a senior dance at the Humboldt Senior Center. The dance would be once a month, no alcohol or smoking; there would be a cover charge, which would be ½ to his band and ½ to the senior center. Discussion followed. Commissioner Works will visit with the senior center director. No action was taken at this time.

Bill King, Public Works Director, reported the crew is rebuilding five miles of road on Delaware Road south to 4400 St. between Alabama Road towards Elsmore down through Savonburg to the county line. This project is expected to last three weeks.

Bill presented two annual State Noxious Weed reports. Discussion and review followed. Commissioner McIntosh moved to approve the two reports to be presented to the state. Commissioner Francis seconded, motion passed 3-0-0.

Bill reported on happenings at the landfill. The new track hoe is in. Discussion followed.

Bill discussed handicap parking at the Senior Center on State Street. No action was taken at this time.

Sharon K. Utley, Allen County Treasurer, discussed security cameras. She received a bid for four cameras from Advantage Computer for \$2,290.00 and Lanco Inc. for \$2,487.00. Discussion followed. Commissioner Francis moved to approve the bid from Advantage Computer for three cameras with the option of purchasing the fourth camera if necessary to be paid half from Vehicle fund and half Treasurer's fund. Commissioner McIntosh seconded, motion passed 3-0-0.

Nathan Cunningham, Allen County EMS Director, discussed the First Responders Class.

Nathan stated the annual license renewal is coming up and can be handled on line.

Nathan stated the continuing education training is starting next week. He will be inviting surrounding area fire personal interested in attending.

Nathan requested to go into executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:33 a.m. Commissioners reconvened at 9:38 a.m. No action was taken.

Sandy Erbe, SEK Regional Planning, discussed land acquisition and a time line. She stated the first thing that needs to be done is a written agreement with the City of Iola one way or another. Discussion followed. Sandy stated the commission either needs to decide to go with the City of Iola or not. The second is to have an environmental study done if the land is somewhere other than the land in Gas. She explained in detail what all that would involve.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, Allen County EMS Director, Sandy Erbe, SEK Regional Planning, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:47 a.m. Commissioners reconvened at 9:57 a.m. No action was taken.

Sandy asked the commission if they were going to go ahead with the project whether or not it involved the City of Iola. Commissioners stated yes, they would be going ahead with the project.

Rhonda Fernandez, Professional Insurance Consultants, discussed current annual cost and projected costs. She discussed HRA options. Rhonda covered several items and explained them. She presented information for the commissioners to review for a week. Rhonda will be back next week.

Thomas R. Williams, Allen County Sheriff, Alan Weber, Allen County Counselor, Sherrie L. Riebel, Allen County Clerk, Bill King, Public Works Director, Sharon K. Utley, Allen County Treasurer, Cara Barkdoll, Register of Deeds, Sandra Drake, Allen County Appraiser, Jerry Hathaway, Allen County Attorney, attended the commission meeting for discussion on starting wages and job duties. Discussion followed on job description, benefits.

Sharon asked about Neighborhood Revitalization and the City of Iola, concerning paying out monies that are not in the plan. Sandra stated that the ones in question would not even be qualified for this year's tax anyway. Alan will advise after reviewing.

Terry Call, Assistant EMS Director, discussed receipting money for the City of Iola. He will continue to receipt monies coming to Allen County EMS until all the City of Iola runs are collected.

Alan reported on Fire District #3 meeting. They worked on the by laws for Fire District #3. Discussion followed. After the March 10th meeting, they will nominate two individuals to serve on the board.

Alan reported the Tax Foreclosure Sale should be on schedule for August 2009.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$41,043.86
- b) Payroll Changes
- c) Journal Entries #11-13

With no further business to come before the board, the meeting was adjourned until March 10, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

March 6, 2009

The Allen County Board of Commissioners met for the purpose of canvassing the March 3, 2009 primary election at 8:00 a.m. with Chairperson Dick Works, Commissioner Robert A. Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, County Clerk. Commissioner Gary G. McIntosh was absent for the canvass.

Commissioners reviewed the election and found no discrepancies. Therefore, results were finalized. With no further business to come before the board, the meeting was adjourned until March 10, 2009 at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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absent  
Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

March 10, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the March 3, 2009 meeting and March 6, 2009 election canvas.

Ron Holman, Allen County House and Grounds Director, asked the commissioners for a decision for the backsplash in the Appraiser's office break room. Commissioners made a decision and approved for Ron to purchase.

Ron reported he had found some items that had hung in the courthouse at one time and asked what to do with them. Discussion followed. Commissioners suggested giving them to the Historical Society if they want them.

Ron discussed the flowerbeds in front of the courthouse. Commissioners requested to put a berm with flowers where the brick planters were taken out.

Joyce Heismeyer, Allen County Hospital Administrator, Delma Rourk, Alan Weber, Allen County Counselor, discussed a donation to the Allen County Hospital.

#### **AGREEMENT FOR ACQUISITION AND USE OF MEDICAL EQUIPMENT**

This agreement is made and entered into on the 10th day of March, 2009, by Delma Rourk, Trustee of the Delores M. Johnson Revocable Living Trust, herein referred to as **Trustee**, The Board of County Commissioners of Allen County, Kansas, herein referred to as **County** and Midwest Division-ACH, LLC d/b/a Allen County Hospital, herein referred to as **Hospital**.

WHEREAS, Trustee holds funds in the approximate amount of **Three Hundred Thousand Dollars (\$300,000.00)** which, by the terms of the Delores M. Johnson trust, are to be used to purchase equipment, supplies, construction costs and other necessities for Allen County Hospital; and

WHEREAS, the parties hereto all agree that said funds should be paid to County for the purpose of purchasing certain **digital imaging equipment and related expenses**, herein referred to as **Equipment** which will be owned by County but located at and used by Hospital at its Allen County location in perpetuity.

NOW THEREFORE, the parties agree as follows:

## **SECTION ONE**

### **TRANSFER OF FUNDS**

Upon execution of this agreement by all parties, Trustee will transfer the approximate amount of **Three Hundred Thousand Dollars (\$300,000.00)** from the Delores M. Johnson Revocable Living Trust to County.

## **SECTION TWO ACQUISITION OF EQUIPMENT**

Upon receipt of the funds provided above, County will exercise reasonable diligence and will work with Hospital to obtain the necessary Equipment as provided herein. County may use the entire amount of the funds in purchasing said Equipment and may seek matching grant funds if any become available. County shall have final decision-making authority in making the purchase contemplated herein after consulting with Hospital.

## **SECTION THREE USE OF EQUIPMENT**

The Equipment shall, at all times, remain the property of County but will be used and maintained by Hospital at Hospital's expense. Said Equipment shall not be governed by the terms and conditions of that certain **LEASE AGREEMENT** dated Jun 1, 2006 between Allen County Kansas, The Hospital Board of the Allen County Hospital and Midwest Division-ACH, LLC d/b/a Allen County Hospital and will not be considered any part of the leased property listed therein nor subject to appraisal in the event of termination of said Lease Agreement.

## **SECTION FOUR ALTERATIONS AND IMPROVEMENTS**

Hospital shall not make alterations to the Equipment without the prior written consent of County. All alterations, changes and improvements made to the Equipment by Hospital shall, unless otherwise provided by written agreement between Hospital and County, be the property of County and remain with the Equipment in the event Hospital ceases leasing or managing the Allen County Hospital in Iola.

## **SECTION FIVE INSURANCE AND LIABILITY**

Hospital shall maintain liability and casualty insurance on the Equipment and agrees to indemnify and hold County harmless from any and all claims, demands, costs or judgments arising out of Hospital's operation and use of the Equipment.

## **SECTION SIX MAINTENANCE AND REPAIR**

Hospital will, at its expense, keep and maintain the Equipment in good condition and repair while hospital has use of said Equipment.

## **SECTION SEVEN RIGHT OF INSPECTION**

County shall have the right at all reasonable times during Hospital's use of said Equipment to inspect said Equipment. Provided, however, County shall not have access to any confidential records or data stored thereon.



**SECTION EIGHT  
RETURN OF EQUIPMENT**

At such time as Hospital ceases to use said Equipment or ceases to lease or manage the Allen County Hospital in Iola, Hospital shall surrender the Equipment to County or its designee in good and operable condition reasonable use and wear excepted.

**SECTION NINE  
NOTICES**

Any notices required hereunder may be mailed by regular first class mail or certified mail addressed to the parties as follows:

County: Board of County Commissioners  
Allen County Courthouse  
1 N. Washington  
Iola, KS 66749

Hospital: Midwest Division-ACH, LLC  
d/b/a Allen County Hospital  
903 E. 104<sup>th</sup> St., 5<sup>th</sup> Floor  
Kansas City, MO 64131

**SECTION TEN  
DEFAULT**

If any default is made by Hospital or County in the performance of or compliance with any term or condition hereof, then this Agreement may be terminated at the option of the non-defaulting party. Before this Agreement is terminated hereunder, the defaulting party shall be given 30 days written notice of the nature of any default or breach alleged. Termination of this lease shall not occur if, within 30 days after receipt of said notice, the defaulting has corrected the default.

**SECTION SIXTEEN  
BINDING EFFECT**

The covenants and conditions herein contained shall apply to the parties hereto and shall bind their heirs, legal representatives and assigns.

**IN WITNESS WHEREOF**, the parties have executed this Agreement the day and year first above written.

**County:** The Board of County Commissioners of Allen  
County, Kansas

Alan explained what all would be entailed. Joyce explained this would be for digital films instead of the old actual films, which cannot be submitted by email. She mentioned the buyer and equipment has already been picked. Life expectancy of the equipment was discussed. Delma told the commission about Delores M. Johnson. Alan explained the process of accepting the donation. Commissioner Francis moved to accept the donation and for the Chair to sign. Commissioner McIntosh seconded, motion passed 3-0-0. Joyce will submit the bill for the equipment when purchased for the county to pay.

Bill King, Allen County Public Works Director, reported The Association of County Commissioners & Highway Officials of Southeast Kansas would be held Thursday, April 30, 2009 at the KDOT Office Complex in Chanute, Kansas. Commissioners and Bill are planning on attending.

Bill presented a letter from City of Moran thanking Bill for allowing them to attend the Mine Safety class held in Iola. They stated it was one of the best they had ever attended.

Bill mentioned a radial stacker collapsed to the ground yesterday. He has replaced the belt and the crusher is up and running until the other belt can be fixed. Discussion followed.

Bill reported the dirt work on the new cell at the landfill is still in progress but has come to a stop with the rain we received last night.

Bill reported on the roadwork around Elsmore. The roads are closed and some are taking advantage and taking a short cut through a farmer's field. Discussion followed.

Bill discussed a request for the reclaimer. He stated it already has a full schedule this year.

Bill reported due to other ongoing projects the road grading is limited.

Don Hillbrant, citizen, stated years ago he was asked to help with the courtyard. He stated he is on the tree broad. Don goes to every band concert and he sees parents letting their children hanging on the trees. He will either go on with the project or not. Don has projects around town and gets nothing from it. Discussion followed. Commissioners stated that Don could still work with Ron.

Nathan Cunningham, Allen County Emergency Medical Services Director, reported they are half way through the annual inspection. Nathan reported Michael Burnett has gotten his paramedic certification.

Loren Korte, Personal Service Insurance, reviewed the property and causality insurance for Allen County. The new total is \$202,480 compared to \$223,197 from 2008. Discussion followed on each section of the insurance: Property, liability, crime, in land marine, auto, work comp, linebacker, and a new law enforcement line item was listed and reviewed. Commissioner Francis moved to accept PSI as carrier for 2009. Commissioner McIntosh seconded, motion passed 3-0-0.

Chuck Richey, citizen, discussed buying land for an ambulance station. Discussion followed.

Dan Onnen, City of Humboldt Police Chief, and Larry Tucker, City of Humboldt Administrator, discussed the dispatch center in the City of Humboldt. Dan discussed the investigation of 2008 and asked for help and support from the commission to get the City of Iola to provide 911 dispatches for emergencies. The City of Iola wants monies to do this. They are having meetings. Currently Humboldt officers have to carry a cell phone after hours to receive emergency calls. Discussion followed on the history of dispatch in the City of Humboldt. The City of Iola dispatches for all the rest of Allen County. Different options and suggestions followed. Phone calls currently not going through the dispatch center are not logged calls, dispatch center calls are logged. Allen County Dispatch will be changing in the near future. Commissioners will visit with the City of Iola.

Sheriff Williams stated the discussion on 911 is that it should be a separate board not ran by the City of Iola or by Allen County.

Larry stated the City of Humboldt is purchasing Emprise Bank as soon as they finish their new bank. Sheriff stated the bank has a wonderful basement for an EOC.

Thomas R. Williams, Allen County Sheriff, Pam Beasley, Emergency Manager Director, and Angela Murphy, Administrative Assistant to the Sheriff, presented information on an Offender Watch Program, which the Sheriff Williams will have attached to his website. Discussion followed. Sheriff Williams reported on all the services this website will provide. He stated Angela Murphy is the person who takes care of the process manually now. Angela showed some tips offered on the site and information people should know about the site.

Sheriff Williams discussed some costs to the new water heating system. He stated the system needs a water softener.

Rhonda Fernandez, Professional Insurance Consultants, reviewed the proposed health insurance changes. The two companies are BMI and Blue Cross Blue Shield. Discussion followed on health, eye and dental options. Commissioners discussed self-funding.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Rhonda Fernandez, PIC, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:50 a.m. Commissioners reconvened at 11:55 a.m. No action was taken.

Commissioner McIntosh moved to authorize Sherrie L. Riebel, Allen County Clerk, sign the documents for release for insurance information. Commissioner Francis seconded, motion passed 3-0-0.

Alan Weber, Allen County Counselor, requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss attorney-client. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 12:05 a.m. Commissioners reconvened at 12:10 a.m. No action was taken.

Alan reported tax foreclosure sale summons have been sent by certified mail so the tax foreclosure sale is proceeding.

Commissioners discussed a request from Angela Henry, Administrative Director for Safe Base. She requested a letter of support. Commissioner McIntosh moved to send a letter of support for Unified School District 257's application to the Health Care Foundation of Greater Kansas City for continuation of the district's after-school program, Safe Base. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to appoint James Cole to serve on the SEK Regional Planning Commission. Commissioner Works seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$121,018.26
- b) Payroll Changes
- c) Journal Entries #14

With no further business to come before the board, the meeting was adjourned until March 17, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

March 17, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk. Chairperson Dick Works was absent.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the March 10, 2009 meeting.

Commissioner Francis discussed letters from Alan Weber and Valerie McNutt which state Gary Beggs and Chad Starliper were nominated for board members to Fire District #3. Commissioner

Francis moved to appoint Gary Beggs and Chad Starliper to serve on the board for Fire District #3. Commissioner McIntosh seconded, motion passed 3-0-0.

Ron Holman, Allen County House and Grounds Director, and Carla Nemecek, Allen County Extension Agent, discussed the design of the proposed flowerbed. Commissioners went to view the layout and approved the design.

Chuck Richey discussed the ambulance service. He stated Allen County should only have one ambulance service, not Allen County and the City of Iola. Discussion followed. Commissioner Francis stated all he could say is to “trust them”. Chuck stated he has heard from a good resource that the City of Iola wants to have a satellite fire station. He is concerned the County would be paying for the fire station to get an ambulance station. Discussion followed.

Bill King, Public Works Director, discussed rebuilt roads and heavy trucks. The trucks have to have an origin or destination in Allen County to run the county roads. A complaint was submitted on Nelson Quarry trucks running on the road for short cuts. Discussion followed.

Bill reported the Elsmore road project is about complete. Discussion followed.

Bill discussed helping the local cities with projects. He stated there are several projects that the county needs to do and/or finish before they can help the cities. They need to line up projects with Bill if they need help from his department. He stated he is limited on pea rock this year. He can work on projects for maybe one day but not at a week at a time. His crew, when working, costs about \$500 dollars an hour with wage and equipment. Discussion followed on budget cuts and expectations.

Bill stated it is to wet too continue on the landfill project. Discussion followed on weather and what is projected for next week.

Rhonda Fernandez, Personal Insurance Consultant, discussed the projected insurance costs and companies. Alan Weber, Allen County Counselor, was present for the discussion. A lengthy discussion followed on Blue Cross Blue Shield and American National on self-funded or not, pros and cons. Rhonda called for more information. Commissioner McIntosh stated he could not go with anyone other than BCBS. Commissioner Francis liked the BMI flexibility. No action was taken at the time.

Bill McAdam, Allen County resident, discussed an accident at the Moran Ambulance Station. He stated he had reported it to the persons insurance, which is Allstate Insurance. Discussion followed.

Bill McAdam discussed local personnel, who were let go. He feels they should not have been terminated.

Bill McAdam presented taxes on property he owns. He has visited with Sandra Drake, Allen County Appraiser already. His concern is the high taxes on undeveloped land. Discussion followed.

Nathan Cunningham, Allen County EMS Director, discussed training for the EMS department. Discussion followed on the training program.

Nathan requested an executive session. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 2-0-0. Those in the room will be Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:55 a.m. Commissioners reconvened at 11:00 a.m. No action was taken.

Alan requested an executive session. Commissioner McIntosh moved to go into executive session for 10 minutes to discuss legal counsel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:03 a.m. Commissioners reconvened at 11:13 a.m. No action was taken.

Nathan stated there is nothing new to report on the grant. Discussion followed.

Commissioners reviewed the West Cottage Grove Cemetery annual report.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$489,075.59 signed on 3/19/2009
- b) Payroll Changes
- c) Journal Entries #

With no further business to come before the board, the meeting was adjourned until March 24, 2009, at 8:30 a.m. in the Commission room of the courthouse.

\_\_\_\_\_ absent \_\_\_\_\_  
Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

March 24, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the March 17, 2009 meeting.

Becky Nilges, Sesquicentennial Committee Chair, requested use of the courtyard, bandstand and courthouse for several Sesquicentennial events for 2009: April 11 – Iola Public Library Story Time, May 2 – Dandelion Day, May 23 – Iola High School Reunion & Homecoming, July 4 – Charlie Melvin's Mad Bomber Run for Your Life Fun Run, September 7 – Labor Day on the Square. Becky stated they are not necessarily requesting the courthouse be open for each event but would like it if it were approved. Commissioners approved to use the bandstand, courthouse and courtyard but to work with Ron when she needs the courthouse open.

Commissioners discussed life insurance from KPERS. Sherrie will check on it.

Ron Holman, Allen County House and Grounds Director, presented bids for the south panel window on the south court entrance. Bids were from Iola Glass Company for \$327.40 and Glass Depot for \$414.34. Commissioner Francis moved to approve the bid from Iola Glass Company. Commissioner McIntosh seconded, motion passed 3-0-0.

Ron presented bids for lighting in the Treasurer's office & vault, Clerk's vault, Register of Deeds office & vault. Bids were received from Hoffmeier Electric LLC for \$4,732.00; Stout Electric for \$5,680.00 and K-K Electric, Inc for \$5,450.00. Commissioner Francis moved to approve the bid from Hoffmeier Electric LLC. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill King, Public Works Director, reported employee Hal Wray passed away last evening.

Bill had requested proposals for the Allen County Regional Airport apron project; now the commission has to select a consultant. Discussion followed. Commissioners reviewed Allgeier Martin & Associates qualifications. Commissioners filled out the necessary forms.

Bill reported the flight school is struggling but so are the rest of the flight schools in other locations. Discussion followed on economy and times.

Bill requested to go into executive session to discuss non-elected personnel. Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:09 a.m. Commissioners reconvened at 9:19 a.m. No action was taken.

Bill discussed oil costs. He has gotten bids; they will be attached to the vouchers.

Chuck Richey joined the meeting.

Nathan Cunningham, Allen County EMS Director, reported on a discussion with the State of Kansas concerning the grant. The deadline for awarding the construction contract is July 1, 2009.

Commissioners discussed land at the Allen County Community College for the ambulance station. Discussion followed on pros and cons of the proposed property.

Nathan reported the annual inspections of the ambulances are complete. There have been some improvements made. Nathan will be sending the report to state.

Nathan reported from the first quarter the emergency runs are up and so are the dry runs, the transfers have been down.

Nathan requested an executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:46 a.m. Commissioners reconvened at 9:51 a.m. No action was taken.

Commissioner Francis moved to approve Nathan hire one full time position and one part time position. Commissioner McIntosh seconded, motion passed 3-0-0.

Allen County Commission will meet in special session Wednesday, March 25, 2009 at 8:30 a.m.

Tim Cunningham, Tri-Valley Executive Director, requested commissioners pass a resolution on developmental disabilities. He explained the resolution. Tim stated if HB2094 were to pass then they would not need to come back to the counties to fund them. Commissioners reviewed the resolution. Tim will email the resolution to the commission.

Glenda Creason and Paul Sorenson, Iola Senior Center representatives, presented bids for lighting. Bids were received from Hoffmeier Electric LLC for \$1,582.00; F&S Supply Company Inc. for \$2,868.10 for option 1 or \$2,030.00 for option 2; Gary Stout for \$2,675.00. Discussion followed on clarification of the bids: to replace the lighting or just the ballasts and lights. Commissioners requested Glenda to check with Gary Hoffmeier on just changing out the ballast and guarantee the ballast for 5 years and lights for 3 years. Commissioner Francis moved to approve the bid from Hoffmeier. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan Weber, Allen County Counselor, discussed the community block grant flood buy out. Discussion followed. Eight are eligible and two have already signed. Alan explained the request from Sandy Erbe, Southeast Kansas Regional Planning Commission, to sign the CDBG procurement policies. Alan had reviewed the policies and stated they were okay to sign. Commissioner Francis moved to authorize the chairman's signature on the policies. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan discussed the 911 Committee meeting.

Rhonda Fernandez, Professional Insurance Consultants, David Dillon, Blue Cross Blue Shield (BCBS) Representative, and Dennis Call, Benefit Management, Inc. (BMI) President, were present to discuss health insurance.

David Dillon discussed options BCBS for April 1, 2009 to March 31, 2010. He explained BCBS is the only company in Kansas that pays back a dividend. David covered benefits and the structure of the insurance. He compared BCBS line by line to BMI. David's recommendation is to stay with the current BCBS plan.

Dennis Call explained the history of BMI. Dennis covered the benefits and how Allen County could structure any type of plan they so choose. American National is the carrier company BMI uses. Flexibility is a huge benefit for companies. Dennis explained out of network coverage and how that works.

Commissioners discussed the pros and cons on both BCBS and BMI with Rhonda. Discussion followed on self-funded or not. Rhonda stated the self-funded should not be a one-year deal; it should be planned at least for the next 3 to 5 years. Commissioner Works moved to approve Benefit Management, Inc for county employee health coverage at a cost of \$690,000 per year. Commissioner Francis seconded, motion passed 2-1-0. Commissioner McIntosh voted against the proposal.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$412,507.42
- b) Payroll Changes

With no further business to come before the board, the meeting was adjourned until March 25, 2009, at 8:30 a.m. in the Commission room of the courthouse for a special meeting.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

March 25, 2009

The Allen County Board of Commissioners met in a special session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk, for the purpose of discussing the ambulance grant and insurance.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners reviewed the amendment to the Allen County Handbook.

**AMENDMENT TO ALLEN COUNTY, KANSAS  
PERSONNEL POLICIES & GUIDELINES  
(Health Care)**

**F-9 Health Care Program** Subparagraph (a) is amended to read as follows:

- (a) All full-time employees shall become members of the county's group health care insurance program after a **90 day** waiting period which commences with the initial date of employment. All Part-time or seasonal employees with at

least 90 days of service who become full-time employees shall become members of the county's group health care insurance as of the date of change in employment status. The group health care insurance coverage so provided shall begin on the first day of the first month after completing the 90 day waiting period or after a change of employment status as provided above.

Commissioner Francis moved to adopt the amended personnel policy to be effective April 1, 2009 with those currently on the 30-day waiting period to be grandfathered in. Commissioner McIntosh seconded, motion passed 3-0-0.

Nathan Cunningham, Allen County EMS Director, and Judy Brigham, City of Iola Administrator, discussed ambulance. Judy stated the City of Iola administration would be standing ready to assist and will support Mayor Maness position towards the ambulance but because it happened in executive session she could only give brief information. The letter of intent was not signed yesterday at the City of Iola commission. In a conversation with Mayor Bill Maness it was acknowledged the commission's intent is to let the city attorney review the letter of intent before taking action.

Ron Conaway, City of Iola Ambulance Director, joined the meeting. Commissioner Francis explained he would like Nathan and Ron to explain the direction of where the City of Iola and Allen County Ambulance Services could be headed together. Nathan explained they are looking at working the ambulance and fire together. Judy stated she would think that it would encompass not only the City of Iola and Allen County but also the other cities within the county. The framework would be set up to run as a board for grievance procedures and such. Commissioner Francis stated he felt the relationship is growing between the City and County. He stated there are concerns that the City of Iola employees have on the proposed consolidation. Commissioner Francis explained the long-term desire is to build a strong and lasting relationship. Ron was asked if he had any objections to the area of land at the college in which the proposed ambulance station would be built.

Bill Shirley, City of Iola Commissioner, joined the meeting. Commissioner Francis stated there is still a lot to be worked out but there is a time restraint on the state grant and actual building of the ambulance station. Bob Johnson asked if it was a fair assumption that the building could possibly be an ambulance station with a satellite fire station. It was stated yes, in the future. Commissioner Works stated first things need to be first, approval from the Allen County Community College to have the land, engineering and soil samples could be worked on, and then should have the letter of intent signed to proceed with the actual building. Nathan stated the original plan for the ambulance station would be to remain the same structure and just move the location.

Sharon Utley, Allen County Treasurer, requested commissioners' signatures for the accounts at Great Southern Bank, formerly Team Bank.

With no further business to come before the board, the meeting was adjourned until March 31, 2009 at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY CLERK

March 30, 2009

The Allen County Board of Commissioners met in special session at 4:00 p.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis, Alan Weber, Allen County Counselor, Nathan Cunningham, Allen County EMS Director, and Sherrie L. Riebel, County Clerk.



Bob Johnson, Iola Register representative, and Mike Russell, KIKS representative, was present to observe the meeting.

Bill Maness, City of Iola Mayor, Bill Shirley, City of Iola Commission, Craig Abbott, City of Iola Commission, Judy Brigham, City of Iola Administrator, Roxanne Hutton, City of Iola Clerk, Chuck Apt, City of Iola Attorney, presented a letter of intent to the Allen County Commission.

Commissioner Francis stated he wanted to thank Mayor Maness, Judy Brigham and Ron Conaway for their supported effort to work with Nathan and himself in meetings. Mayor Maness stated he is encouraged by the intent.

Commissioner McIntosh stated he is odd man out on where the suggested location is. A map was presented as a visual as to where the proposal is or should be. Commissioner Francis stated he appreciated the effort to just work together. Mayor Maness stated the same.

Commissioner McIntosh stated there should be individuals attending organizational groups to answer community questions. Mayor Maness stated there are still questions we need to get answered.

Mayor Maness moved to sign the letter of intent to the Allen County Commission. Commissioner Shirley seconded, motion passed 3-0-0. City of Iola signed the letter of intent.

### **City of Iola Letter of Intent**

The City of Iola by virtue to this letter of intent wishes to express its continuing support of the efforts of the county to provide the best possible emergency services to the citizens of Allen County.

The city will continue to cooperate in those efforts by any means that are feasible, with the understanding and belief that the coordinated operations of the county and the City of Iola are the best way to achieve that goal. The county has determined that an EMS Center provides the greater opportunity to obtain that objective.

The City of Iola fully supports the efforts of the county to construct and equip a centralized EMS Center to better serve the citizens of Allen County. The city recognizes the need to obtain funding from state, and therefore fully endorses the efforts of the county to obtain such funding and agrees to cooperate in all efforts to cooperate in all efforts to secure those funds to assist in the realization of a centralized facility.

By virtue of this letter, it is the City of Iola's intent to express its unequivocal support of the county to construct and equip a centralized EMS facility, with the willingness of the city to continue to cooperate and collaborate with the county to provide the best possible services for the citizens of Allen County. Mayor Bill Maness, Commissioner William Shirley and Commissioner Craig M. Abbott signed the letter of intent.

Allen County Commissioners accepted the letter of intent.

City of Iola Commissioners adjourned their meeting. Allen County Commissioners adjourned.

With no further business to come before the board, the meeting was adjourned until March 31, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Chuck Richey, Allen County resident, were present to observe the meeting.

Commissioners corrected and approved the minutes of the March 17, 24, 25 & 30, 2009 meetings.

Sherrie reported Beth Toland had called to see who the commission has appointed to replace Kent Thompson on the Allen County Emergency Food and Shelter Committee. Commissioners will check on a representative.

Glenda Creason, Iola Senior Center representative, reported that the roof is still leaking at the Senior Center on North Jefferson. Sherrie will check with Boren Roofing.

Glenda also thanked the Commission for the new lights at the senior center.

Sherrie presented information from the state on the Service to the Elderly van parking. Discussion followed. Commissioners will consider another option.

Sunny Shreve, Thrive representative, requested permission to put a banner at the southwest corner of the courtyard through the weekend encouraging people to sign up for the Allen County Melt Down. Commissioners approved.

Sunny requested electric outside in the courtyard.

Bud Sifers, Allen County citizen, requested permission to have a Tea Party on April 15, 2009 at the bandstand at noon. The Tea Party would be to listen and voice opinions on taxes. Commissioners approved.

Thomas R. Williams, Allen County Sheriff, reported he was having Alan Weber, Allen County Counselor, research banning ATV's from public roadways. Discussion followed. No action was taken at this time.

Pam Beasley, Emergency Management, discussed what had occurred on the weekend. She reported they had set up an emergency station. Only one individual actually used the shelter. Pam got supplies from Red Cross and took the supplies to the City of Moran. Discussion followed.

Phil Collins, Scottwood Industries Inc. Regional Sales Manager, stopped in to let the commission know if they need anything he is available.

Nathan Cunningham, Allen County EMS Director, joined the meeting.

Andy Prosser, President of Prosser/Wilbert Construction, Inc. and Paul B. Wagner, and Mark Clayton, Prosser/Wilbert Construction, Inc., and Thomas R. Nolte, Nolte & Associates, P.A. Principal/Architect, discussed projects in the area. Prosser/Wilbert Construction, Inc stated they are a commercial general contractor, specializing in general contracting, design-build and construction management, committed to cost, schedule and quality control. They are dedicated to customers; they have repeat and referral clients, and have an experienced, professional staff. Nolte & Associates, P.A. Principal/Architect does the design work.

Andy explained the design-build method. The owner places project responsibility and control with a team consisting of the architect and design builder: Single source responsibility, faster design drawings and construction starts, guaranteed total cost before construction begins, more flexibility for changes and alterations and earlier occupancy. Several project pictures were presented as visuals and discussed. The community center in the City of Humboldt for USD #258 was one of their projects.

Andy continued to explain the pre-construction phase services: Estimating and budgeting, scheduling, value engineering, constructability reviews and bidding and awarding.

Thomas explained a site design and building he was responsible for designing. Discussion followed on issues he had addressed at the time.

Andy discussed several items to consider in regards to construction building. They use local contractors to do some of the subcontracting of the projects. Paul reported their team would be happy to work for Allen County and utilize the subcontractors they have been working with on other area projects. Andy discussed the construction phase services, on site, full time superintendent, cost control, schedule updates, shop drawings, materials and samples, quality control, safety program, jobsite meetings and documentations. He gave a brief history of his growing up.

Bill Shirley, City of Iola Commissioner, joined the meeting.

Commissioners discussed deadlines for the current state grant Allen County had received previously.

Nathan reported he has discussed with Sandy Erbe, SEK Regional Planning Commission Grant Administrator, concerning geological survey of the land at the Allen County Community College. Discussion followed on whether the site would be still under consideration since the letter of intent received from the City of Iola. Discussion followed on the issue that it was not the same intent letter that had been discussed at the meetings with Rob Francis, Allen County Commissioner, Nathan Cunningham, EMS Director, Bill Maness, City of Iola Mayor, Judy Brigham, City of Iola Administrator and Ron Conaway, City of Iola EMS Director.

Commissioners discussed whether a geological survey could be done on the college site without a commitment. Nathan stated John Masterson, ACCC President, did not see a problem with doing the survey. A discussion on the college's site and concerns of residents in the area followed. The Allen County Community College will be meeting next on April 9, 2009 unless they have 48 hours notice to have a special meeting. Commissioner Shirley stated for the City of Iola and Allen County to work together would be to the benefit to the residents of Allen County. Commissioner Francis stated he has only lived in the area for three years and he doesn't know how long it took for the distrust between the City and County to fester. Commissioner McIntosh stated he would not want to spend \$3,000 if the college does not intend to release the land to the county. Nathan will arrange a geological study for the college land contingent on the college's approval. Nathan will get on the ACCC Board agenda. Alan will check on the zoning.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:24 a.m. Commissioners reconvened at 10:29 a.m. No action was taken.

Commissioner McIntosh moved to schedule a personnel grievance hearing on April 21, 2009. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:32 a.m. Commissioners reconvened at 10:42 a.m. No action was taken.

Alan updated the commissioners on Fire District #2 representative from Deer Creek Township.

Alan reported the time has expired to make changes and sometime before September 2009 the commission will have to do a resolution adopting the new flood maps. Discussion followed on what all the maps include.

Alan discussed the ATV's and regulations. He is reviewing statutes to see what regulations the county can take action on.

Alan discussed bonds and IRB's designed around economic development.

Commissioners asked if Alan would like to serve on the Allen County Emergency Shelter Board. Alan stated he didn't think Allen County had to have a representative. Commissioner Francis serves as President of the Ministerial Alliance so he cannot serve as Allen County representative. Commissioners will visit with Beth Toland to see if there are any requirements as to who serves on the board before making an appointment.

Sheriff Williams discussed the intent of the commission if they are to provide "Meals on Wheels". Commissioner Works stated he would not foresee any changes as long as the state continues the funding. Discussion followed. No action was taken.

Bill King, Public Works Director, had provided spreadsheets for commission review.

**MAG CHLORIDE PROPOSALS**  
**March 25, 2009**

Company	Mag Chloride Cost	Remarks
Scotwood Industries, Inc. Overland Park, KS	\$ 0.84 gal. delivered & applied	Includes 2 hrs. of spraying time. Demurrage rate of \$65.00 per hour.
Envirotech Greeley, CO	<b>NO BID</b>	

Bids opened at 1:00 p.m. in Director of Public Works Office.  
Present were Sherrie Riebel, County Clerk and Bill King, Director of Public Works.

Last year Mag Chloride cost was \$0.81 per gallon with 2 hour free then \$60.00 per hour.

Cost charged to residents was \$1.20 per foot.  
Suggested rate to residents \$1.23 per foot.

**Noxious Weed Chemicals**  
**March 25, 2009**

Company	Glyphosate	Tordon 22K	Escort	Plateau	Remedy	Sahara DG	2, 4-D LVEster	2,4-D Amine
<b>Vegetation Management Supply</b>	\$30.70 gal	no bid	\$8.00 oz	\$194.50 gal	no bid	\$9.10 lb	\$15.10 gal	\$11.48 gal
	<b>Remarks: Price good for 30 days.</b>							
<b>Crop Production Services (CPS)</b>	\$21.50 gal	\$90.45 gal	\$6.85 oz	\$196.50 gal	\$66.45 gal	\$9.25 lb	\$14.85 gal	\$11.45 gal
<b>Van Diest Supply Company</b>	\$28.88 gal	\$97.27 gal	\$6.67 oz	\$187.77 gal	\$75.15 gal	\$8.77 lb	\$15.28 gal	\$11.74 gal

Proposals opened at 1 p.m. March 25, 2009 in the Director of Public Works office. Present were Sherrie Riebel, County Clerk, and Bill King, Public Works Director.

**Suggest we go with CPS. (Formally UAP-Timberland)**

**Last year's**

Company	Glyphosate	Tordon 22K	Escort	Plateau	Remedy	Sahara DG	2, 4-D LVEster	2,4-D Amine
Vegetation Management Supply	\$0.00 gal	\$82.85 gal	\$7.60 oz	\$240.95 gal	82.01 gal	\$8.30 lb	\$13.75 gal	\$10.60 gal

**Remarks: Prices good for 30 days, freight paid on order of \$2000 or more.**

Commissioner Francis moved to accept the recommendations by Bill King on both bids. Commissioner McIntosh seconded, motion passed 3-0-0.

Sandra Drake, Allen County Appraiser, informed the commissioners that valuation notices are going out April 1, 2009. Ag land has gone down, real estate went up; ratios on real estate are at 90% and should still be at 100%. Discussion followed.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$176147.92
- b) Payroll Changes
- c) Journal Entries #16-17

With no further business to come before the board, the meeting was adjourned until April 7, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      April 7, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Chuck Richey, Allen County resident, were present to observe the meeting.

Commissioners corrected and approved the minutes of the March 31, 2009 meeting.

Sherrie reported on the Iola Senior Center ceiling leakage. Glenda Creason had reported Anderson Plumbing had stopped by the center and she had them check to see if it was plumbing. They stated it was not pipes but the roof. Sherrie called to have Boren's Roofing check the roof.

Jack Stanley, Iola Middle School Principal, requested the use of the bandstand on May 14, 2009 to hold a concert. Commissioner Francis moved to approve the use of the bandstand by the Iola Middle School. Commissioner McIntosh seconded. No discussion, motion passed 3-0-0.

Jason Schmidt, Nelson Quarry employee, requested a road be closed on behalf of the owner. Commissioners will start the process for road closing once he brings in a written request from the landowner.

Jason also spoke about building the ambulance station on Kentucky Street. He stated he was concerned that it would not only disturb the residential neighborhood but also lower his property value.

Bill King, Public Works Director, Mitch Garner, Allen County Regional Airport Manager, Glen R. Davidson, Allgeier, Martin and Associates, Inc. Senior Vice President and P.E., discussed the projected airport apron project. Glen explained the next step, is a preliminary agreement, which has to be sent to FFA for review to make sure all follow the procurement procedures for the apron project. Commissioners discussed cost and the difference from projected costs. Discussion followed on drainage and elements affecting this project. The only way Allen County would be able to participate would be a 95/5% cost. This project would be scheduled for sometime in 2010 for engineering/design and 2013 for construction if monies were available.

Glen discussed the master plan update for the Allen County Regional Airport. He stated FFA would like the Aviation Project Consultant Agreement (Federal Assistance) be submitted as soon as possible. He explained he has the agreement with him today that needs to be signed. The grant for the master plan is \$204,971.39 of which 95% is grant funded and 5% is Allen County funded. Questions and answers on what the plan consists of followed. Glen left the agreement for review and signatures.

David Toland, Thrive Executive Director, requested a bobcat with a posthole digger to dig holes for the playground equipment in Savonburg on April 25, 2009. Allen County does not have a posthole digger.

David reported 375 signed up for Allen County Meltdown. He would like to put up a sign to track weight loss for Allen County on the southwest corner of the square until the end of July. Commissioners approved.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:25 a.m. Commissioners reconvened at 9:35 a.m. No action was taken.

Bill reported he would be bringing up the 5 Year Plan for the state before long. He explained the process.

Bill stated he would not be hiring seasonal employees for mowing until finances are better, or until commissioners request it.

Commissioners received a letter from Mary Tucker, 31<sup>st</sup> Judicial District Community Corrections Juvenile Justice Administration Director, stating Judge Saxton's term will expire on May 5, 2009. Judge Saxon is willing to serve another two-year term. Commissioner Francis moved to reappoint Judge Tom Saxton to the 31<sup>st</sup> Judicial District Community and Juvenile Corrections Advisory Board. Commissioner McIntosh seconded, motion passed 3-0-0. Judge Saxton's term will run for from May 5, 2009 to May 5, 2011.

Rhonda Fernandez, Personal Insurance Consultants, requested signatures on the projection of costs 1) funding level at \$690,000.24, 2) max level at \$725,275.08; the commission had set the funding at \$690,000.24. Discussion followed on run out claims and costs at the end of each year. Commissioner Francis moved to authorize Chairman Works' signature on the forms. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the forms.

Commissioner Francis moved to authorize Chairman Works' signature on the premium conversion form. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the premium conversion forms.

Rhonda discussed a 10% commission that BMI will be receiving; Dennis Call stated he would like to share 5% with PIC. Rhonda needs Allen County commission's approval. Discussion followed. Commissioner McIntosh moved to approve the 5% commission from BMI. Commissioner Francis seconded, motion passed 3-0-0 Rhonda stated she would have Dennis Call, BMI, take the set up fee out of her 5% commission. 0-0.

Commissioners reviewed the agreement for consulting services with PIC. Alan Weber, Allen County Counselor has reviewed and stated it was corrected. Commissioner Francis moved to authorize Chairman Works' signature on PIC's agreement. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the agreement.

Rhonda reviewed the process of review between PIC and BMI to get Allen County's feedback. Discussion followed on federal and state procedures and mandates.

Alan discussed the Emergency Food and Shelter Board (EFS Board). Alan stated he would be able to serve on this board if the commission so chooses. The board only meets four times a year. Commissioner Francis moved to approve Alan Weber to serve as Allen County's representative on the EFS Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:46 a.m. Commissioners reconvened at 10:51 a.m. No action was taken.

Nathan Cunningham, Allen County Emergency Medical Services Director, reported Allen County ambulances' licenses have been granted and received.

Nathan discussed the grant and a visit with the grant administrator. The recommendation has been highly suggested to turn the grant back to the state since the time is cutting short; to re-file in the fall for another grant. No guarantee that a grant would be awarded. Discussion followed.

Commissioner Francis and Nathan stated their hope is to have something finalized with the City of Iola and Allen County concerning ambulance. Discussion followed on whether or not Gas would be still in the picture for a building site with the grant monies. It was stated at this time the current grant might be gone.

Nathan presented a job description for Ambulance Director. Commissioners reviewed and discussion followed.

Nathan discussed some plans for training the First Responders within Allen County.

Commissioner McIntosh stated the grant should be left in contact until after Nathan visits with Allen County Community College on the land. Alan stated if the college gives the county the land, the county does not have to have a zoning hearing because the zoning is already in effect for the land being viewed. Discussion followed. Commissioner McIntosh stated he would like to see a time line for starting the building if the college donates the land. The grant has to be awarded by June 30, 2009 for Allen County to still be eligible.

Alan stated he had reviewed the Aviation Project Consultant Agreement (Federal Assistance) with Allgeier, Martin and Associates, Inc. and all looks well. Commissioner Francis moved to approve the agreement and Commissioner McIntosh seconded. Chairman Works signed the agreement. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners reviewed the agreement for Civil, Geotechnical & Materials Engineers Testing Laboratories & Environmental with Palmerton & Parrish, Inc. Commissioners approved.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 25,964.53
- b) Payroll Changes
- c) Journal Entries # 18-21
- d) Abatements- Gas Value 7388, \$965.86, Year 2008
- e) Abatements- Truck Value 502, \$57.54, Year 2008
- f) Abatements- PP Value 45174, \$8764.24, Year 2008

With no further business to come before the board, the meeting was adjourned until April 10, 2009, at 8:00 a.m. in the Conference room of the courthouse for the purpose of canvassing April 7, 2009 City/School Election.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**April 10, 2009**

The Allen County Board of Commissioners met in a special session at 8:00 a.m. with Chairperson Dick Works, Commissioner Robert A. Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk for the purpose of canvassing the April 7, 2009 City/School General Election. Commissioner Gary G. McIntosh was absent.

Commissioners reviewed the election and found no discrepancies. Therefore, results were finalized.

With no further business to come before the board, the meeting was adjourned until April 14, 2009 at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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absent  
Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**April 14, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bill LaPorte, City of Moran citizen, and Bob Johnson, Iola Register representative, were present to observe the meeting.

Commissioners corrected and approved the minutes of the April 7<sup>th</sup> regular meeting & April 10<sup>th</sup> General Election Canvass meeting.

Commissioner McIntosh moved to go into executive session for 4 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Nathan Cunningham, EMS Director. The time is now 8:31 a.m. Commissioners reconvened at 8:35 a.m. No action was taken



Nathan Cunningham, Allen County Emergency Medical Services Director, Terry Call, Allen County EMS Assistant Director, Judy Brigham, City of Iola Administrator, Ron Conaway, City of Iola Ambulance Director, and Mike Burnett, MICT were present for the ambulance discussion. Nathan reported on the meeting with the Allen County Community College Board of Trustees. He reported they would not donate land until the City of Iola and Allen County reach an agreement. Nathan recommended scaling back the project and find or build a complex to house the ambulances at this time. He said there is a lot of talk but no hard plan. Discussion followed on different solutions for the Allen County EMS. This is in no way burning bridges with the City of Iola, and Judy agreed. Commissioner Francis stated the City of Iola and Allen County would continue their talks. Commissioner Francis moved to allow Nathan to look into the cost of a design/build station in Gas. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to turn down the current grant with the State on the EMS building. Commissioner McIntosh seconded, motion passed 3-0-0. Nathan will contact the State and let them know.

Judy and Ron left the meeting.

Nathan presented a job description for the EMS Director. He stated Alan had reviewed the description. Discussion followed on explanation and suggestions. Nathan will correct and present for adoption at a later date. Commissioners will be setting up interviews with employees from within Allen County.

Bill King, Public Works Director, requested Jimmy Skaggs carry over 80 hours of vacation. Commissioners approved the carryover to be used within 6 months.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:05 a.m. Commissioners reconvened at 9:15 a.m. No action was taken.

Delbert Nelson, Allen County resident, stopped in to say "Hi".

Lynn Gordon, Minnesota Life representative, discussed optional life insurance available for Allen County employees. She explained they are a vendor for KPERS and Minnesota Life's relationship to KPERS. Guaranteed amount as a first enrollee but will be expensive when an employee terminates with the county. Currently KPERS has one and a half times of their annual salary as life insurance. Employees have the option of up to \$50,000, which could be taken at enrollment time, after that they are subject to medical underwriting. Employees could take up to a maximum \$250,000 with a medical review and as low as \$5,000. They do have guaranteed opportunity at a qualifying event. Employees can change amounts at any time throughout the year. KPER does charge a .20 a month administration fee, which is figured into the rates. Lynn reviewed the rates and how to determine. If an employee has to have a medical exam the employee will be charged accordingly. If an employee is declined this does not affect the guarantee issued amount. Discussion followed. Lynn explained the difference between conversion and portability when an employee terminates employment. Employees have 31 days in which to decide which option they take. Commissioners will take under consideration. The employee will be responsible for this extra premium.

Darrell Monfort, Allen County resident, Kent Thompson, Allen County resident and Wade Teagarden, Labette Bank representative, were present to observe the commission meeting.

Alan Weber, Allen County Counselor, discussed adopting a new flood map. He would like to email to the commission for review. Discussion followed.

Alan is waiting on a couple of responses to come back before finishing up on the tax foreclosure sale. He is thinking it will be held in August or September.

Alden Ensminger joined the meeting.

Alan discussed IRB (Industrial Revenue Bonds) and the process for issuing. Discussion followed on private bonds, IRB's and other options.

Alan reported he is still working on the county FEMA buy out.

Nathan discussed trash collection at the Moran EMS Station. Commissioners requested him to cancel the Osage Hauling collection and take the trash to the Moran Senior Center.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$57,187.90
- b) Payroll Changes
- c) Journal Entries # 23-23
- d) Abatements –PP Value 603, \$76.90, Year 2008
- e) Abatements – Oil Value 2194, \$311.04, Year 2008

With no further business to come before the board, the meeting was adjourned until April 21, 2009 at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      April 21, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the April 14, 2009 meeting.

Gloria Gill had sent a letter requesting to mow the Moran Senior/Community Center for 2009 at a rate of \$15.00 per mowing. Commissioner Francis moved to allow Gloria Gill to continue mowing at the Moran Senior/Community Center for 2009. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners reviewed an AT&T Plexar 3 year contract. Alan had reviewed it and approved the signing. Commissioner Francis moved to approve Sherrie L. Riebel, Allen County Clerk, sign the contract on behalf Allen County. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners reviewed resolution number 200904 concerning KPERS life insurance.  
RESOLUTION NUMBER 200904

A RESOLUTION AFFILIATING  
WITH KPERS OPTIONAL GROUP LIFE INSURANCE.

BE IT RESOLVED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS that Allen County, a participating employer in the Kansas Public Employees Retirement System;

HEREBY, makes application in accordance with K.S.A. 74-4927(6) and (7) for the inclusion of all its eligible employees in optional insurance under the Kansas Public Employees Retirement System effective January 1, 2010; and;

NOW, THEREFORE, ADOPTED by the Board of County Commissioners of Allen County, Kansas, in regular meeting duly assembled this 21st day of April 2009.

Commissioner McIntosh moved to adopt resolution 200904. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners approved the county pay \$20.00 per employee towards the cost of the Annual Health Fair at the college.

Sherrie discussed a damaged door at the LaHarpe Senior Center. Scott Reeder, Allen County Special Bridge Supervisor, reported the masonry around the door has been cracked where someone ran into the center and the door and frame need to be replaced. Commissioners requested Scott to get bids.

Sherrie reported the cost of a 2 yard dumpster at the Moran Ambulance Station from Cole's Trash Service would cost \$30.00 per month, which is higher than the current service. Commissioners approved to continue the current services.

Commissioner McIntosh reported on a RC&D meeting he had attended last evening. Discussion followed. Commissioners approved Commissioner McIntosh to visit with David Toland, Thrive Executive Director, about future plans of this committee.

Bill King, Public Works Director, reported a lightning strike at the landfill on Saturday. It hit the new lining and burnt 6 to 7 spools of the material.

Bill requested Jerry Jackman carry over 64 hours of vacation. Commissioners approved the carry over to be used within 6 months.

Bill updated the commission on an upcoming hearing for the five-year bridge plan. He stated there are 216 bridges on the list, but not all qualify for Federal Funds. Discussion followed.

Bill reported his crews would be helping with the dandelion control on the courtyard, Senior Center, Funston and old jail properties.

Commissioners planned executive sessions to interview current employees for Allen County EMS Director.

Commissioner Francis moved to go into executive session for 20 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Eric Sanders, Allen County MICT (paramedic). The time is now 9:31 a.m. Commissioners reconvened at 9:51 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 20 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Angela Slocum, Allen County MICT (paramedic). The time is now 9:56 a.m. Commissioners reconvened at 10:16 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 20 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Jason Nelson, Allen County MICT (paramedic). The time is now 10:17 a.m. Commissioners reconvened at 10:37 a.m. No action was taken.

Donnie Erbert, Allen County businessman, stopped in to say he was working on an estimate for an ambulance station. Commissioners stated they would be getting in touch with him when the time came.

Commissioner Francis moved to go into executive session for 20 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be

Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Mark Michael, Allen County MICT (paramedic). The time is now 10:41 a.m. Commissioners reconvened at 11:01 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 20 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Nathan Cunningham, Allen County EMS Director. The time is now 11:07 a.m. Commissioners reconvened at 11:27 a.m. No action was taken.

Nathan Cunningham, Allen County EMS Director, reported on meeting with a couple of design build people. Commissioner McIntosh stated he had someone tell him the county should buy the LaHarpe School if they closed it. Commissioners stated they would go out to bid when the time is ready.

Nathan stated Commissioner Francis, himself, the City of Iola representatives, the City of Humboldt representatives and City of Moran representative will be meeting with an EMS consultant. Discussion followed.

Alan Weber, Allen County Counselor, requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss attorney-client privilege. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, Allen County EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:35 a.m. Commissioners reconvened at 11:40 a.m. No action was taken.

Alan requested the commissioners set up hearing dates of May 12, 2009 at 11:00 a.m. with Angela Hale and June 2, 2009 at 11:00 a.m. with Scott Fleming. Commissioner Francis moved to accept the hearing dates as Alan stated. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners discussed what would need to be done for Allen County to build in Gas. Alan will review regarding any State requirements, publications, etc.

Commissioner Francis moved to go into executive session for 15 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Alan Weber, Allen County Counselor. The time is now 11:45 a.m. Commissioners reconvened at 12:00 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$515,023.36
- b) Payroll Changes
- c) Journal Entries #24
- d) Abatement PP Value 158 \$19.56 Year 2008

With no further business to come before the board, the meeting was adjourned until April 28, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the April 21, 2009 meeting.

Sherrie requested on behalf of David Morris, Beer Blvd, to use the bandstand for June 27, 2009 from 5 -8:30 p.m. for karaoke. Commissioners requested more information.

Danny Shinn, county resident, stopped in to complain about the condition of county roads. Commissioners asked him how much rain he had gotten; he stated about 6 inches.

Bill King, Public Works Director, discussed calls concerning all the rainwater Allen County has received. People are calling to complain that they have water in their ditches. Commissioners allowed that is what the ditches are for. Discussion followed on the quantity of rain received over the weekend and what is predicted.

Bill discussed a visit from KDHE to the quarry. He also reported with all this rain it is hard to keep enough rock crushed to meet the demand. Discussion followed.

Bill reminded the commissioners of the Kansas County Commissioners and Highway Officials meeting in Chanute on Thursday.

Bill and Sherrie presented a bid for work on the LaHarpe Senior Center. The framework and masonry work around the door needs to be fixed. A bid was received from Spencer's Construction for \$652.97. That was the only bid received. Four other construction companies had been contacted to bid. Commissioners approved the bid from Spencer's Construction.

Thomas Williams, Allen County Sheriff, reported he had attended a Homeland Security meeting last week. Discussion followed. He said Allen County was complimented on the way we have handled issues.

Nathan Cunningham, Allen County Emergency Medical Service Director, and Terry Call, Assistant EMS, discussed plans for the new proposed station. Nathan presented a plan submitted by Diebolt Lumber estimating a cost of \$55,000 for materials and \$75,000 for labor. This estimate does not include concrete and labor for the foundation. Terry estimated around \$50,000 for concrete, 60X54 foot slab, and parking. Discussion followed on the size and height of the proposed 3,000 square foot building. Alan has advised Nathan the next step would be to advertise for design/construction bids.

Nathan discussed James Romano, Fire Captain/Paramedic for the City of Olathe, as a consultant for the EMS project. He had met with the City of Iola, City of Humboldt and Allen County EMS last week. Nathan discussed the credentials of James Romano. His charges would be \$40,000. Discussion followed. Commissioner Francis requested to have the commission meet with Mr. Romano and listen to his presentation.

Commissioner McIntosh moved to go into executive session for 2 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:48 a.m. Commissioners reconvened at 9:50 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Nathan Cunningham, EMS

Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:52 a.m. Commissioners reconvened at 9:57 a.m. No action was taken.

Chuck Richey, resident, stopped by to observe the meeting.

Nathan discussed licensing a second vehicle as Type 1, which means that there is a paramedic on board. Discussion followed.

Chuck asked why if we were going to build first class on the college ground why are you not doing that for the City of Gas. Commissioner McIntosh commented the college ground would have been permanent and City of Gas would not be a permanent solution. Discussion followed on budgets and future goals.

Ron Holman, Allen County House and Grounds Director, reported he would be meeting with Jody Wille this afternoon concerning the west steps at the courthouse.

Jeff Bauer, City of Iola Zoning, Judy Brigham, City of Iola Administrator, Sandra Drake, Allen County Appraiser, Sharon K. Utley, Allen County Treasurer and Alan Weber, Allen County Counselor, were present for a Neighborhood Revitalization Program presentation by the city. Jeff stated he would be meeting with Alan to get a Resolution set up to continue the City of Iola's Neighborhood Revitalization. He made a presentation with pictures and explained the reason and need to continue this project. Discussion followed. Jeff stated his goal and the city's goal is to help revitalize the city. No action was taken at this time.

Sandra Drake, Allen County Appraiser, presented a contract with R & S Digital. The contract cost increased to \$5,476.00. She asked that commissioners and Alan review the contract and take action at a later date. Discussion followed. Alan will review.

Kelli Kramer, Allen County Conservation District Manager, suggested taking the commission around the county to see different projects they support. Commissioners will meet after their regularly scheduled meeting on May 12, 2009 to tour with the Conservation District personal.

Alan discussed some of the bid process for the design/building proposal in the City of Gas.

Allen County Commissioners will not be meeting May 5, 2009 so they may attend Kansas County Commissioners Annual Conference in Wichita.

Commissioners approved the following documents:

- a) Employee Vouchers
- b) Clerk's Vouchers Totaling- \$47061.51

With no further business to come before the board, the meeting was adjourned until May 12, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**May 12, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the April 28, 2009 meeting.

Ron Holman, Allen County House and Grounds Director, discussed the flowerbeds on the south side of the courthouse.

Commissioners went with Ron to look at the hallway lights. Ron explained the options for the lights.

Ron discussed planting a tree between the Eternal Flame and bench. Commissioners approved for a tree to be planted.

Sherrie presented a road-closing request from Dorothy Hess to close the north end of 900 Street over to a dead-end road of 1000 Street in Logan Township. Commissioners approved to start the road vacation process.

Jason Nelson, Allen County MICT, asked if any decision had been made on the ambulance director.

Bill King, Public Works Director, reported on the storm damage from last Friday's severe storm. He reported several pipes were washed out. Discussion followed.

Chuck Richey, Allen County Citizen, joined the meeting for observation.

Bill discussed a request from a lady wanting to lower the speed limit on Nebraska Road. Discussion followed as to where on Nebraska Rd. Bill was trying to contact her, she had not answered her phone.

Bill requested to carry over 46.9 hours of vacation for Debbie Ludlum. Commissioners approved the carryover to be used within 6 months.

Bill King, Public Works Director, Kim Riebel, Public Works Office Manager, and Scott Reeder, Public Works Special Bridge Foreman, were present for the 5-year plan hearing. The only bridge currently on the list is 5.2 miles south of Humboldt on old 169 Highway; project number C-4206-01. Bill explained the process and presented maps for the commission to have. He reviewed the maps and reported on other bridges and their efficiency rating. Allen County has 218 bridges within its boundaries. Only 28 have under a 50% rating and are not low water bridges. The project number C-4206-01 has a 26.6% rating. Ratings are also based on guardrail needs not just damaged bridges. Bill gave a short review of all the bridges on the map that are in the bridge book. He went into detail on the Hegwald Bridge (project # 1C-3942-01) west of Humboldt on Georgia Road between 500 Street and 600 Street as an example. Bill suggested the Hegwald Bridge and a bridge near Geneva (project # 1C-3665-01) on Utah Road between 200 Street and 400 Street be put on the list for KDOT's Five-Year Plan. Commissioner Francis moved to approve these three bridges respectively be presented to the state for funding. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill discussed budgets for 2010 and charges at the landfill.

Bill discussed the landfill expansion project. Discussion followed on what can be done to finish up on the expansion. Bill said he is advertising for help from contractors to move dirt at the landfill. Bids will be discussed at next Tuesday's Commission meeting.

Chuck asked about ambulance station plans. Commissioners stated they have not taken plans at this time. They still have to go out for bid.

Dave Morris, Beer Blvd owner, had requested to use the bandstand for June 27, 2009 from 5 - 8:30 p.m. for karaoke. There will not be any refreshment stands or alcohol at this event. Commissioners approved the use of the bandstand.

Thomas R. Williams, Allen County Sheriff and Pam Beasley, Allen County Emergency Director, reported on the storm. Pam reported Allen County did not have much damage but she was called out to Wilson County and then Neosho County. Discussion followed. She reported there is

another storm coming in this evening and hopefully will be south of us again. Commissioners asked what would happen if Allen County had been hit as bad as our southern counties.

Pam discussed the H1N1 virus that was a warning for everyone. Discussion followed.

Pam reported she and Bryan Murphy, Master Deputy, would be attending disaster training in Pittsburg. Discussion followed.

Pam reported on a grant Allen County has applied for was turned down, she also reported the entire State of Kansas was turned down. Discussion followed on the reasons.

Pam discussed POD (Point of Distribution) training for the SEK Health Department. It was held at Jefferson School but involved an Allen County deputy.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:00 a.m. Commissioners reconvened at 10:05 a.m. No action was taken.

Alan Weber, Allen County Counselor, presented proposed draft resolution on ATV's for street use. He discussed the regulations that will be in the resolution, which will be adopted at a later date. Commissioners reviewed a resolution regulating the use of all-terrain vehicles on the roads of Allen County, Kansas.

**WHEREAS**, the use of all-terrain vehicles continues to increase and with that increase of use has come an increase in the number of serious accidents resulting in injury and death;

**NOW THEREFORE**, be it resolved by the Board of County Commissioners as follows:

**Section 1.** A person who owns or operates an all-terrain vehicle on the public roads and highways of Allen County, Kansas shall not:

- a. operate an all-terrain vehicle unless at least 16 years of age and the holder of a valid drivers license;
- b. operate an all-terrain vehicle on any interstate highway, federal highway or state highway except as otherwise permitted by law.
- c. operate an all-terrain vehicle during the hours of darkness, from one-half hour after sunset to one-half hour before sunrise and at any time when visibility is reduced due to insufficient light or atmospheric conditions, without displaying a lighted headlamp and tail lamp.
- d. operate an all-terrain vehicle in any manner which violates any of the provisions of the Kansas Uniform Act Regulating Traffic on Highways.
- e. if under the age of 18, operate or ride on an all-terrain vehicle unless wearing a helmet which complies with minimum guidelines established by the national highway traffic safety administration pursuant to the national traffic and motor vehicle safety act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.
- f. operate an all-terrain vehicle unless such person is wearing an eye-protection device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant.
- g. operate an all-terrain vehicle with a passenger unless the vehicle is specifically designed by the manufacturer to carry passengers in addition to the operator.
- h. operate an all-terrain vehicle two or more abreast with another vehicle.

**Section 2.** It is unlawful for a parent or legal guardian of a person less than 18 years of age to knowingly permit that person to operate an all-terrain vehicle in violation of this resolution.

**Section 3.** For purpose of this resolution, the term "all-terrain vehicle" shall have the same definition as set forth in K.S.A. 8-1402a. The term "public road or highway" shall have the same definition as set forth in K.S.A. 8-1424.

**Section 4.** This resolution shall not apply to an owner, operator, lessor or renter of a farm or ranch, or that person's immediate family or household members when operating an all-terrain vehicle while engaged in farming operations. Provided, however, anyone operating an all-terrain vehicle on a public road or highway must have a valid drivers license in his or her possession.

**Section 5.** A person violating this regulation is guilty of a misdemeanor and upon conviction, shall be fined the amount of \$60.00.

No action was taken on the resolution at this time. Commissioners would like to have more time to review and consider the resolution.



Dwight Hawkinson, Diebolt Lumber representative, was present for observation.

Alan discussed the proposed design build process for the new EMS Station. He explained there would be a hearing on May 26, 2009 at 11:00 a.m. Discussion followed on the rest of the process that takes place after the hearing.

Alan discussed modifications to the Flood Information Plan. He stated they will have to do a resolution at a later date and there will be a process to complete as well. Anything built in the flood plain they will have to have a flood certificate from a qualified engineer. Discussion followed on detail of other qualifications before building. Commissioners approved Alan to go ahead with starting the process.

Alan discussed the plan document for BMI.

Rhonda Fernandez, PIC, discussed projected costs. The commission is responsible for making the insurance cost projections, not PIC. Rhonda presented an application for excess loss reinsurance for the commission chairman to sign. Questions and answers followed on what is covered and at what rate. Commissioner Francis moved to approve the Chairman's signature on the document. Commissioner McIntosh seconded, motion passed 3-0-0.

Rhonda requested the chairman's signature on the summary plan document for Allen County Employees Health Care Plan BMI 238. Commissioner Francis moved to approve the Chairman's signature on the document. Commissioner McIntosh seconded, motion passed 3-0-0.

Rhonda discussed Medicare Part D document that needs to be sent out to employees and the Administrative Agreement with BMI that need the chairman's signature. Commissioner Francis moved to approve the Chairman's signature on the document. Commissioner Works seconded, motion passed 3-0-0. Rhonda needed a work site plan agreement signed by Allen County Commission Chair. Commissioners stated an agreement had already been signed.

Sandra Drake, Allen County Appraiser, requested the commission approve a contract with R& S Digital for an annual fee of \$5,476.00. Commissioner McIntosh moved to approve the contract. Commissioner Francis seconded, motion passed 3-0-0.

Alan discussed the process of the Grievance Hearing and requested to go into executive session. Commissioner Francis moved to go into executive session for 30 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor, Nathan Cunningham, Allen County EMS Director, Terry Call, Allen County EMS Assistant Director, and Angela Hale, non-elected personnel. The time is now 11:02 a.m. Commissioners reconvened at 11:32 a.m. No action was taken.

Commissioners discussed concealed carry signs and regulations.

Nathan discussed a meeting with the City of Humboldt concerning EMS consulting. Discussion followed.

Nathan shared a thank you card from an individual sent to the EMS Department.

Commissioner Francis stated the meetings with the City of Iola would not be continuing.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss legal counsel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:56 a.m. Commissioners reconvened at 12:06 a.m. No action was taken.

Sherrie presented the minutes of the Allen County Planning Board. The Allen County Planning Board recommended the Allen County Commission approve the zoning request from Wayne Barnett. Commissioner Francis moved to approve the zoning request from Wayne Barnett to

change the current designation of Agriculture to Residential “MR” based on the Planning Boards recommendation. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries #25-28
- c) Abatements PP-2175 Value, \$270.08, Year 2008
- d) Abatements RE-3089 Value, \$429.98, Year 2005
- e) Abatements RE-3193 Value, \$454.62, Year 2006
- f) Abatements RE-3277 Value, \$481.28, Year 2007
- g) Abatements RE-13639 Value, \$2548.74, Year 2008

With no further business to come before the board, the meeting was adjourned until May 19, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      May 19, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the May 12, 2009 meeting.

Bill King, Director of Public Works, Eula Danford, Allen County Landfill Foreman, and Brandi Kean, Burns & McDonald Engineers, were present. Brandi discussed the project at the landfill. Brandi presented bids for Cell 1 A and 1B Earthwork. Bids were received from LaForge & Budd Construction Co for lump sum bid price of \$314,126.60 for a proposed end date of July 1, 2009; L.D. Kemp for lump sum bid price of \$317,583.44 for a proposed end date of July 24, 2009; Bloomsdale Excavating Co., Inc. for lump sum bid price of \$360,900.00 for a proposed end date of July 1, 2009; J.J. Westhoff Construction Co. for lump sum bid price of \$372,161.92 for a proposed end date of July 1, 2009; Thomas Construction for lump sum bid price of \$411,832.22 for a proposed end date of August 1, 2009; McAdam LLC for lump sum bid price of \$452,476.70 for a proposed end date August 15, 2009; S.R. Coffman Construction, Inc. for lump sum bid price of \$468,612.50 for a proposed end date of July 18, 2009; HDB Construction, Inc. for lump sum bid price of \$472,390.10 for a proposed end date of July 1, 2009; Kissick Construction Co. for lump sum bid price of \$484,277.70 for a proposed end date of July 1, 2009; Tom McAdam, Bill McAdam, McAdam LLC, Morris Dible and DeWayne Jarred, S.R. Coffman, Inc. representatives, and Alan Weber, Allen County Counselor, were present for the discussion. Brandi reported there is not any survey cost included in the bids. Review of the bids and discussion followed. Commissioner McIntosh moved to accept the contract contingent on due diligence of Alan Weber, County Counselor, Bill King, Public Works Director, and Brandi Kean, Burns & McDonald, signing off to work with LaForge and Budd Construction Co. Commissioner Francis seconded, motion passed 3-0-0.

Bill reported on Allen County Regional Airport project and road projects after the major rains. Discussion followed.

Alan Weber, Allen County Counselor, discussed the ATV resolution. Discussion followed on penalty violations.

**RESOLUTION NO.200905  
ALLEN COUNTY, KANSAS**

**A RESOLUTION REGULATING THE USE OF ALL-TERRAIN VEHICLES ON THE ROADS OF ALLEN COUNTY, KANSAS**

**WHEREAS**, the use of all-terrain vehicles continues to increase and with that increase of use has come an increase in the number of serious accidents resulting in injury and death;

**NOW THEREFORE**, be it resolved by the Board of County Commissioners as follows:

**Section 1.** A person who owns or operates an all-terrain vehicle on the public roads and highways of Allen County, Kansas shall not:

- a. operate an all-terrain vehicle unless at least 16 years of age and the holder of a valid drivers license;
- b. operate an all-terrain vehicle on any interstate highway, federal highway or state highway except as otherwise permitted by law.
- c. operate an all-terrain vehicle during the hours of darkness, from one-half hour after sunset to one-half hour before sunrise and at any time when visibility is reduced due to insufficient light or atmospheric conditions, without displaying a lighted headlamp and tail lamp.
- d. operate an all-terrain vehicle in any manner which violates any of the provisions of the Kansas Uniform Act Regulating Traffic on Highways.
- e. if under the age of 18, operate or ride on an all-terrain vehicle unless wearing a helmet which complies with minimum guidelines established by the national highway traffic safety administration pursuant to the national traffic and motor vehicle safety act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.
- f. operate an all-terrain vehicle unless such person is wearing an eye-protection device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant.
- g. operate an all-terrain vehicle with a passenger unless the vehicle is specifically designed by the manufacturer to carry passengers in addition to the operator.
- h. operate an all-terrain vehicle two or more abreast with another vehicle.

**Section 2.** It is unlawful for a parent or legal guardian of a person less than 18 years of age to knowingly permit that person to operate an all-terrain vehicle in violation of this resolution.

**Section 3.** For purpose of this resolution, the term "all-terrain vehicle" shall have the same definition as set forth in K.S.A. 8-1402a. The term "public road or highway" shall have the same definition as set forth in K.S.A. 8-1424.

**Section 4.** This resolution shall not apply to an owner, operator, lessor or renter of a farm or ranch, or that person's immediate family or household members when operating an all-terrain vehicle while engaged in farming operations. Provided, however, anyone operating an all-terrain vehicle on a public road or highway must have a valid drivers license in his or her possession.

**Section 5.** A person violating this regulation is guilty of a misdemeanor and upon conviction, shall be fined the amount of \$60.00.

**RESOLVED THIS 19<sup>th</sup> DAY OF MAY 2009.**

Commissioner Francis moved to approve and adopt Resolution 200905. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners discussed with Alan the concealed weapons law. Commissioner McIntosh moved to post the appropriate "No Concealed Carry" signs in the Allen County Courthouse. Commissioner Francis seconded, motion passed 3-0-0. Alan will offer the commission options of what signs should look like.

Alan mentioned the design build hearing for the ambulance station will be held next week. The publication has been made. Discussion followed. Alan would like to have the bids expectations ready to go. The building would be bid "per foot" with more discussion on what it would cover such as the paved driveway (ambulance bays to highway), furniture and etc. The commission will be putting the paved parking as a separate bid option at a later date. Alan explained the bidding process to the commission in regards to scoring the bidders.

Alan reported on a Watershed District meeting and a wind farm meeting he had attended. Discussion followed.

Dan Onnen, City of Humboldt Police Chief, Shannon Moore, Allen County Undersheriff, and Jarred Warren, City of Iola Police Chief, were present for discussion on 911. Chief Onnen asked about the County doing dispatch for the City of Humboldt. Chief Warren stated the best would

be not to move equipment more than necessary. Alan reported the 911 Committee would be meeting on June 3, 2009. Discussion followed on options and locations. No action was taken at this time.

Jana Taylor, Iola Area Chamber of Commerce, requested permission to use the courtyard for business appreciation month on June 10, 2009 from 10:00 a.m. to 3:00 p.m. They will be grilling burgers and serve chips and drinks. Discussion followed. Commissioners approved.

Jana also requested use of the bandstand for the Iola Municipal Band concerts on Thursday evenings in June and July. She requested a Santa House on the Southeast corner of the lawn from November 23, 2009 to January 8, 2010. November 27, 2009 at 5:30 p.m. will be the Annual Lighting Ceremony at the bandstand. November 28, 2009 will be the Annual Candy Cane hunt. Commissioners approved with the understanding no Christmas Cards will be put up on the courthouse grounds.

Jana requested to use the courtyard for Farm City Days October 15-17, 2009. Mike Jewel is the chairman of the Farm City Days Committee. Commissioners approved.

Jana requested funds to paint the wall on the north side of the Allen County Hospital. She would estimate the cost not to exceed \$300.00 for paint and materials. Discussion followed on approving the mural or design before it is done. The donation of paint would be for the Allen County Young Professionals networking program, not to the hospital. Discussion followed. Commissioner Francis moved to provide funding not to exceed \$300.00. Commissioner McIntosh seconded, motion passed 3-0-0.

Allen County Commissioners discussed the City of Iola's comments in the Iola Register.

Sherrie requested the commission write off \$3,099.81 on an over pay of ambulance funds to the City of Iola. This is caused by collections and insurance withdrawing payments. Commissioners tabled this discussion. No action taken.

Commissioner Francis moved to reappoint Nila Dickason to serve on the Tri-Valley Development Board. Commissioner McIntosh seconded, motion 3-0-0.

Mike Hueston, EMT I, discussed a school for paramedics at Kansas City. This is a two-year program. He requested the commission help with the cost. Commissioners requested Mike to visit with Alan Weber, Allen County Counselor, to draw up a contract. Alan will bring the contract to the commission for approval at a later date.

Angela Slocum, Eric Sanders, Jason Nelson, and Nathan Cunningham, joined the meeting.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Angela Slocum, Allen County MICT (paramedic). The time is now 11:30 a.m. Commissioners reconvened at 11:40 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Eric Sanders, Allen County MICT (paramedic). The time is now 11:41 a.m. Commissioners reconvened at 11:51 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Jason Nelson, Allen County MICT (paramedic). The time is now 11:52 a.m. Commissioners reconvened at 12:02 p.m. No action was taken.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Nathan Cunningham, Allen County EMS Director. The time is now 12:02 p.m. Commissioners reconvened at 12:12 p.m. No action was taken.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 12:14 p.m. Commissioners reconvened at 12:24 p.m. No action was taken.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis and Jason Nelson, Allen County MICT (paramedic). The time is now 12:25 p.m. Commissioners reconvened at 12:35 p.m. No action was taken.

Commissioner Francis moved to appoint Jason Nelson as Emergency Medical Director as of June 1, 2009. Commissioner McIntosh seconded, no discussion followed. Motion passed 3-0-0. Chairman Works thanked all the candidates for applying and stated it was a hard decision to choose between them.

Amy Wiebe, Kyle Kmiec, Michael Burnett and Chris Nugesser, ambulance personnel, were present for the decision.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Allen County EMS Assistant Director, Sherrie L. Riebel, Allen County Clerk and Jason Nelson, Allen County MICT (paramedic). The time is now 12:43 a.m. Commissioners reconvened at 12:48 p.m. No action was taken.

Commissioner Francis moved to offer Jason Nelson \$50,000 per year and appoint him to serve as Allen County Emergency Services Director, with the understanding he will move to Allen County within 6 months or request an extension. Commissioner McIntosh seconded, motion passed 3-0-0. Jason Nelson accepted the appointment.

Commissioners discussed Allen County EMS, First Responders and 911 dispatch.

Terry Call, Assistant EMS Director, discussed job descriptions. Commissioners will take changes under consideration.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$224,571.48
- b) Payroll Changes
- c) Journal Entries #28,30-32

With no further business to come before the board, the meeting was adjourned until May 26, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the May 19, 2009 meeting.

Terry Call, Allen County EMS Assistant Director, discussed the building at the City of Gas. The City of Gas will be working on roads within the city and if the county is interested in the sewer line, they need to install the sewer line before the roads are done. Once the City of Gas completes the roadwork they will not let the county tear up the road. Discussion followed. Commissioners requested Terry call around and get quotes on the plumbing and call Dig Safe. Because this is an emergency, bids will not be taken.

Terry requested to go into executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, EMS Assistant Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:29 a.m. Commissioners reconvened at 9:34 a.m. No action was taken.

Joe Hess, Allen County resident, recommended putting a building on the vacant lot on the North side of the square east of City of Iola Hall and across the street from the sheriff's office. He suggested making it two stories high and reinforcing the back half of the first floor for the dispatch center. He suggested to use the front of half of the first floor for office space, station the EMS director at the site and invite the city to use the facility for police functions and the top floor can be used for training, meetings and education classes to prepare EMS personnel. To designate the city as the administrator of all EMS activities within the present city boundaries; that when emergencies arise, the city designated EMS administrator can consult with the county EMS administrator regarding requests for assistance between jurisdictions and major emergencies can be addressed by the sheriff, the EMS administrator, the police chief and dispatchers to facilitate quick responses that are coordinated by having these personnel in close proximity. Discussion followed on why Mr. Hess feels this way. Commissioners thanked him for his concerns.

Mary Tucker, JJA Administrative Assistant, discussed the conditions of the 2010 Grant for Juvenile Justice Authority. Commissioners reviewed the conditions of the grant. Discussion followed. Mary explained a pilot project JJA will be participating in. Commissioner Francis moved to approve Chairman Works to sign the conditions of the grant. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to reappoint Laura Fitzmorris to serve on the 31<sup>st</sup> Judicial District Community and Juvenile Corrections Advisory Board as the educational representative. Commissioner Francis seconded, motion passed 3-0-0.

Bill King, Pubic Works Director, discussed planned and completed roadwork. He reported they have blasted at the landfill for more rock. Discussion followed.

Bill stated he would be able to have a backhoe dig at the City of Gas for sewer installation.

Commissioner McIntosh discussed the Allen County Airport Advisory Meetings. History of the airport was discussed. Bill reported the board met more when the county had an FBO at the airport. The County now runs the airport and has a manager. Discussion followed.

Bill reported the mowing crews went out today. There are only four instead of six crews mowing. Some crews are marking roads for dust abatement, which will start soon.

Carla Nemecek, Allen County Extension Agent, Tom Strickler, Allen County Extension Board President, Kenna McWhirter, intern, requested 2010 budget. The 2009 budget approved from Allen County was \$103,000. The request for 2010 is \$107,000.00, which is an increase over 2009 approved budget. Carla and Tom explained the budget and all the programs utilized this past year. Discussion followed on cash carryover, lost pledges from K-State and options for cutbacks. Commissioners will consider their request.

Chuck Richey, Allen County resident, joined the meeting. He discussed options for 911 dispatching.

Alan Weber, Allen County Counselor, and Thomas R. Williams, Allen County Sheriff, discussed the cost of booking and processing fees. Commissioners reviewed and discussed Resolution 200906 concerning collections and disbursement of booking and processing fees as court costs.

**RESOLUTION NO. 200906**  
**ALLEN COUNTY, KANSAS**

A RESOLUTION PROVIDING FOR THE COLLECTION AND DISBURSEMENT OF A BOOKING AND PROCESSING FEE AS COURT COSTS

**WHEREAS**, K.S.A. 12-16,119 provides that Boards of County Commissioners are authorized to provide for a booking and processing fee not to exceed \$45.00 to be collected as court costs from any person convicted, adjudicated, or diverted under a pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto; and

**WHEREAS**, the Board of County Commissioners of Allen County, Kansas, is the governing body responsible for the funding of the Allen County Sheriff's Department that performs the booking and processing procedures in Allen County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS**, that a booking and processing fee of \$45.00 shall be collected as court costs from any person convicted, adjudicated, or diverted under pre-adjudication program pursuant to K.S.A. 22-2906 et seq., K.S.A. 38-1635 et seq., or K.S.A. 12-4414 et seq., and amendments thereto, of a misdemeanor or felony contained in Chapters 8, 21, 41, or 65 of the Kansas Statutes Annotated, and amendments thereto, where fingerprints are required pursuant to K.S.A. 21-2501, and amendments thereto. Such fees shall be disbursed by the Court to the general fund of Allen County.

RESOLVED THIS 26TH DAY OF MAY, 2009.

Commissioner McIntosh moved to adopt resolution 200906. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners discussed the job description for the EMS Director. Commissioners stated the EMS Director has been reporting directly to the Commission. Currently the EMS Director is under the Sheriff's department. Commissioner Francis moved to adopt the new job description for EMS Director, putting the EMS Director directly under the Commission. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh discussed the concealed weapons signs at the courthouse. He requested to have a hearing for the public concerning the concealed carry. Discussion followed. Alan brought up Kansas Statutes on these concerns. No action was taken at this time.

Harvey Buckley, Monarch Cement Inc. Plant Manager, wanted to update the new commission on the plant conveyor project. Explanation followed in detail on the easements, projects and reclamation. Commissioners requested Alan draft a letter of support for Monarch Cement's conveyor belt project.

Sharon K. Utley, Allen County Treasurer, explained Auto Funds to the commission. She reported she would be transferring \$22,820.89 into the General Fund from the Auto Funds. She also reported she has collected 93% of the 2007 tax year and 95% of the 2008 tax year.

Sharon explained her process of bidding and investing with banks. She explained the constraints she has to abide by are guided by Kansas Statutes. Discussion followed on interest and investments.

Sherrie requested the commission write off \$3,099.81 on an over pay of ambulance funds to the City of Iola. This was caused by collections and insurance withdrawing payments. Commissioner McIntosh moved to approve the write off and transfer monies from the General Fund into Iola Ambulance Fund. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor, Nathan Cunningham, Allen County EMS Interim Director and Sherrie L. Riebel, Allen County Clerk. The time is now 10:49 a.m. Commissioners reconvened at 10:54 a.m. No action was taken.

Commissioner Francis moved to authorize Alan to send a response letter in regards to the grievance hearing held two weeks ago. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan explained the process for the Alternative Delivery Procurement Hearing. Discussion followed on what should be discussed and considered.

Chairman Works opened the hearing for the Alternative Delivery Procurement Hearing at 11:00 a.m. Alan Weber, Allen County Counselor and Dwight Hawkinson, Diebolt Lumber representative, was present for public comment. No other persons were present. Commissioner Francis moved to do design build for the new ambulance station. Commissioner McIntosh seconded. No discussion followed. Motion passed 3-0-0.

Nathan reported Neosho County Community College requested some of their EMT students ride on the Allen County ambulance. They will start riding soon.

Commissioners adjourned to the Iola Senior Center for lunch.

Commissioners approved the following documents:

- a) Journal Entry #29
- b) Clerk's Vouchers Totaling \$29,520.19
- c) Payroll Changes
- d) Abatements – PP Value 5890, \$316.20, Year 2008

With no further business to come before the board, the meeting was adjourned until June 2, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 2, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the May 26, 2009 meeting.

Ron Holman, House and Grounds Director, presented bids for lights and ceiling tile in the extension office. He presented bids from Home Detail, Whitworth Construction, and Day Construction. Home Detail was for \$7,500.00, Whitworth Construction declined to bid and Day



Construction for \$11,160.00. Commissioner Francis moved to approve the bid from Home Detail. Commissioner McIntosh seconded. Discussion followed. Motion passed 3-0-0.

Ron presented bids for counter tops in the extension office. Bids were received from Advanced Cabinets for \$1,071.93; Day Construction for \$1,204.00; Kitchens and More for \$1,500.00; and Home Detail for \$1,575.00. Discussion followed. Commissioner Francis moved to approve the bid from Advanced Cabinets. Commissioner McIntosh seconded, motion passed 3-0-0.

Ron presented bids to remove and replace old 2'X4' trofers and replace with two lamps, 2'X4' trofers using T-8, 5000k bulbs and electronic ballasts in the CASA office, Driver's License office, Appraiser's office, House and Grounds Office and County Attorney's office. Bids were received from Hoffmeier Electric LLC for \$7,015.00, Stout Electric declined to bid and K-K Electric for \$5,280.00.

Ron presented bids to remove lens, ballasts, bulbs and replace with new lens, electronic ballasts, T-8 5000k color bulbs, and fixtures in the hallways to match lens and light color of new office lighting for the hallway lights. Bids were received from Hoffmeier Electric LLC for \$3,157.00, Stout Electric declined to bid and K-K Electric for \$2,790.00.

Commissioner Francis moved to approve both bids from K-K Electric Inc. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:48 a.m. Commissioners reconvened at 8:51 a.m. No action was taken.

Alan Weber, Allen County Counselor, reported the attorney for Scott Fleming is ill so the grievance hearing scheduled for 11:00 a.m. will be rescheduled for a later date.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:01 a.m. Commissioners reconvened at 9:06 a.m. No action was taken.

Bill reported on a pre-construction conference at the landfill. He explained some of the items in detail. He explained the county crew's part in the landfill project. Bill discussed the flare at the landfill and heating for the buildings.

Bill reported on the request for the proposed building at the City of Gas.

Bill discussed the City of Iola dumping after hours at the landfill. He charged them a \$100.00 after hours fee to help cover employee wages.

Glenda Creason and Paul Sorenson, Iola Senior Center representatives, presented bids for the work on kitchen cabinets at the senior center. Glenda presented a bid from Larry Calahan for \$700.00. Discussion followed on what the bid covered.

Glenda represented bids on flooring for the Iola Senior Center.

<b>Decorator Supply, Inc</b>	
<b>Floor replacement Estimation</b>	
<b>East Room</b>	
VCT Tile 1,665 @ 1.50	\$2,497.50
Cove Base 158 @ 1.50	\$ 262.50
Labor to install 1,665@.50	\$ 832.50
Labor to take up existing 1,665@ .50	\$ 832.50
Subtotal \$4,425.00	
<b>Back Room</b>	
VCT Tile 1,440 @ 1.50	\$2,160.00
Cove Base 175 @ 1.50	\$ 237.00
Labor to install 1,665@.50	\$ 720.00
Labor to take up existing 1,665@ .50	\$ 720.00
Subtotal \$3,837.00	
<b>Total \$8,262.00</b>	

<b>Home Detail</b>	
-	
Remove and replace VCT and cove base	
Front	\$3,992.90
Back	\$3,630.05
<b>Total \$7,622.95</b>	

Discussion followed. Commissioners requested Glenda to get another bid for the cabinets and to see a sample of the tile before they put it on the floors. Commissioners tabled the decision until next week.

Thomas R. Williams, Allen County Sheriff, stopped in to remind the commission on a 911 meeting on Wednesday, June 3 at 7:00 p.m.

Terry Call, Assistant EMS Director, reported the sewer line on the proposed site of the new ambulance station in City of Gas would be completed by noon today. Bill had gravel delivered to the site.

Jim Gilpin, Iola Rotary Club, requested the Iola Rotary Club install a metal plaque in the area of the Courtyard clock stating it is a representation of a Gas Boom Landmark, which is a part of Allen County heritage and to have the history of the clock inside the glass. He has contacted Mid Continental Restoration to give an estimate for repair of the clock housing. The Iola Rotary Club and the Lions Club are interested in investing time and monies to do the upkeep of the clock. Discussion followed on when the last time the brick and roof was repaired.

Jason Nelson, EMS Director, discussed Mike Hueston's request to have Allen County pay for Paramedic's classes at Kansas City Community College. Alan has drawn up a contract for Mike to sign. Commissioner Francis moved to approve Chairman Works sign the contract between Allen County and Mike Hueston. Commissioner McIntosh seconded, motion passed 3-0-0.

Jason stated an EMT requested to attend a class. The employee had sent a request for a commissioner to go as well.

Jason requested a vehicle for the EMS Director to drive. He presented bids from Kansas Highway Patrol for Tahoe for \$25,800 and Ford Expedition for \$24,066. Discussion followed. Commissioners requested Jason to have Sheriff Williams get a couple more bids to meet the bid policy.

Alan discussed a support letter to send to BP Pipeline concerning The Monarch Cement Company getting an easement to put a conveyor belt across two miles of their land. Commissioners approved Chairman Works to sign the support letter.

Alan reported L.E.P.P. will have \$5,000 from the State of Kansas this year; usually it is more.

Alan discussed the agenda for the 911 meeting to be held Wednesday.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County

Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:53 a.m. Commissioners reconvened at 11:03 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:03 a.m. Commissioners reconvened at 11:13 a.m. No action was taken.

The commissioners will be meeting at 2 P.M. to tour the LaHarpe Elementary School. No action will be taken at this meeting.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$83,686.17
- b) Clerk's Vouchers Totaling \$192,662.86 Signed 6/3/2009
- c) Payroll Changes
- d) Journal Entries #3
- e) Abatements-PP Value 367, \$20.58, Year 2009

With no further business to come before the board, the meeting was adjourned until June 9, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      June 9, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 2, 2009 meeting.

Glenda Creason, and Paul Sorenson, Iola Senior Center representative, presented a second bid for the cabinet refinishing at the Iola Senior Center from Home Detail for \$2,774.00 this bid was for new cabinets; a bid from Larry Calahan for \$700.00 was received last week. Discussion followed

Glenda displayed tile samples for the Iola Senior Center. Bids had been presented last week.

<b>Decorator Supply, Inc</b>	
<b>Floor replacement Estimation</b>	
<b>East Room</b>	
VCT Tile 1,665 @ 1.50	\$2,497.50
Cove Base 158 @ 1.50	\$ 262.50
Labor to install 1,665@.50	\$ 832.50
Labor to take up existing 1,665@ .50	\$ 832.50
Subtotal \$4,425.00	
<b>Back Room</b>	
VCT Tile 1,440 @ 1.50	\$2,160.00
Cove Base 175 @ 1.50	\$ 237.00
Labor to install 1,665@.50	\$ 720.00
Labor to take up existing 1,665@ .50	\$ 720.00
Subtotal \$3,837.00	
<b>Total \$8,262.00</b>	

<b>Home Detail</b>	
-	
Remove and replace VCT and cove base	
Front	\$3,992.90
Back	\$3,630.05
<b>Total \$7,622.95</b>	

Commissioner Francis moved to accept the bid from Larry Calahan for refurbishing the cabinets and the bid from Home Detail for \$7,622.95 for the rest of Senior Center. Commissioner McIntosh seconded, motion passed 3-0-0.

Glenda discussed the drain hole located by the sink. Commissioners requested Glenda call a plumber to come and check on the drain.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis and Sherrie L. Riebel, Allen County Clerk. The time is now 8:45 a.m. Commissioners reconvened at 8:50 a.m. No action was taken.

Sherrie reported work was last done on the clock in 2007.

Sherrie presented a letter from Becky Nilges, Iola Sesquicentennial Chair, requesting a commissioner be a part of the flag raising on July 4, 2009. Discussion followed. Commissioner Francis will be available to do the reading.

Sherrie discussed a HAVA Endowment Program where the Secretary of State's office has offered a 95/5% match. This program would allow the clerk's office to purchase programming and equipment for programming their own ballots and have electronic poll books at the polling places. Commissioners encouraged Sherrie to apply for the monies.

Bill reported the crusher has been down for three days. Discussion followed on crushed rock.

Bill discussed the landfill project.

Commissioner Francis moved to go into executive session for 15 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:25 a.m. Commissioners reconvened at 9:40 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:40 a.m. Commissioners reconvened at 9:50 a.m. No action was taken.

Commissioners discussed out of county tags on vehicles where the person is a county resident. Thomas R. Williams, Allen County Sheriff will check into the law covering this.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, Jason Nelson, EMS Director, Terry Call, EMS Assistant Director and Sherrie L. Riebel, Allen County Clerk. The time is now 10:00 a.m. Commissioners reconvened at 10:05 a.m. No action was taken.

Sheriff Williams discussed a request from Jason Nelson, EMS Director, to assign him a vehicle to drive. Discussion followed on options. No action was taken at this time.

Commissioner McIntosh asked Jason how he planned to utilize the vehicle. He explained he would be carrying a radio and be available to assist. This would keep a second vehicle from going out.

Jason requested an executive session. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Terry Call, EMS Assistant Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:20 a.m. Commissioners reconvened at 10:25 a.m. No action was taken.

Alan Hauser, SEK Mental Health Chief Financial Officer (CFO), Nathan Fawson, SEK Mental Health Assistant Director and Ed Miller, SEKMH Board representative, requested a 3% increase from last year, which would make the request for 2010 at \$106,100. This funding is needed to help maintain the current level of mental health services for the citizens of Allen County. Alan explained from 2007 to 2010 state funding has been reduced by 52%. For SEKMH that is a reduction of \$500,000. Discussion followed on client services provided and funding by the other counties. Commissioners stated they would take the request under consideration.

Kelli Kramer, Allen Conservation District Manager, presented information on benefits of the Allen County Conservation District to the County and Citizens. Kelli reported total of state cost-share funds; USDA cost-share funds; explained the responsibility for the installation of terraces, waterways, ponds and watering facilities and repair of septic systems; CRP land; hosted an Earth Day event; purchased a Great Plains No-Till to aid producers in the planting of native grass and designed and maintains a website. Discussion and pictures followed on specific projects. Kelli reported on new services they would be offering for 2009-2010, workshops and participating at the Allen County Fair. Kelli mentioned continuing yearly projects: annual meetings, Earth Day, Cost Share, grass seed, area meetings. They are always open for suggestions for more projects.

Kelli requested \$25,000 for 2010. They are not asking for an increase in funding, the state will not be matching all of the county funds this year, but only up to \$24,572. Commissioners stated they would take the request under consideration.

Commissioners opened "Statements for Qualification" to design/build an ambulance station from Wood.com, Hofer and Hofer, Triangle Builders, and D E Construction. Commissioners reviewed each statement to rate qualification for building. Discussion followed on the rating process. No action was taken at this time.

Wade Bowie, II, Allen County Assistant Attorney, stopped in to say hi.

Jason requested to purchase an EZ-IO Drill for the four ambulances. It is actually a needle that goes into the bone when an IV cannot be started. Discussion followed. Only VidaCare provides this equipment. The initial cost is \$2,868.00 for four units. Discussion followed. Commissioner McIntosh moved to approve the purchase of four IO Drills. Commissioner Francis seconded, motion passed, 3-0-0.

Jason stated he would be sending a couple of employees to class to be certified for car seat installation.

Commissioners reviewed a grant application concerning the Service to the Elderly van. Commissioner Francis moved to authorize the Chairman's signature on a State of Kansas

Department of Transportation Grant for a 5310 Services to the Elderly van. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$41,896.46
- b) Payroll Changes
- c) Journal Entries #34-37

With no further business to come before the board, the meeting was adjourned until June 16, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS                      OFFICE OF THE ALLEN COUNTY CLERK                      June 16, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 9, 2009 meeting.

Ron Holman, Allen County Courthouse House and Grounds Director, presented bids for flooring in the extension office. Bids were received from Decorator Supply, Inc. for \$4,055.68 for carpet and tile; Homedetail for \$4,423.30. Commissioner Francis moved to accept the bid from Decorator Supply, Inc. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners received a call from Tholen's Heating and Cooling, Inc. concerning the air conditioner in the Senior Center on State Street. Chairman Works requested they coordinate and work with Ron Holman.

Thomas R. Williams, Allen County Sheriff, Pam Beasley, Allen County Emergency Manager, and Jared Warner, City of Iola Police Chief, were present to discuss 911 services. Sheriff Williams discussed the Heartland Building and its possibilities to serve as a 911 Dispatch center, ECO and ambulance station.

Commissioner Francis moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, Pam Beasley, Allen County Emergency Manager, and Jared Warren, City of Iola Police Chief and Sherrie L. Riebel, Allen County Clerk. The time is now 8:40 a.m. Commissioners reconvened at 8:45 a.m. No action was taken.

Commissioners discussed a request from 911 Advisory Committee for equipment. One of the requests was for pagers. Commissioners will visit with City of Iola Fire Chief before making the decision.

Bill King, Public Works Director, requested to go into executive session. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and

Sherrie L. Riebel, Allen County Clerk. The time is now 9:00 a.m. Commissioners reconvened at 9:05 a.m. No action was taken.

Bill reported the rock crusher is down again. The crusher is over 20 years old. Discussion followed. They are working on getting it up and running.

Bill reported the work at the landfill has come to a halt due to the 3.5 inches of rain received. Several storms have come through the area and there is still some clean up happening around the county.

Sharon K. Utley, Allen County Treasurer and Sherrie L. Riebel, Allen County Clerk, discussed adding a Treasurer's Tax Records to the current GIS mapping website and making it available to the public. They presented a demo on current Allen County and current Butler County's websites. The up front cost would be \$4,015.00 and annual cost of \$975.00. Discussion followed. No action was taken at this time.

Tim Cunningham, Tri-Valley Developmental Service Executive Director, presented information on Tri-Valley, some history of the service and explained the current services available. He requested \$58,000 for 2010, which is the same as 2009's request. Discussion followed on State funding cuts and other revenue. Commissioners expressed that they would take the request under consideration.

Chairman Works opened the road closing hearing at 10:00 a.m. No public citizens were present for the hearing. Commissioners reviewed Resolution 200907.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS,  
VACATION A CERTAIN SECTION OF COUNTY ROAD LOCATED WITHIN THE TOWNSHIP OF  
IOLA, ALLEN COUNTY, KANSAS  
RESOLUTION NUMBER 200907**

**WHEREAS**, the Board of County Commissioners of Allen County, Kansas has proposed vacating a portion of a county road extending north off of 900 Street in Section 17, Township 26, Range 18 and northwest into Section 8, Township 26S, Range 18E, in Logan Township in Allen County, Kansas, pursuant to K.S.A. 68-102a.

**WHEREAS**, said county road is described as follows:

**A part of 900 North East Road to be vacated. Said vacation to be located in the Southeast quarter of Section 8, Township 26S, Range 18E and Northeast quarter of Section 17, Township 26S, Range 18E. Vacation site beginning at the north end of existing low water bridge on Mud Creek in Northeast quarter of Section 17, Township 26S, Range 18E, thence following original road dedication with 40 foot right of way in a northwest direction 900 foot more or less, to a dead end at the south bank of Owl Creek in the southeast quarter of Section 8, Township 26S, Range 18E, in Logan Township, Allen County, Kansas.**

**WHEREAS**, notice of said proposed vacation has been given by the County Clerk as required by K.S.A. 68-102a.

**WHEREAS**, the Board has found and determined that said road is not a public utility by reason of non use and inconvenience and the necessity for said road as a public utility does not justify the expenditure of the necessary funds to keep the same in condition for public travel, and

**WHEREAS**, said vacation consists of less than two consecutive miles, as required by statute;

**BE IT, THEREFORE, RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS:**

1. That the section of county road in Southeast quarter of Section Eight (8), Township Twenty-six South (26S), Range Eighteen East (18E) and Northeast quarter of Section Seventeen (17), Township Twenty-six South (26S), Range Eighteen East (18E), Logan Township, Allen County, Kansas, as more fully described above, be and the same is hereby vacated.
2. That the County Clerk cause a certified copy of this resolution to be filed and recorded in the office of the Register of Deeds of Allen County, Kansas.
3. That this resolution shall take effect and be in force from and after its passage by the Board.

**ADOPTED AND APPROVED** at this hearing on the 16th day of June 2009.

Commissioner Francis moved to adopt Resolution 200907 to vacate a road in Logan Township. Commissioner McIntosh seconded, motion passed 3-0-0.

Donald Leapheart, City of Iola Fire Chief, and Judy Brigham, City of Iola Administrator, visited with the commission on the 911 request to purchase pagers for his department. Chief Leapheart

explained the current pagers are ten or eleven years old. They have always used pagers. The on-duty employees use radios; off duty fireman use the pagers if they are called in. Chief Leapheart stated he would not come to the commission if it was just a want instead of a need. He explained they are on-call 365 days a year. Discussion followed. Commissioner McIntosh moved to approve the purchase of the pagers. The motion died for lack of a second. Commissioners will check to see where the pagers could be paid out of in place of the 911 fund, since the fund is low. Discussion followed.

Larry Tucker, City of Humboldt Administrator, requested the commission lower the speed limit on 9<sup>th</sup> Street (old 169 hwy) from 55 to possibly 45 miles an hour or lower starting at the south end of the bridge heading north into the City of Humboldt. Humboldt received a grant to add a half mile, 8 foot wide walking trail from the swimming pool to the city ball diamonds north of Monarch. They would like to be able to slow traffic down before they get into city limits. There will be a pedestrian crossing sign installed at city limits. Larry also requested the same for the north side of town starting at the Catholic Cemetery to lower the speed limits. Discussion followed. Commissioners will take the requests under consideration and research the process to lower the speed limits.

Larry stated he hoped the county would keep the City of Humboldt in mind when considering places for the 911-dispatch center. The commissioners will set up a time to tour the Emprise Bank building, which the City of Humboldt has purchased for City Hall.

Larry mentioned the City of Humboldt is still interested in the county's help on chip and seal for streets and that some of other street maintenance has been put on hold until they know how much money the state will be sending the city. He mentioned Pine Street is in need of major repair. Discussion followed. Bill reported he currently does not have ample road rock for chip and seal. Commissioners stated they would do whatever Allen County can do without jeopardizing the county's responsibility on their roads.

Bill reported the commission might get a request from the City of LaHarpe to help with roadwork. Discussion followed.

Jeff Bauer, City of Iola Zoning Director, Alan Weber, Allen County Counselor and Sharon K. Utley, Allen County Treasurer, were present for Neighborhood Revitalization Plan discussion. Jeff explained the plan has different boundaries. Any changes or exceptions to the plan must first go through a hearing and receive permission from all taxing entities. Commissioners and Alan reviewed the document and requested more time for review. Discussion followed on current filings, time limits and qualifications. Jeff stated he is looking at several options and opportunities for homeowners and will be displaying the information for public review. No action was taken at this time.

Dorothy Sparks, Hope Unlimited Director, Donita Garner and Michelle Meiwes, Hope Unlimited representatives, requested to use the bandstand on the square to host some fundraisers. The first event will be on July 17, 2009 during the SEK Cruisers show around the courthouse. Dorothy will be attending a SEK Cruisers meeting to coordinate with them. The event would make use of the courtyard and bandstand to allow 2 or 3 local country/bluegrass groups to play while Hope Unlimited serves beans, cornbread, tea and dessert as a fundraiser. Hope Unlimited's event will last from 6:00 p.m. to 9:00 p.m. Commissioners approved the use of the bandstand on condition she coordinate the event with SEK Cruisers.

Commissioner Francis moved to approve Chairman Works' signature on contract requesting a time extension on the FEMA projects. Commissioner McIntosh seconded, motion passed 3-0-0.

Jason Nelson, Allen County EMS Director, requested the commission approve the Standard Operating Procedures. Commissioners requested Jason email them the material to review as well as sending it to Alan. Jason stated there is an inspection scheduled for Thursday.

Jason reported he has been working with David Bass at Monarch Cement Company on training issues.

Jason Nelson, Allen County EMS Director, Nathan Cunningham, previous Allen County Interim EMS Director, Terry Call, Allen County Assistant EMS Director and Alan Weber, Allen County



Counselor, were present for discussion concerning the meetings with the City of Iola. Nathan explained he felt uncomfortable relating information because it was a behind closed doors meeting.

Alan requested to go into executive session to discuss legal advice. Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, Nathan Cunningham, previous Allen County Interim EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:30 a.m. Commissioners reconvened at 11:40 a.m. No action was taken.

Alan reported the Commission has until next week to make a decision on the "Statements for Qualification" for the design/build on the proposed ambulance station from Wood.com, Hofer and Hofer, Triangle Builders, and D E Construction. Commissioners will continue to review each statement to rate qualification for building for next week's meeting.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, Nathan Cunningham, previous Allen County Interim EMS Director, Terry Call, Assistant EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:42 a.m. Commissioners reconvened at 11:47 a.m. No action was taken.

Commissioner McIntosh moved to approve the Standard Operating Procedures (SOP) presented by Jason and allow Chairman Works signature once Alan has reviewed and approved. Commissioner Francis seconded, motion passed 3-0-0.

Alan requested an executive session for attorney client discussion. Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:51 a.m. Commissioners reconvened at 11:56 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$74,143.47
- b) Clerk's Vouchers Totaling \$166, 181.67 signed 6/14/2009
- c) Payroll Changes
- d) Journal Entries #38-39

With no further business to come before the board, the meeting was adjourned until June 23, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 23, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 16, 2009 meeting.

David Toland, Thrive Executive Director, Brenda Sharp, REACH Healthcare Foundation President CEO, Becky Topper, Vice President of the REACH Program Department, Teresa Schwab, Public Policy Director and Karen Gilpin, member of the REACH Healthcare Foundation Board of Directors, visited with the Commissioners. David explained the meeting was more of just an introduction of the committee. Brenda gave a brief update of the REACH Healthcare Foundation and its benefits for Allen County and its communities. Discussion followed on grants available for poor or uninsured individuals. Brenda explained 8% of REACH's resources go back into Allen County. Commissioners explained their backgrounds and length of services to Allen County. Brenda explained the foundation is working on 2012 Strategic plan and ask what areas need to be addressed within Allen County. Health care and transportation for rural areas would be one area to address. Discussion followed on services currently operating in the Southeast Kansas area. Attracting doctors to the area would be a avenue to pursue. Brenda asked about Allen County's relationship with HCA, who currently operates the local hospital. HCA is in their second or third year of a five-year lease. Discussion followed. Brenda asked about leadership in Allen County. Sunny Shreve, Thrive secretary, joined the meeting. Karen complimented the area's positive activities. Commissioners expressed their appreciation for the work REACH does in Allen County.

Ron Holman, Allen County House and Grounds Director, discussed the bids that had been presented for the extension office. He requested to put vinyl around the heater. Discussion followed on the reasons. Commissioners approved Ron to do what was needed.

Ron reported there are six more lights than counted; they had missed the court hallway lights. Commissioners approved the replacement of extra lights.

Bill King, Public Works Director, requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:09 a.m. Commissioners reconvened at 9:14 a.m. No action was taken.

Bill reported dust abatement is being worked on currently and will be finishing up this week.

Bill reported on the work at the Allen County landfill. Discussion followed.

Bill mentioned the bucket truck is in St. Joseph, MO. for repair on some cylinders.

Bill explained several of the projects all of his crews are working on.

Sherrie requested approval on the website for a tax program that was demonstrated last week. Commissioners stated they thought it would be money well spent because it would benefit the patrons of Allen County. Sherrie will contact CIC for a contract.

Sherrie requested approval for the annual Computer Information Concepts contract for Peopeware support for \$32,270.00. Commissioner McIntosh moved to approve the Peopeware contract with Computer Information Concepts. Commissioner Francis seconded, motion passed 3-0-0.

Jason Nelson, EMS Director, and Terry Call, Assistant EMS Director, reported the state inspections went well.

Jason reported training on the EZ-IO Drill (a needle that goes into the bone when an IV cannot be started) would be July 1, 2009 in the assembly room.

Jason stated he would be meeting with Doctor Spears to review the Protocols changes.

Jason requested an executive session. Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner

Francis, Alan Weber, Allen County Counselor, Jason, Terry and Sherrie L. Riebel, Allen County Clerk. The time is now 9:38 a.m. Commissioners reconvened at 9:48 a.m. No action was taken.

Darrin Petrowsky, KDOT District Four Area One Engineer, wanted to introduce himself to the new commission. He reported on work projects within the Allen County scheduled for this year. Discussion followed on specific projects. He stated there are no road construction projects for the next two years but there is a bridge scheduled for replacement in 2010. Discussion followed on funding and the state-hiring freeze.

John Green, Area Agency on Aging Director, discussed the services Allen County individuals utilized from AAA. They have Older American Act, Nutrition Programs, Senior Care Act, Home and Community Based Services and Help with Medicare Part D. He presented information for the Southeast Kansas Area and what all the services involve such as assessments, attendant care, case management, counseling, homemaking, information and assistance. They also provide lifelines, support groups, telephone, transportation, congregate meals, home delivered meals and incontinent supplies. Discussion followed. He requested funding in the amount of \$2,000 for 2009 from Allen County; this request remains the same as 2008.

Sandra Drake, Allen County Appraiser, discussed her reappointment. Commissioners reviewed Resolution #200908.

#### **RESOLUTION NUMBER 200908**

#### **A RESOLUTION APPOINTING A COUNTY APPRAISER**

**WHEREAS;** pursuant to K.S.A. 19-430 the Board of County Commissioners of Allen County are required to appoint a county appraiser, and;

**WHEREAS;** said county appraiser shall hereby be reappointed to serve a term of four (4) years and until a successor is appointed;

#### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS:**

- Section 1.** That Sandra K. Drake be and she is hereby appointed to the position of County Appraiser for Allen County, Kansas.
- Section 2.** That the term of her appointment shall begin on July 1, 2009. The salary and other benefits shall be reviewed annually by resolution of the Board of County Commissioners of Allen County, Kansas.
- Section 3.** That this resolution shall take effect and be in force from and after its passage and publication one time in the legal newspaper of the county.

#### **ADOPTED AND APPROVED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS THIS 23rd DAY OF JUNE 2009.**

Commissioner McIntosh moved to approve the resolution reappointing Sandra Drake as Allen County Appraiser. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners and Sandra reviewed the Employment Contract.

#### **EMPLOYMENT CONTRACT**

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS AND SANDRA K. DRAKE wish to enter into an employment contract for the purpose of re-appointing Sandra Drake as County Appraiser for Allen County, Kansas.

The terms of such employment contract are as follows:

1. Sandra K. Drake's term of employment and re-appointment shall be effective July 1, 2009, and shall serve as such county appraiser for Allen County, Kansas for a term of four (4) years and until her successor is appointed. Any renewal of the contract shall be governed by the provisions of K.S.A. 19-430, et. Seq.
2. The salary to be paid shall be \$56,492.80 per year, which may be reviewed annually by resolution of the Board of County Commissioners.
3. All benefits shall be available during the term of employment. Mileage and travel expenses shall be reimbursed upon proof of payment of same.
4. The conditions of the employment are governed by K.S.A. 19-425, et. Seq.
5. The State of Kansas, Department of Revenue, Director of Property Valuation, shall receive notice of this Resolution and Employment Contract.

Dated this 23rd day of June 2009.

Commissioner Francis moved to enter into a contract with Sandra Drake to serve as Allen County Appraiser for four years. Commissioner McIntosh seconded, motion passed 3-0-0.

Thomas R. Williams, Allen County Sheriff, presented a Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation that needs to be shared with the City of Iola. The grant is for \$26,500; the City of Iola would get \$13,835, which would leave \$12,615. The funding would be for four Tough Book Computers and software for these computers. These computers would link some patrol cars to Global Software. The city is requesting six software packages and a digital video mirror package for their share. Commissioner Francis moved to approve the Interlocal Agreement between the City of Iola and County of Allen for the Recovery Act: Justice Assistance Grant (JAG) Program Award. Commissioner McIntosh seconded, motion passed 3-0-0.

Sheriff reported on the cost saving from installation of a new boiler in the Law Enforcement Center. Discussion followed.

Alan Weber, Allen County Counselor, presented the L.E.P.P. grant application for the Chairman's signature. Commissioner Francis moved to approve the grant application and approved Chairman Works' signature. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan has reviewed the 125 insurance cafeteria plan and stated all looked good. Commissioner Francis moved to authorize Chairman Works sign the 125 insurance cafeteria plan. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan discussed amendments he will suggest to the City of Iola concerning the Neighborhood Revitalization Program. Discussion followed on detail. Alan will visit with the City of Iola on the changes.

Alan stated there would be a zoning meeting on Thursday, June 25<sup>th</sup> for public comment on the flood plains and a cell tower conditional use.

Commissioners discussed they would like to tour the Emprise Bank at the City of Humboldt. Sherrie will contact Larry Tucker, City of Humboldt Administrator.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$103,429.28
- b) Payroll Changes
- c) Journal Entries #40-41

With no further business to come before the board, the meeting was adjourned until June 30, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      June 30, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Michael McDonald, Allen County Citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the June 23, 2009 meeting.

Commissioners discussed the request for 911 radios by the City of Iola Fire Department. Commissioners stated they had approved the purchase of radios and will pay for them out of the 911 fund. Discussion followed on the 911 fund purchasing the original equipment but that the entities are to be building the fund to pay for their own replacements as set up originally.

Michael McDonald, Allen County Citizen, discussed a dangerous intersection at 400 Rd and US Hwy 54. He reported there is a bad shoulder on US Hwy 54 from where the shoulder turns off. He wanted to know why the commission hasn't taken action on the road. Commission explained that Allen County is not responsible for US Hwy 54.

Michael McDonald wanted to know what is the county doing to make the county "Green". He explained the courthouse was not shading their windows on the south; the sheriff's office is driving around F150 trucks and the land by Russell Stover has no windmills on it and several other issues. Discussion followed on what was being done and should look to the future. Michael stated he doesn't think Allen County should wait for a natural disaster before they think "Green".

Chuck Richey, Allen County resident, joined the meeting.

Harry Lee, LaHarpe citizen, discussed how the county might use the abandoned school building in LaHarpe. He stated the building is centrally located in the county and that it is already built and has the best communications devices available in the county. Discussion followed on thoughts and options.

Bill King, Public Works Director, reported the scraper is down. He stated they are repairing it, but wanted to let commissioners know LaForge and Budd has finished the scraping at the landfill for Allen County.

Bill reported he is starting to secure right of way for a bridge project. Discussion followed.

Bill stated he and most of the department heads would like the no gun signs left up at the courthouse.

Bill reported they had an issue where the Police Department did not answer the phone on their regular line. Discussion followed on not calling 911 if it is not an emergency.

Bill stated the crusher has been repaired and is being set back up. Discussion followed on other items of interest at the landfill.

Bill reported Allen County Regional Airport Advisory Board will be meeting with the commission on July 14 in regards to a grant.

Pam Beasley, Emergency Manager, reported she was deployed for a Region 7 disasters training in Salina. She briefed the commission on the training event.

Commissioner Works reported the commission needs to vote on NACo representatives as Allen County members of National Association of Counties. Commissioner McIntosh moved to appoint Chairman Works as voting delegate for the ballot. Commissioner Francis seconded, motion passed 3-0-0.

Jason Nelson, EMS Director, reported all the crews have visited The Monarch Cement Company and will be setting up a mock drill at a later time.

Jason talked about grant money awarded to the department for a laptop for one truck and software for two stations. He has selected employees who will be going to training to use this software.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be

Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Terry Call, Assistant EMS Director and Jill Allen, Allen County Election Deputy. The time is now 9:36 a.m. Commissioners reconvened at 9:41 a.m. No action was taken.

Alan Weber, Allen County Counselor, discussed the Zoning Hearing held Thursday, June 25, 2009. He reported there was no opposition against the request at the hearing. The Planning Commission recommended the commission approve the conditional use permit for T-Mobile to construct a tower. Commissioner McIntosh moved to approve the recommendation of the Planning Board. Commissioner Francis seconded, motion passed 3-0-0.

Alan reported on the hearing for adopting the flood plain plan and explained the details. Commissioner McIntosh moved to approve Alan to present the plan with the revisions he had made to the Kansas Chief of Water Bureau. Commissioner Francis seconded, motion passed 3-0-0.

Alan presented the revised Neighborhood Revitalization Plan from the City of Iola as corrected. Alan presented the Neighborhood Revitalization Interlocal Agreement from the City of Iola. Commissioner Francis moved to approve Chairman Works' signature. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the agreement.

Alan informed the commission he had made a request to continue the grievance hearing from next week to July 21, 2009. Discussion followed.

Mrs. Ann Ford, Allen County citizen, doesn't think any one has any business bringing guns into the courthouse.

Tim Brazil, 31<sup>st</sup> Judicial District Judge and Dan Creitz, 31<sup>st</sup> Judicial District Judge, and Dina Morrison, Court Clerk, discussed the 2010 budget for Court, Indigent Services and District expenses. Discussion followed on what is included in the budgets. Judge Brazil reported after the first of the year the courts would be closing one week a month unless funding comes through on the legislative sessions. This will continue for six months or until the state makes changes. These will be unpaid furloughs; 30 days worth. Chief Justice is the person who decides this. Discussion followed on the problems and issues that will develop. There is hope that this will only happen during the month of January and February. Commissioners thanked the Judges and Dina for holding the line on the budget and will take their request under consideration.

Commissioners reviewed the Strategic Plan:

#### **County Confirmation of Economic Development Organization**

#### **RESOLUTION # 200909**

**A RESOLUTION** confirming that a regional economic development organization has been established as required by the 74-50-116(c) (1), for the purpose of qualifying **the Southeast Kansas Regional Planning Commission**, including the Counties of **Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson and Woodson** as designated non-metropolitan business region.

**WHEREAS**, A regional economic development organization, known as **the Southeast Kansas Regional Planning Commission**, has been established; and

**WHEREAS**, **the Southeast Kansas Regional Planning Commission** was organized under the Kansas Statute 12-716 in 1974, and

**WHEREAS**, On December 1, 1977, **the Southeast Kansas Regional Planning Commission** was designated as an Economic Development District by the United States Department of Commerce Economic Development Administration under Title IV of the Public Works and Economic Development Act of 1963 for the purpose of fostering and promoting economic growth and development, and

**WHEREAS**, the Counties of **Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson and Woodson** form the Southeast Kansas Regional Planning Commission by interlocal agreement, and

**WHEREAS**, The Board of County Commissioners of the Counties of **Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson and Woodson** are represented on the **Southeast Kansas Regional Planning Commission**

**WHEREAS**, The Board of County Commissioners of the County of Allen is supporting and active member of the **Southeast Kansas Regional Planning Commission**:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of the County of Allen: That the Southeast Kansas Regional Planning Commission meets the requirements of KSA 74-50,116 (c) (1); and

**BE IT FURTHER RESOLVED:** That the Kansas Secretary of Commerce is hereby requested to acknowledge the Southeast Kansas Regional Planning Commission as a qualifying regional economic development organization for the purpose of approving the Counties of Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson and Woodson as designated non-metropolitan business region.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ALLEN ON THIS**

**30th DAY OF JUNE 2009.**

Commissioner Francis moved to authorize Chairman Work's signature on Resolution 200909. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the resolution and Sherrie L. Riebel, Allen County Clerk attested.

Commissioners reviewed Resolution 200910:

**County Support of Regional Strategic Plan and Regional Incentives**

**RESOLUTION #200910**

A RESOLUTION reconfirming support for the qualifying regional strategic plan and requesting that the Secretary of Commerce re-approve the County of Allen as a Kansas Enterprise Zone designated non-metropolitan business region.

WHEREAS, A regional strategic plan, required by K.S.A. 74-50,116(c)(2), has been reviewed, updated, and adopted by the Board of County Commissioners of the County of Allen on June 30, 2009 and

WHEREAS, Regional business incentives of free business finance counseling and availability of revolving loan business financing provided by the Southeast Kansas Regional Planning Commission will be offered to all qualified businesses in the County; and

WHEREAS, Additional county-wide business incentive(s) of countywide property tax abatement may be offered to qualified business in the County. Additionally, waiver of building permit fees and landfill fees for the first 12 months of operation will be offered to all qualified businesses in the County; and

WHEREAS, All qualified businesses in the County will be notified of the availability of the business incentive(s) indicated above by publication in the official newspaper; and

WHEREAS, The Board of County Commissioners of the County of Allen chooses to participate with and be included in the Southeast Kansas Regional Planning Commission designated non-metropolitan business region, as provided for by K.S.A. 74-50,116; and

WHEREAS, The Board of County Commissioners of the County of Allen pledges to promote the continued review and update of its qualifying regional strategic plan:

**NOW, THEREFORE, BE IT RESOLVED** by Board of County Commissioners of the County of Allen: That the Secretary of Commerce is hereby requested to re-approve the County of Allen as a Kansas Enterprise Zone designated non-metropolitan business region pursuant to the Kansas Enterprise Zone Act; and

**BE IT FURTHER RESOLVED:** That the Secretary of Commerce is hereby requested to approve the inclusion of Allen County in the aforementioned multi-county regional designated non-metropolitan business region upon its approval.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ALLEN ON THIS 30<sup>th</sup> DAY OF June 2009.**

Commissioner Francis moved to adopt Resolution 200910. Commissioner McIntosh seconded, motion passed 3-0-0.

Susan Raines, Thomas Bowlus Executive Director, and Fred Works, Chairman of the Thomas Bowlus Board of Directors, discussed the history of the Bowlus center. She explained that the first 20 years the Bowlus could take care of maintenance for the building, but because the economic times are hard and interest is down they need help. Susan discussed the benefits for the citizens of Allen County and reviewed a list of the benefits. She did report that several individuals that utilize the events at the Bowlus are not all Allen County residents but area counties as well. Commissioner McIntosh asked about current finances. Susan explained the Bowlus will have drastic short falls this year, and she has presented an application for grant funding. Discussion followed. Fred explained the two biggest costs would be utilities and salaries and what they are doing to cut back. In the past the county has funded \$2,500 and they are requesting the county look to fund more because the Bowlus is fulfilling a county function. They are designated as the County Arts Agency. The building is a 45 year old building and in very good shape. Discussion followed on the continuing upkeep. Susan stated she would like not to have to come to the commission every year to request funding; she would like to see something more permanent based on total county valuation.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:50 a.m. Commissioners reconvened at 10:55 a.m. No action was taken.

Commissioner's adjourned to the Concealed Carry Hearing in the assembly room.

Commissioner's reconvened the Commission meeting to listen to public comment on the concealed carry. Chairman Works opened the hearing at 11:00 a.m. Alan briefly covered the Kansas Statutes Annotated. Several individuals were present, and several for comment. Susan Booth spoke in favor of the concealed carry in the courthouse (copy of speech in file). Patricia Stoneking, President of the Kansas State Rifle Association spoke in favor of the concealed carry in the courthouse (copy of speech in file). Jean Barber spoke against guns in the courthouse. Donna Hauser spoke totally against guns in the courthouse. Ray Hauser spoke against guns in the courthouse. Mary Ann Regehr spoke against carry guns in the courthouse on behalf of herself and Sharon K. Utley. Chuck Richey spoke against conceal carry guns in the courthouse. Ann Johnson spoke against concealed carry in the courthouse. Brian Murphy spoke against concealed carry in the courthouse. Stanley Dreher spoke against concealed carry in the courthouse. Walt Regehr spoke against concealed carry in the courthouse. Three people voted to allow concealed carry in the courthouse; two in county, one out of county. Everyone else voted against concealed carry.

Commissioner Works moved to continue posting "No Guns" signs and put up the correct size of signs in the courthouse. Commissioner Francis spoke his opinion on concealed carry. Commissioner McIntosh spoke his opinion on concealed carry. Motion died for lack of a second. Several individuals were upset on the issue of postponing a decision.

Commissioners will tour the Humboldt Emprise Bank building at 1:30 p.m. today.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$95,927.82
- b) Clerk's Vouchers Totaling 47,080.64 Signed 7/1/2009
- c) Clerk's Vouchers Totaling 194,105.30 Signed 7/1/2009 For payout on 7/3/2009
- d) Payroll Changes
- e) Payroll Vouchers

With no further business to come before the board, the meeting was adjourned until July 7, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**July 7, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Anne Kazmierczak, Iola Register representative, and Mary Ann Regehr, citizen, were present to observe the meeting.



Commissioners corrected and approved minutes of the June 30, 2009 meeting.

Commissioner McIntosh moved to allow concealed carry but not in the court area nor in the sheriff's area. No second was taken so motion died for lack of a second.

Commissioner Francis stated, "with the results of the hearing of June 30th and the contacts that I have had by email, telephone and in person, it has become clear that our county is somewhat equally divided on the concealed carry issue. Also, from my conversations with those involved in the court system, and the sheriff, it is apparent we have a security problem at the Allen County Courthouse.

In an effort to put this issue to bed, and to deal with the security issues, I move that the commission authorize the removal of concealed carry signs from all entrances to the court house. I also move that no-gun signs remain on the entrance to the Jail/Sheriff's Office, the Clerk of Court's entrance and both entrances to the court rooms. I also move that we add signs to these restricted areas that state that "no weapons of any kind are allowed."

I believe the commission has precedence to take these actions being that the Anderson County Court House, Shawnee County Court House & Wilson County Courthouse all do not have these signs. To add to this, all post offices are also no-gun zones and the Iola Post Office does not display no-gun signs.

Also, I move that we do not allow concealed carry of any weapons anywhere within the Allen County Court House building provided the following:

That we as the Allen County Commission direct Sheriff Tom Williams and his staff to research grant funding available that is sufficient to properly secure the Allen County Court House with a time table for completion not to exceed December 31, 2011 (Properly secure means that we can reasonably assure all those who enter the Allen County Courthouse that no guns and weapons of any kind are on the premises).

As elected officials we have a higher duty to uphold our constitution and not be moved by emotion or other's opinions. The constitution clearly indicates that citizens have a right to keep and bear arms and that right shall not be infringed. The only way I would feel comfortable refusing those who desire this right, and go through the process to obtain legal concealed carry permit, is to assure them, within reason, that they are safe and that carrying a firearm or any weapon is not needed for protection within the Allen County Courthouse.

If we are not able to find the funding, or able to secure the Allen County Courthouse properly by December 31, 2011, I believe we must re-visit this issue for the **potentiality** of making changes to the laws of Allen County regarding personal protection within the Allen County Courthouse". Commissioner McIntosh seconded. Sheriff does not see a reason for taking signs down. He believes in the second amendment, but feels there are certain places that such should not be allowed. Discussion followed in depth. Motion passed 2-1-0. Commissioner McIntosh and Francis voted in favor. Commissioner Works voted against.

Thomas R. Williams, Allen County Sheriff and Pam Beasley, Emergency Management Director, discussed available grants. Sheriff Williams reported he had requested Pam Beasley look into grants available through United States Department of Agriculture (USDA). Discussion followed. The grant applied for will be a 75/25 grant. Commissioner Francis moved to withdraw the current grant application. Commissioner McIntosh seconded, motion passed 3-0-0. The old grant application will be withdrawn and a new grant application will be submitted.

Sheriff discussed transferring a vehicle to the ambulance department to serve as a vehicle for EMS director. The cost will be approximately \$13,000. The sheriff will be going out for bids for a replacement vehicle.

Commissioner Francis moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, Pam Beasley, Emergency Manager, Jason Nelson, EMS Director and Sherrie L.

Riebel, Allen County Clerk. The time is now 9:23 a.m. Commissioners reconvened at 9:28 a.m. No action was taken.

Commissioners directed Pam to do more investigation on potential properties.

Pam reported there are mitigation monies to build from ground up if that is an option. Discussion followed. Pam will check into the possible monies available.

Jason Nelson, Emergency Medical Services Director, reported on meeting with Moran Fire Department in regards to a first responder's class. He will be meeting with Humboldt Fire Department as well to see if there is anyone in Humboldt interested in taking the class. Jason reported on the E-Z IO Drill class last week. Discussion followed.

Jason reported he has had several employees request to start an exercise program. Discussion followed on the different places they could use and costs.

Jason reported he has hired a new MICT. She will be starting July 13, 2009.

Commissioners discussed budgets for the 2010-year. They allowed it would be a difficult year with all the budget cuts from state.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Emergency Medical Services Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:43 a.m. Commissioners reconvened at 9:48 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Emergency Medical Services Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:49 a.m. Commissioners reconvened at 9:54 a.m. No action was taken.

Alan Weber, Allen County Counselor, reported on the flood buyouts status. He has finished four buyouts and reported there will possibly be four more, he is unsure about one. Allen County will be responsible for tearing down the structures; first they have to be inspected for asbestos.

Alan reported 911 had an issue but has taken care of the problem.

Alan discussed the "No Guns" signs. The commission stated they had already addressed the issue. Alan stated he thought the action would leave the issue in limbo with some people believing that guns were completely illegal in the courthouse and others believing that concealed carry is legal. A short discussion followed.

Alan reported on the Tax Foreclosure Sale. He stated it is proceeding as planned.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$245,586.57 signed on 7/7/2009 for payout on 7/14/2009
- b) Clerk's Vouchers Totaling \$18,361.39
- c) Payroll Changes
- d) Journal Entries #42-46

With no further business to come before the board, the meeting was adjourned until July 14, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the July 7, 2009 meeting.

Sherrie requested the commission to increase the privately owned automobile mileage reimbursement rate to 55 cents per mile as authorized by K.S.A. 75-3203a. The new rate took effect on July 1, 2009. Commissioner Francis moved to approve the mileage request. Commissioner McIntosh seconded. Motion passed 3-0-0.

Sherrie reported Annette Kyser, Elsmore Township Trustee, has moved into Neosho County. The remaining board members nominated Earl Carlson to replace her. Commissioner Francis moved to appoint Earl Carlson to serve as the Elsmore Township Trustee. Commissioner McIntosh seconded, motion passed 3-0-0.

Sherrie discussed the City of Humboldt closing a road, which is half the county's road. She requested to proceed with closing the county's half. Sherrie was approved to start the clean up process on a half road shared with the City of Humboldt. Commissioners approved to set up a hearing.

Bill King, Public Works Director, reported some of his crews are still cleaning up debris in the northeast part of Allen County from a storm that passed through last Wednesday. He presented pictures.

Bill discussed the road reclaimer and where he has it working.

Bill reported on the project at the landfill with the liner and some other issues. He reported the rain has not affected much on the current project. Bill stated this is the biggest cell they have tackled; it is 10 acres.

Bill reported on the rubber tire loader located at the landfill. He stated Berry Tractor has a warranty on it, which will replace the radiator.

Bill discussed a request from Fire District #3 to spray for weeds at their buildings and parking lots. Commissioners discussed setting precedence for other entities. Bill was advised to visit with them and decline their request.

Bill and Commissioners discussed other road projects and issues on the table for the rest of the year. Bill discussed budgets and state cuts; how the cuts will affect his department and projects.

Commissioners reviewed the annual resolution for continuing 911 surcharges on hard line phones. Resolution 200911 is as follows:

#### **Resolution #200911**

##### **ALLEN COUNTY EMERGENCY TELEPHONE SERVICE**

WHEREAS, K.S.A. 12-5301, et seq., authorizes the governing body to enact by resolution or ordinance provisions for the implementation of an emergency telephone service for reporting police, fire, medical or other emergency situations; and

WHEREAS, the Board of County Commissioners of Allen County, Kansas approved a resolution on the 24<sup>th</sup> day of June, 1988 to provide for emergency telephone services utilizing the three (3) digit number 911 for reporting police, fire, medical or other emergency situations; and

WHEREAS, the Board of County Commissioners of Allen County, Kansas, originally imposed a tax in an amount not to exceed two percent (2%) of the tariff rate defined in K.S.A. 12-5301 to pay the costs of such emergency telephone services within Allen County;  
AND WHEREAS, the governing body is now authorized and has been imposing a tax in an amount not to exceed \$.75 per month per exchange access line in those portions of the governing body's jurisdiction for which emergency telephone service has been contracted to pay the costs thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Allen County, Kansas, that:

1. That the tax imposed for the purpose of providing 911 Service within Allen County shall continue to be in the amount of \$.75 per month per exchange access line in accordance with K.S.A. 12-5302, et seq.
2. That the Board of County Commissioners of Allen County, Kansas shall be authorized to continue the contract and enter into any other contracts directly with providers of emergency telephone service or an other public agencies in accordance with K.S.A. 23-5304, if the same is deemed to be the most appropriate procedure.

That this resolution shall take effect from and after its publication in the Iola Register.

PASSED AND APPROVED, this 14th day of July 2009, for the calendar year 2010.

Commissioner McIntosh moved to approve Resolution 200911. Commissioner Francis seconded, motion passed 3-0-0.

Jason Nelson, EMS Director, reported on meetings he has attended this past week. He reported he would be working with the LEPC chairman to set up a tabletop session.

Jason reported the paramedics and EMT-I's both will now be able to administer D50, a medication for diabetics, as approved by Doctor Spears.

Jason reported he would be sharing a booth with the Sheriff and Emergency Management at the Allen County Fair. He shared ideas on forms he will be using at the fair.

Jason reported EMS has had over 40 runs since July 3<sup>rd</sup>, this includes transfers.

Jason reported he is moving from Hiawatha to Iola the first of August.

Jason stated he would go to Parsons for a Region 6 EMS meeting on Thursday. Commissioners reported on some other meetings for EMS directors.

Jacquelyn Smith, Program Director/Case Manager for Big Brothers/Big Sisters in Allen County, Susan Cook, Big Brother/Big Sisters treasurer, requested monies from Allen County. Mrs. Smith requested funding from the Special Alcohol fund. She explained how the program works and what they need in the way of funding and services performed. They are serving 30-40 young persons from the age of five to seventeen and will be more as school starts. Mrs. Smith explained they are trying to work with Neosho County. Discussion followed on what items are paid for from the funds. Commissioners stated they would take their request under consideration.

Sherrie presented the proposed 2010 budget. Discussion followed. Commissioners will be meeting with the auditor at a later date.

Keith Locke, citizen, joined the meeting.

Carol Buzbee, City of LaHarpe Streets Superintendent, requested assistance from the county for a little less than 1.5 miles of streets. This would be to dig ditches and reclaim streets using the county's road reclaimer. Discussion followed on utilities and street base. Bill stated he had visited with the City of LaHarpe prior to this meeting. Carol stated he would like to be able to schedule this for 2009. Discussion followed on time, supplies and equipment. These proposed streets are chip-sealed streets currently. Commissioners stated they would default back to Bill on what he could get accomplished for 2009. Discussion followed. Commissioners stated they would try to work with them and for Carol to stay in touch with Bill King, Public Works Director.

Chuck Richey, citizen, joined the meeting.

Alan Weber, Allen County Counselor, reported he would be having a Flood Plain Hearing at 9:30 a.m. on July 28, 2009.

Alan discussed the no weapons signs.

Alan reported Stewart Manufacturing's property sale would be tomorrow.

Alan discussed the Fire District #3 by-laws. Discussion followed on board members and appointments. They currently need two appointments to this board. The fire chief cannot serve as a board member accordingly to the by laws. Alan will visit with the chairman.

Don Copley, Ken Johnson, Elvin Nelson, Keith Locke, and Gene Burrows, members of the Allen County Regional Airport Advisory Board, Glen Davidson, Allgeier Martin Engineer, Perry L. Hover, Garver Senior Aviation Planner Aviation Planning Resource Leader and Chris Munroe, Garver Aviation Planner, Bill King, Public Works Director, Mitch Garner, Allen County Regional Airport Manager and Alan Weber, Allen County Counselor, were present for the presentation. Ken explained the reason for the meeting was to cover the Allen County Airport Master Plan and Airport Layout Plan Update Approach and Schedule. Perry presented an organization chart for detail on the plans. Chris covered, in detail, the Master Plan and recommended a "preferred" course of action for the next 20 years. Discussion followed on schedule, surveys and such for developing the airport. Commissioner Works explained this is a process Allen County has to go through to qualify for future grants. This project will be paid for by state grant that is a 95/5% state/county funding. County's portion will be around \$10,000. Questions and answers followed. County will need to come up with a committee of interested persons. Seven to nine people are the best size for the committee but are not limited to such; some committees are a large as thirteen and small as five.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$92,312.84
- b) Payroll Changes
- c) Journal Entries #47-48

With no further business to come before the board, the meeting was adjourned until July 21, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      July 21, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh and Sherrie L. Riebel, County Clerk. Commissioner Robert A. Francis was absent.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the July 14, 2009 meeting.

Thomas R. Williams, Allen County Sheriff, and Pam Beasley, Emergency Management Director, were in to update the commission on the REC building. The tower is possibly a problem;

comment was made it would not be the selling factor. Discussion followed on tower inspection and walls. No action was taken.

Commissioners asked Pam about the storm siren in Savonburg. Discussion followed. Savonburg mayor will be in to visit the commission next week.

Commissioners discussed jail income. Discussion followed.

Commissioners discussed ambulance, 911 and EOC (Emergency Operations Center).

Sherrie reported the City of Humboldt is having a special mail ballot election on September 22, 2009. Commissioners stated they would have the canvass at 8:00 a.m. on September 25, 2009.

Sherrie requested on behalf of Virginia Macha to hold a 2<sup>nd</sup> Tea Party on the bandstand on August 21, 2009 at 6 p.m.. Hot dogs will be served. Commissioners approved with the provision they clean up the area when they are through.

Sherrie reported plumbing issues at the Iola Senior Center on Jefferson. Rust was blocking the sink lines after the new cabinets were installed. Sherrie suggested they call the plumber who has been working on the kitchen remodeling.

Sheriff Williams and Bill King, Public Works Director, discussed a 45 mile speed limit sign on the east side of Humboldt. He suggested a 55 mile speed limit sign be installed east of the Speedway and keep the speed limit 45 west from that intersection into the City of Humboldt. Commissioners approved a 45 mile speed limit from 1800 Street and Georgia Road west and a 55 speed limit east of 1800 Street and Georgia Road.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition right of way. Commissioner Works seconded, motion passed 2-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Bill King, Public Works Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:01 a.m. Commissioners reconvened at 9:06 a.m. No action was taken.

Bill presented bids for salt proposals. Bids were received from Cargil for \$78.20 per ton times 125 tons equals \$9,775.00; Morton Salt declined to bid; Frank Bills Trucking for \$48.00 per ton times 125 tons equals \$6,000. Last year's cost were \$44.50 per ton. Commissioner McIntosh moved to accept the bid from Frank Bills Trucking. Commissioner Works seconded, motion passed 2-0-0.

Bill requested Bill Lamb to carry over 57 hours of vacation past his anniversary date. Commissioners approved the carryover to be used within 6 months.

Bill reported a vehicle would be available after this week for the EMS Director. A seasonal appraiser will be finished for the summer so his will be available.

Bill discussed budget for 2010 and reasons on some of the requests.

Bill discussed charging for entrance pipes. The cost for last year was \$130,000 and up to \$89,000 already this year. A 12' steel pipe runs \$10.75 per foot, which runs \$430 per 40-foot pipe entrance. Discussion followed on type of pipe and requirements. Commissioners will take under consideration.

Bill explained how noxious weed chemical sales are to be for noxious weeds only. Discussion followed on regulations for cost and reimbursement costs to the county.

Bill discussed a few road projects. The rain early this morning has slowed projects down on the roads as well as the landfill.

Paul Sorenson and Glenda Creason, Iola Senior Center representatives, reported the cabinets are completed and the floor is beautiful. They expressed how appreciative all at the Senior Center are. Paul stated they paid for the waxing from the Senior Center's funds. Paul stated the Community Involvement Task Force Committee really deserves a great appreciation for getting

things started. He said our center went from a 3 to an 8 on a scale of 1-10. Commissioners thanked Paul and Glenda for all their involvement as well.

Jason Nelson, Emergency Medical Services Director, and Terry Call, Assistant EMS Director, reported on a District 6 meeting. Jason explained the State Board of EMS is trying to set a model plan for the entire state. Discussion followed on what this plan would include such as education. Jason reported on the KEMTA conference, which will be held in Wichita; he is sending Mike Hueston. Jason has a conflicting schedule so he will go for one day only.

Jason reported they are planning things for the 2009 Allen County Fair. He explained some of what they have scheduled.

Jason reported he would be gone next week.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Terry Call, Assistant EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:00 a.m. Commissioners reconvened at 10:05 a.m. No action was taken.

Jason reported they have received body bags through Region 6 meeting.

Jason reported they are going out for bid on tires. Discussion followed on quality and dependability.

Bill requested a couple of names to serve on the Allen County Regional Airport Committee to assist with the long-range plan for the airport. Commissioners will consider the request.

Sheriff Williams presented information on jail income for last year in comparison to this year. Income is a little down this year from last. Sheriff Williams stated they would be working with surrounding counties to house inmates.

Commissioner McIntosh moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 2-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Jason Nelson, EMS Director, Terry Call, Assistant EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:37 a.m. Commissioners reconvened at 10:47 a.m. No action was taken.

Alan Weber, Allen County Councilor, reported on Fire District #3. He stated they have amended their bylaws to allow the fire chief to serve on the Fire District #3 Board. No action was taken at this time.

Alan reported on the Sheriff's sale on Stewart Manufacturing. Discussion followed.

Commissioners discussed the "Red Flag Rule" for the SEK Multi County Health Department and the Allen County Emergency Medical Services. He stated they are required by State to have this in effect in August.

A grievance hearing that was scheduled for 11:00 a.m. was postponed to a later date to be determined.

Commissioners approved the following documents:

- a) Clerk's Vouchers \$153,746.33 signed 6/17/2009
- b) Payroll Changes
- c) Journal Entries #49
- d) Abatements –PP Value 2544, \$391.54, Year 2008
- e) Abatements –PP Value 2104, \$341.10, Year 2007
- f) Abatements –pp Value 2152, \$337.04, Year 2006

With no further business to come before the board, the meeting was adjourned until July 28, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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absent  
Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      July 28, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Chuck Richey, citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the July 21, 2009 meeting.

Chuck Richey discussed the concealed carry gun. Discussion followed on a letter from the 31<sup>st</sup> Judicial District Judges concerning the law. No action was taken.

Bill King, Public Works Director, discussed the 2009 Airport Advisory Board. He presented a suggestion of names from Chairman Don Copley to serve on the board. Those names consisted of Bill King, Gene Burrows, Elvin Nelson, H.K. (Ken) Johnson, Keith Locke, Ron Smail, Jim Heffernon, Jerry Daniels and Mitch Garner, Airport Manager.

Bill presented information from LaForge and Budd Construction Company, Inc. on the landfill project. The letter was for change orders consisting of Soil Liner Moisture Control for \$32,300, Soil Liner Scraping for \$48,305, Anchor Trench Earthwork for \$22,630, Pipe and Conduit Trenching for \$7,360 and Protective Cover Placement for \$197,700. Discussion followed on what each project would consist of, what the county's part is and what KDHE is requiring. He discussed methane gas at the landfill; most of it is being burnt.

Bill discussed a call requesting to dump contaminated dirt. He requested to accept it to use as daily cover. Discussion followed.

Bill discussed chip and seal for the county roads. The rain has been a deterrence.

Bill asked the commission to consider the cost of the loaning out the reclaimer, the entranceway pipe and reimbursement to help the budget. Discussion followed on the costs of rock, time and pipe. Anyone needing entranceways in the county right of way should be contacting the Public Works Department for authorization. Commissioner McIntosh moved to approve Public Works department to charge for the county's cost of entrance pipe, with rock and time provided as of August 1, 2009. Commissioner Francis seconded, motion passed 3-0-0. This does not include replacement pipes.

Bill reported they are still drilling and blasting at the landfill for the new cell.

Chairman Works opened the hearing for the flood plain ordinance at 9:30 a.m. Those present were the commissioners, Alan Weber, Allen County Counselor, Bob Johnson, Iola Register reporter and Chuck Richey, citizen. Alan reviewed what the hearing would provide for the county. He mentioned the Planning Board had a hearing and no public showed up for that as well. Commissioners reviewed Allen County, Kansas Floodplain Management Resolution 200912 and a resolution to revise and update the Allen County Flood Plain Management Regulations by repealing the Zoning Overlay District Flood Plain Management Ordinance dated September 7, 1990 of Allen County, Kansas and Incorporation by reference new floodplain zoning regulations based on the model recommended by FEMA and the Kansas Department of Agriculture Resolution 200913.



**RESOLUTION No. 200912**  
**ALLEN COUNTY, KANSAS FLOODPLAIN MANAGEMENT RESOLUTION**  
**60.3 (d) Regulatory Floodway Identified**

**ARTICLE 1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, AND PURPOSES**

**SECTION A. STATUTORY AUTHORIZATION**

1. *Approval of Draft Resolution by Kansas Chief Engineer Prior to Adoption*

The following floodplain management regulations, as written, were approved in draft form by the Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture on July 2, 2009.

2. *Kansas Statutory Authorization*

The Legislature of the State of Kansas has in K.S.A. 12-741 *et seq.*, and specifically in K.S.A. 12-766, delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety, and general welfare. Therefore, the **Board of County Commissioners of Allen County, Kansas** ordains as follows:

**SECTION B. FINDINGS OF FACT**

1. *Flood Losses Resulting from Periodic Inundation*

The special flood hazard areas of **Allen County, Kansas**, are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base; all of which adversely affect the public health, safety and general welfare.

2. *General Causes of the Flood Losses*

These flood losses are caused by (1) the cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and (2) the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood damages.

3. *Methods Used To Analyze Flood Hazards*

The Flood Insurance Study (FIS) that is the basis of this resolution uses a standard engineering method of analyzing flood hazards, which consist of a series of interrelated steps.

- a. Selection of a base flood that is based upon engineering calculations, which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this resolution is representative of large floods, which are characteristic of what can be expected to occur on the particular streams subject to this resolution. The base flood is the flood that is estimated to have a one percent chance of being equaled or exceeded in any one year as delineated on the Federal Insurance Administrator's FIS, and illustrative materials dated September 25, 2009 as amended, and any future revisions thereto.
- b. Calculation of water surface profiles that are based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
- c. Computation of a floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
- d. Delineation of floodway encroachment lines within which no development is permitted that would cause **any** increase in flood height.
- e. Delineation of floodway fringe, i.e., that area outside the floodway encroachment lines, but still subject to inundation by the base flood.

**SECTION C. STATEMENT OF PURPOSE**

It is the purpose of this resolution to promote the public health, safety, and general welfare; to minimize those losses described in Article 1, Section B(1); to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) and K.A.R. 5-44-4 by applying the provisions of this resolution to:

1. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;

2. Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
3. Protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

## **ARTICLE 2 GENERAL PROVISIONS**

### **SECTION A. LANDS TO WHICH RESOLUTION APPLIES**

This resolution shall apply to all lands within the jurisdiction of Allen County, Kansas identified as numbered and unnumbered A Zones, AE, AO, and AH Zones, on the Index Map dated September 25, 2009 of the Flood Insurance Rate Map (FIRM) as amended and any future revisions thereto. In all areas covered by this resolution, no development shall be permitted except through the issuance of a floodplain development permit, granted by the Board of county Commissioners of Allen County, Kansas or its duly designated representative under such safeguards and restrictions as the Board of County Commissioners of Allen County, Kansas or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Article 4.

### **SECTION B. COMPLIANCE**

No development located within the special flood hazard areas of this community shall be located, extended, converted, or structurally altered without full compliance with the terms of this resolution and other applicable regulations.

### **SECTION C. ABROGATION AND GREATER RESTRICTIONS**

It is not intended by this resolution to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this resolution imposes greater restrictions, the provisions of this resolution shall prevail. All other resolutions inconsistent with this resolution are hereby repealed to the extent of the inconsistency only.

### **SECTION D. INTERPRETATION**

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, shall be liberally construed in favor of the governing body, and shall not be deemed a limitation or repeal of any other powers granted by Kansas statutes.

### **SECTION E. WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this resolution is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This resolution does not imply that areas outside the floodway and flood fringe or land uses permitted within such areas will be free from flooding or flood damage. This resolution shall not create a liability on the part of Allen County, Kansas, any officer or employee thereof, for any flood damages that may result from reliance on this resolution or any administrative decision lawfully made thereunder.

### **SECTION F. SEVERABILITY**

If any section; clause; provision; or portion of this resolution is adjudged unconstitutional or invalid by a court of appropriate jurisdiction, the remainder of this resolution shall not be affected thereby.

## **ARTICLE 3 ADMINISTRATION**

### **SECTION A. FLOODPLAIN DEVELOPMENT PERMIT**

A floodplain development permit shall be required for all proposed construction or other development, including the placement of manufactured homes, in the areas described in Article 2, Section A. No person, firm, corporation, or unit of government shall initiate any development or substantial-improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.

### **SECTION B. DESIGNATION OF FLOODPLAIN ADMINISTRATOR**

The Allen County Zoning Administrator is hereby appointed to administer and implement the provisions of this resolution as the Floodplain Administrator.

### **SECTION C. DUTIES AND RESPONSIBILITIES OF FLOODPLAIN ADMINISTRATOR**

Duties of the Floodplain Administrator shall include, but not be limited to:

1. Review of all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the floodplain development permit requirements of this resolution have been satisfied;
2. Review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State, or local governmental agencies from which prior approval is required by Federal, State, or local law;
3. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. Issue floodplain development permits for all approved applications;
5. Notify adjacent communities and the Division of Water Resources, Kansas Department of Agriculture, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
6. Assure that the flood-carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse; and
7. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures;
8. Verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures have been floodproofed;
9. When floodproofing techniques are utilized for a particular non-residential structure, the floodplain administrator shall require certification from a registered professional engineer or architect.

#### SECTION D. APPLICATION FOR FLOODPLAIN DEVELOPMENT PERMIT

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:

1. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed structure or work;
2. Identify and describe the work to be covered by the floodplain development permit;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Indicate the assessed value of the structure and the fair market value of the improvement;
5. Specify whether development is located in designated flood fringe or floodway;
6. Identify the existing base flood elevation and the elevation of the proposed development;
7. Give such other information as reasonably may be required by the floodplain administrator;
8. Be accompanied by plans and specifications for proposed construction; and
8. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

### ARTICLE 4 PROVISIONS FOR FLOOD HAZARD REDUCTION

#### SECTION A. GENERAL STANDARDS

1. No permit for floodplain development shall be granted for new construction, substantial-improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A zones, AE, AO, and AH zones, unless the conditions of this section are satisfied.
2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this resolution. If Flood Insurance Study data is not available, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources.
3. Until a floodway is designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within any unnumbered or numbered A zones, or AE zones on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

4. All new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
  - a. Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - b. Construction with materials resistant to flood damage;
  - c. Utilization of methods and practices that minimize flood damages;
  - d. All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
  - e. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination from them during flooding; and
  - f. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
    - (1) All such proposals are consistent with the need to minimize flood damage;
    - (2) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
    - (3) Adequate drainage is provided so as to reduce exposure to flood hazards; and
    - (4) All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.

5. *Storage, Material, and Equipment*

- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
- b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

6. *Nonconforming Use*

A structure, or the use of a structure or premises that was lawful before the passage or amendment of the resolution, but which is not in conformity with the provisions of this resolution, may be continued subject to the following conditions:

- a. If such structure, use, or utility service is discontinued for **twelve (12)** consecutive months, any future use of the building shall conform to this resolution.
- b. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the pre-damaged market value of the structure ***unless the structure is made to conform to this resolution***. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, safety codes, regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination.

7. *Agricultural Structures*

Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; there is no permanent retail, wholesale, or manufacturing use included in the structure; a variance has been granted from the floodplain management requirements of this resolution; and a floodplain development permit has been issued.

8. *Accessory Structures*

Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-

wall design; a variance has been granted from the standard floodplain management requirements of this resolution; and a floodplain development permit has been issued.

## SECTION B. SPECIFIC STANDARDS

1. In all areas identified as numbered and unnumbered A zones, AE, and AH Zones, where base flood elevation data have been provided, as set forth in Article 4, Section A(2), the following provisions are required:
  - a. *Residential Construction*

New construction or substantial-improvement of any residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated a minimum of one (1) foot above base flood elevation. **The elevation of the lowest floor shall be certified by a licensed land surveyor or professional engineer.**
  - b. *Non-Residential Construction*

New construction or substantial-improvement of any commercial, industrial, or other non-residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed to a minimum of one (1) foot above the base flood elevation. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. **The elevation of the lowest floor shall be certified by a licensed land surveyor or professional engineer.** Such certification shall be provided to the floodplain administrator as set forth in Article 3, Section C(7)(8)(9).
  - c. Require, for all new construction and substantial improvements, that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in an area other than a basement and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
    - (1) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided; and
    - (2) The bottom of all opening shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

## SECTION C. MANUFACTURED HOMES

1. All manufactured homes to be placed within all unnumbered and numbered A zones, AE, and AH zones, on the community's FIRM shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
2. Require manufactured homes that are placed or substantially improved within unnumbered or numbered A zones, AE, and AH zones, on the community's FIRM on sites:
  - a. Outside of a manufactured home park or subdivision;
  - b. In a new manufactured home park or subdivision;
  - c. In an expansion to an existing manufactured home park or subdivision; or
  - d. In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial-damage as the result of a flood,

be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of one (1) foot above the base flood elevation and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. **The elevation of the lowest floor shall be certified by a licensed land surveyor or professional engineer.**
3. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A zones, AE and AH zones, on the community's FIRM, that are not subject to the provisions of Article 4, Section C(2) of this resolution, be elevated so that either:

- a. The lowest floor of the manufactured home is a minimum of one (1) foot above the base flood level; or
- b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. **The elevation of the lowest floor shall be certified by a licensed land surveyor or professional engineer.**

#### SECTION D. AREAS OF SHALLOW FLOODING (AO and AH zones)

Located within the areas of special flood hazard as described in Article 2, Section A are areas designated as AO zones. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. The following provisions apply:

##### 1. *AO Zones*

- a. All new construction and substantial-improvements of residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified).
- b. All new construction and substantial-improvements of any commercial, industrial, or other non-residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community FIRM (at least two (2) feet if no depth number is specified) or together with attendant utilities and sanitary facilities be completely floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- c. Adequate drainage paths shall be required around structures on slopes, in order to guide floodwaters around and away from proposed structures.

##### 2. *AH Zones*

- a. The specific standards for all areas of special flood hazard where base flood elevation has been provided shall be required as set forth in Article 4, Section B.
- b. Adequate drainage paths shall be required around structures on slopes, in order to guide floodwaters around and away from proposed structures.

#### SECTION E. FLOODWAY

Located within areas of special flood hazard established in Article 2, Section A, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles, the following provisions shall apply:

1. The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one (1) foot at any point.
2. The community shall prohibit any encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in **any** increase in flood levels within the community during the occurrence of the base flood discharge.
3. If Article 4, Section E(2), is satisfied, all new construction and substantial-improvements shall comply with all applicable flood hazard reduction provisions of Article 4.
4. In unnumbered A zones, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources as set forth in Article 4, Section A(2).

#### SECTION F. RECREATIONAL VEHICLES

Require that recreational vehicles placed on sites within all unnumbered and numbered A Zones, AE, AH, and AO Zones on the community's FIRM either:

1. Be on the site for fewer than 180 consecutive days, *or*
2. Be fully licensed and ready for highway use\*; *or*

3. Meet the permitting, elevation, and anchoring requirements for manufactured homes of this resolution.

\*A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

## **ARTICLE 5 FLOODPLAIN MANAGEMENT VARIANCE PROCEDURES**

### **SECTION A. ESTABLISHMENT OF APPEAL BOARD**

The Allen County Planning Board, as established by Allen County, Kansas shall act as the floodplain management Appeal Board and shall hear and decide appeals and requests for variances from the floodplain management requirements of this resolution.

### **SECTION B. RESPONSIBILITY OF APPEAL BOARD**

Where an application for a floodplain development permit is denied by the Floodplain Administrator, the applicant may apply for such floodplain development permit directly to the Appeal Board, as defined in Article 5, Section A.

The Appeal Board shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this resolution.

### **SECTION C. FURTHER APPEALS**

Any person aggrieved by the decision of the Appeal Board or any taxpayer may appeal such decision to the District Court as provided in K.S.A. 12-759 and 12-760.

### **SECTION D. FLOODPLAIN MANAGEMENT VARIANCE CRITERIA**

In passing upon such applications for variances, the Appeal Board shall consider all technical data and evaluations, all relevant factors, standards specified in other sections of this resolution, and the following criteria:

1. Danger to life and property due to flood damage;
2. Danger that materials may be swept onto other lands to the injury of others;
3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. Importance of the services provided by the proposed facility to the community;
5. Necessity to the facility of a waterfront location, where applicable;
6. Availability of alternative locations, not subject to flood damage, for the proposed use;
7. Compatibility of the proposed use with existing and anticipated development;
8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. Safety of access to the property in times of flood for ordinary and emergency vehicles;
10. Expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site; and,
11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems; streets; and bridges.

### **SECTION E. CONDITIONS FOR APPROVING FLOODPLAIN MANAGEMENT VARIANCES**

1. Generally, variances may be issued for new construction and substantial-improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood elevation, providing items two (2) through six (6) below have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, repair, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination, provide the proposed activity will not preclude the structure's continued historic designation and the variance is the minimum necessary to preserve the historic character and design of the structure.
3. Variances shall not be issued within any designated floodway if any significant increase in flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon: (a) showing of good and sufficient cause, (b) determination that failure to grant the variance would result in exceptional hardship to the applicant, and (c) determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or resolutions.

#### SECTION F. CONDITIONS FOR APPROVING VARIANCES FOR AGRICULTURAL STRUCTURES

Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Article 5, Sections D and E of this resolution.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-floodproofed:

1. All agricultural structures considered for a variance from the floodplain management regulations of this resolution shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures, such as farm houses, cannot be considered agricultural structures.
2. Use of the varied structures must be limited to agricultural purposes in Zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
3. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this resolution.
4. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with Article 4, Section A (4)(a) of this resolution. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
5. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this resolution.
6. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one percent annual chance flood event, also referred to as the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B (1)(c) of this resolution.
7. The agricultural structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section E(2) of this resolution. No variances may be issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the one percent annual chance flood event, also referred to as the 100-year flood.
8. Major equipment, machinery, or other contents must be protected from any flood damage.
9. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures.
10. Wet-floodproofing construction techniques must be reviewed and approved by the community prior to the issuance of any floodplain development permit for construction.

#### SECTION G. CONDITIONS FOR APPROVING VARIANCES FOR ACCESSORY STRUCTURES

Any variance granted for an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Article 5, Sections D and E of this resolution.

In order to minimize flood damages during the one percent annual chance flood event, also referred to as the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-floodproofed:

1. Use of the accessory structures must be solely for parking and limited storage purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).



2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this resolution.
3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Article 4, Section A (4)(a) of this resolution. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
4. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this resolution.
5. The accessory structures must meet all NFIP opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one percent annual chance flood event, also referred to as the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B (1)(c) of this resolution.
6. The accessory structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section E(2) of this resolution. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
7. Equipment, machinery, or other contents must be protected from any flood damage.
8. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
9. Wet-floodproofing construction techniques must be reviewed and approved by the community prior to the issuance of any floodplain development permit for construction.

#### **ARTICLE 6 PENALTIES FOR VIOLATION**

Violation of the provisions of this resolution or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with granting of variances) shall constitute a misdemeanor. Any person who violates this resolution or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than **\$200.00**, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues, shall be considered a separate offense. Nothing herein contained shall prevent **Allen County, Kansas** or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

#### **ARTICLE 7 AMENDMENTS**

The regulations, restrictions, and boundaries set forth in this resolution may from time to time be amended, supplemented, changed, or repealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in **Allen County, Kansas**. At least twenty (20) days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the FEMA Region VII office. The regulations of this resolution are in compliance with the NFIP regulations.

#### **ARTICLE 8 DEFINITIONS**

Unless specifically defined below, words or phrases used in this resolution shall be interpreted so as to give them the same meaning they have in common usage and to give this resolution its most reasonable application.

**"100-year Flood"** *see "base flood."*

**"Accessory Structure"** means the same as *"appurtenant structure."*

**"Actuarial Rates"** *see "risk premium rates."*

**"Administrator"** means the Federal Insurance Administrator.

**"Agency"** means the Federal Emergency Management Agency (FEMA).

**"Agricultural Commodities"** means agricultural products and livestock.

**"Agricultural Structure"** means any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.

**"Appeal"** means a request for review of the Floodplain Administrator's interpretation of any provision of this resolution or a request for a variance.

**"Appurtenant Structure"** means a structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

**"Area of Shallow Flooding"** means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**"Area of Special Flood Hazard"** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

**"Base Flood"** means the flood having a one percent chance of being equaled or exceeded in any given year.

**"Basement"** means any area of the structure having its floor subgrade (below ground level) on all sides.

**"Building"** *see "structure."*

**"Chief Engineer"** means the chief engineer of the division of water resources, Kansas Department Of Agriculture.

**"Chief Executive Officer" or "Chief Elected Official"** means the official of the community who is charged with the authority to implement and administer laws, resolutions, and regulations for that community.

**"Community"** means any State or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

**"Development"** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

**"Elevated Building"** means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**"Eligible Community" or "Participating Community"** means a community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

**"Existing Construction"** means for the purposes of determining rates, structures for which the *"start of construction"* commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. *"existing construction"* may also be referred to as *"existing structures."*

**"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**"Expansion to an Existing Manufactured Home Park or Subdivision"** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**"Flood" or "Flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland waters; (2) the unusual and rapid accumulation or runoff of surface waters from any source; and (3) the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood, or by some similarly unusual and unforeseeable event which results in flooding as defined above in item (1).

**"Flood Boundary and Floodway Map (FBFM)"** means an official map of a community on which the Administrator has delineated both special flood hazard areas and the designated regulatory floodway.

**"Flood Elevation Determination"** means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

**"Flood Elevation Study"** means an examination, evaluation and determination of flood hazards and if appropriate, corresponding water surface elevations.

**"Flood Fringe"** means the area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

**"Flood Hazard Boundary Map (FHBM)"** means an official map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.

**"Flood Hazard Map"** means the document adopted by the governing body showing the limits of: (1) the floodplain; (2) the floodway; (3) streets; (4) stream channel; and (5) other geographic features.

**"Flood Insurance Rate Map (FIRM)"** means an official map of a community, on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

**"Flood Insurance Study (FIS)"** means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

**"Floodplain" or "Flood-prone Area"** means any land area susceptible to being inundated by water from any source (*see "flooding"*).

**"Floodplain Management"** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

**"Floodplain Management Regulations"** means zoning resolutions, subdivision regulations, building codes, health regulations, special purpose resolutions (such as floodplain and grading resolutions) and other applications of police power. The term describes such state or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

**"Floodproofing"** means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

**"Floodway" or "Regulatory Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**"Floodway Encroachment Lines"** means the lines marking the limits of floodways on Federal, State and local floodplain maps.

**"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. *"Freeboard"* tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of urbanization of the watershed.

**"Functionally Dependent Use"** means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

**"Highest Adjacent Grade"** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**"Historic Structure"** means any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

**"Lowest Floor"** means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, **provided** that such enclosure is not built so as to render the structure in violation of the applicable floodproofing design requirements of this resolution.

**"Manufactured Home"** means a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term *"manufactured home"* **does not include** a *"recreational vehicle."*

**"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**"Map"** means the Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal Emergency Management Agency (FEMA).

**"Market Value" or "Fair Market Value"** means an estimate of what is fair, economic, just and equitable value under normal local market conditions.

**"Mean Sea Level"** means, for purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

**"New Construction"** means, for the purposes of determining insurance rates, structures for which the *"start of construction"* commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, *"new construction"* means structures for which the *"start of construction"* commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

**"New Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

**"(NFIP)"** means the National Flood Insurance Program (NFIP).

**"Participating Community"** also known as an *"eligible community,"* means a community in which the Administrator has authorized the sale of flood insurance.

**"Permit"** means a signed document from a designated community official authorizing development in a floodplain, including all necessary supporting documentation such as: (1) the site plan; (2) an elevation certificate; and (3) any other necessary or applicable approvals or authorizations from local, state or federal authorities.

**"Person"** includes any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State, and local governments and agencies.

**"Principally Above Ground"** means that at least 51 percent of the actual cash value of the structure, less land value, is above ground.

**"Reasonably Safe From Flooding"** means base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

**"Recreational Vehicle"** means a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently able to be towed by a light-duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**"Remedy A Violation"** means to bring the structure or other development into compliance with Federal, State, or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its noncompliance.

**"Risk Premium Rates"** means those rates established by the Administrator pursuant to individual community studies and investigations, which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. *"Risk premium rates"* include provisions for operating costs and allowances.

**"Special Flood Hazard Area"** *see "area of special flood hazard."*

**"Special Hazard Area"** means an area having special flood hazards and shown on an FHBM, FIRM or FBFM as zones (unnumbered or numbered) A, AO, AE, or AH.

**"Start of Construction"** includes substantial-improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within 180 days of the permit date. The *actual start* means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the *actual start of construction* means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**"State Coordinating Agency"** means the Division of Water Resources, Kansas Department of Agriculture, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that state.

**"Structure"** means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. *"Structure"* for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation, or a travel trailer, without

wheels on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

**"Substantial-Damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**"Substantial-Improvement"** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "*start of construction*" of the improvement. This term includes structures, which have incurred "*substantial-damage*," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "*historic structure*," provided that the alteration will not preclude the structure's continued designation as a "*historic structure*."

**"Variance"** means a grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

**"Violation"** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this resolution is presumed to be in violation until such time as that documentation is provided.

**"Water Surface Elevation"** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain riverine areas.

## **ARTICLE 9 CERTIFICATE OF ADOPTION**

This Floodplain Management Resolution for the community of Allen County, Kansas.

PASSED AND ADOPTED by the Governing Body of Allen County, Kansas.

This 28th day of July, 2009.

and

**Allen County Resolution NO. 200913**

A RESOLUTION TO REVISE AND UPDATE THE ALLEN COUNTY FLOODPLAIN MANAGEMENT REGULATIONS BY REPEALING THE ZONING OVERLAY DISTRICT FLOOD PLAIN MANAGEMENT ORDINANCE DATED SEPTEMBER 7, 1990 OF ALLEN COUNTY, KANSAS AND INCORPORATING BY REFERENCE NEW FLOODPLAIN ZONING REGULATIONS BASED ON THE MODEL RECOMMENDED BY FEMA AND THE KANSAS DEPARTMENT OF AGRICULTURE.

WHEREAS, in accordance with Kansas Statute, Allen County, Kansas currently regulates and manages floodplain development through its Zoning Overlay District Flood Plain Management Ordinance dated September 7, 1990; and

WHEREAS, in accordance with state and federal law, all such floodplain zoning regulations must be approved by the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources, Floodplain Program and must coordinate with the requirements and regulations of the National Flood Insurance Act of 1968 as amended; and

WHEREAS, the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources, Floodplain Program and the officials of the Federal Emergency Management Agency (FEMA) Region VII have recommended that Allen County, Kansas revise its floodplain management zoning regulations and adopt new regulations based upon the recommended model floodplain management regulations;

WHEREAS, upon the recommendation of the Allen County Planning Board, the Governing Body has determined that is in the best interest of Allen County to revise and update the Allen County floodplain management zoning regulations by repealing the current floodplain management zoning regulations and adopting and incorporating by reference new regulations based upon the recommended MODEL FLOODPLAIN MANAGEMENT RESOLUTION for 60.3(d);

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS:

### **SECTION 1.**

That the Zoning Overlay District Flood Plain Management Ordinance dated September 7, 1990 is hereby repealed.

## SECTION 2.

That the floodplain management regulations for Allen County, Kansas are hereby amended by the enactment of this Resolution Number 200913, which reads as follows:

### **INCORPORATION OF ALLEN COUNTY, KANSAS FLOODPLAIN MANAGEMENT RESOLUTION.**

Pursuant to the provisions of K.S.A. 12-3009, 12-3010 and 12-3301, there is hereby incorporated by reference for the purpose of providing floodplain zoning regulations within the County of Allen County, Kansas, all of the zoning regulations contained in that document hereafter known and referred to as **the “Allen County, Kansas Floodplain Management Resolution” Resolution No. 200912** which is based upon and modeled after the Model Floodplain Management Resolution as approved and recommended by the Federal Emergency Management Agency Region VII and the Kansas Department of Agriculture, Division of Water Resources, Floodplain Program. Violation of any of the provisions of the Allen County, Kansas Floodplain Management Resolution is punishable by a fine of up to \$200.00. Each day that such violation continues, shall be considered a separate offense.

No fewer than three copies of the Allen County Floodplain Management Resolution shall be marked or stamped **“Official Copy as incorporated by Resolution No. 200913 of Allen County, Kansas,”** and such copies shall be filed with the County clerk to be open to inspection and available to the public at all reasonable business hours, provided that such official copies may not be removed from the county courthouse. All county officials requiring the use of the Allen County, Kansas Floodplain Management Resolution shall be supplied, at the expense of the County, such number of official copies of such ordinance as may be deemed necessary by the Governing Body.

## SECTION 3.

This resolution shall take effect and be in force as of the date of its publication as provided by law.

**PASSED AND ADOPTED** by the Governing Body, this 28th day of July, 2009.

Commissioner Francis moved to adopt Resolutions 200912 and 200913. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan discussed the Red Flag Policy. He reviewed it is a federal regulation for any household accounts where identification could have the possibility of being stolen. Discussion followed. This has to be adopted by Allen County by August 1, 2009. Commissioner McIntosh moved to adopt the Red Flag Policy as presented. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:38 a.m. Commissioners reconvened at 9:43 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:43 a.m. Commissioners reconvened at 9:48 a.m. No action was taken.

Thomas R. Williams, Allen County Sheriff, and Pam Beasley, Emergency Management Director, announced that the Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation grant for Allen County and the City of Iola has been approved. The grant is for \$26,500; the City of Iola would get \$13,835, which would leave \$12,615 for Allen County. The funding would be for four Tough Book Computers and software for these computers. These computers would link some patrol cars to Global Software. The city is requesting six software packages and a digital video mirror package for their share. The City of Iola and Allen County will order the equipment once the funding is received. Commissioner Francis moved to authorize Chairman Works to sign the Recovery Act Edward Byrne Memorial Justice Assistance Grant acceptance letter. Commissioner McIntosh seconded, motion passed 3-0-0.

Sheriff Williams reported Senator Roberts' office called to announce Allen County Sheriff's department has received a grant for \$134,672 for the purpose of hiring one new deputy.

Pam reported on an Allen County tabletop disaster exercise coming up either October 29 or November 5.

Bill Thomas, citizen, wants to put up a sign for the Livestock Association on the land purchased by the county in the City of Gas. Commissioners stated usually the signs are put on private property not on public property and they would prefer not to set a precedent.

Commissioners discussed the voting delegate for Kansas Association of Counties. Commissioner Francis moved to authorize Chairman Works as voting delegate, Commissioner Francis second delegate and Commissioner McIntosh third. Commissioner McIntosh seconded, motion passed 3-0-0.

Kathy McMurray, City of Savonburg Mayor, and Christen Bennett, Savonburg City Clerk, explained they had requested a siren, two shelters and a generator through a FEMA grant. She stated she had worked with the sheriff's department to apply for the grant, which they were denied. The City of Savonburg purchased their own siren from a company in Oklahoma. She stated they were under the impression the siren could be attached to 911; which the 911 dispatch at the city stated they could not. Discussion followed. Sheriff stated he has visited with the City of Iola Police Chief and City of Humboldt Police Chief to discuss changes in 911. Pam stated she would help them to reapply through the State of Kansas for the shelters and generator. Mayor McMurray stated they just want the siren to go off even if there is not someone to manually set it off, but to have 911 dispatch to set off the siren. Commissioner McIntosh offered to go with Mayor McMurray to visit with 911 dispatch concerning setting off the siren.

Commissioner McIntosh stated the City of Iola Administrator would send a letter of response to City of Savonburg concerning the 911 dispatch.

Judy Brigham, City of Iola and Darrell Baughn, City of Iola Electrical Department, explained the electrical devices of the frequency of radios, which would set off the sirens. The storm siren is just a receiver. He explained the City of Savonburg is just too far away to receive the City of Iola's radio frequency. Discussion followed on options and suggestions.

Jason Nelson, Allen County EMS Director, introduced his wife, Sherri, to the commission.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:38 a.m. Commissioners reconvened at 10:43 a.m. No action was taken.

Rodney Burns, Schlotterbeck and Burns Auditor, worked with the commission on the county's 2010 budget.

Commissioner McIntosh left the meeting.

Commissioner Francis moved to authorize Alan Weber to negotiate the purchase of the REC building with Kent Thompson. Commissioner Works seconded, motion passed 2-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$75,111.67
- b) Payroll Changes

With no further business to come before the board, the meeting was adjourned until August 4, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:00 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis, and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Chuck Richey, citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the July 28, 2009 meeting.

Lee Gumfory, citizen, discussed the Neosho River Park clean up project. Discussion followed Judy Brigham, City of Iola Administrator, and Roxanne Hutton, City of Iola Clerk, joined the meeting. Judy explained that the light at the River Park is not the city's light. Lee asked if the county commissioners would help and he feels Bill King would be very capable of handling. Commissioners asked if he could get permission to work on privately owned land in writing. Judy stated the land is City of Iola property located within the county jurisdiction. Commissioners will visit with Bill on his schedule for fitting in the project.

Ron Holman, Allen County House and Grounds Director, presented bids for insulation of the Iola Senior Center Inc on State Street. Bids were received by Lowell & Sons Construction for \$2217.16 for R38, \$1957.67 for R30 and \$1,544.61 for R19; Spencer's Construction for \$2,631.00 for R30. Commissioner Francis moved to approve the bid from Lowell & Sons Construction for R38. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh discussed visiting with Mid-Continental Restoration to spray the west steps of the courthouse. He requested them to spray since they were in town and would not charge much.

Chuck Richey reported the bell on the clock is currently not working. He is looking for parts to fix the clock. Chuck reported it would cost \$2,800 to put the clock on its own bell. Discussion followed. He stated the Lions Club usually picks up the cost to do work on the clock. Commissioners instructed him to see what he can raise and let them know.

Judy Brigham, City of Iola Administrator, and Roxanne Hutton, City of Iola Clerk, advised they will be meeting with the City Commission at 3 p.m. concerning budget planning. Judy asked if the city would have any cost in the new 911. Discussion followed on what the current 911 covers such as dispatching city crews as well as 911 calls.

Judy discussed EMS monies for the city. Commissioners stated they would like to see the County run the entire EMS. Commissioners stated they do not see any changes in the contract between the City of Iola and Allen County.

Bill King, Public Works Director, presented a letter from LaForge and Budd Construction Company, Inc explaining missing the July 1, 2009 contracted deadline; the letter was requesting a 45-day time extension. The current date for substantial completion is September 11, 2009. The final completion date is September 26, 2009 with a 45-day time extension; the dates for substantial and final completion would be October 26, 2009 and November 11, 2009.

Bill reported on requests for dirt from the Fair Board that he declined. Discussion followed on OSHA regulations and KDHE laws.

Bill discussed budget for the landfill. He explained the cost of repairing or replacing tires, replacing flex markers and unexpected cost.

Commissioners reported Lee Gumfory requested the County do some clean up on the east side of the Neosho River Bridge west of Iola.

Bill reported on projects he is currently working on or completing. He discussed cost of oil tankers and waiting costs.



Commissioners discussed the decision to charge for entrance pipe with Bill. There have been pros and cons reported to the commission.

Sharon Utley, Allen County Treasurer, presented information on Delinquent Taxes that will be published this week. Year 2006 has delinquent totals of \$210,320.74 which is .018 percent of \$11,517,434.69 beginning tax abstract; Year 2007 has delinquent totals of \$284,765.67 which is .023 percent of \$12,107,375.54 beginning tax abstract; and Year 2008 has delinquent totals of \$322,431.20 which is .024 percent of \$13,183,852.14 beginning tax abstract.

Commissioners reviewed an "Agreement for Use of Facilities" between the Allen County Commissioners and Senior Services of Southeast Kansas Inc. to ensure the elderly of Humboldt, and Iola may participate in the Senior Services congregate meals program and receive associated services. By signing the agreement Allen County Commissioners agree to allow use of the Humboldt and Iola Senior Centers for the services of a noon meal Monday thru Friday by Senior Services. The agreement may be broken by either party by giving 30 days notice to the other. Commissioner Francis moved to authorize Chairman Works sign an Agreement for Use of Facilities with Senior Services of Southeast Kansas, Inc. Commissioner McIntosh seconded, motion passed 3-0-0.

Jason Nelson, Allen County EMS Director, explained the "Vile of Life" that they are handing out at the Allen County Fair.

Jason reported the life flights that are landing at the fair. He reported there have been 600 runs per year so far.

Jason discussed the budget in regards to replacement of ambulances. He stated he has scheduled to replace a vehicle every two years, that way they are only 8 years old when they are replaced. There has not been very good luck with remounts. Discussion followed.

Thomas R. Williams, Allen County Sheriff, Pam Beasley, Emergency Management Coordinator, and Lt. Eric Lawrence, City of Iola Acting Chief of Police, discussed the Savonburg siren issue. Lt. Lawrence explained 911 needs a protocol for standard operating procedures. He explained the City of Savonburg would need to adopt procedures and at that time 911 would be able to set off the City of Savonburg's sirens. Discussion followed. Sheriff Williams explained the process of using the radar as determining setting off the siren. Pam will contact Vivian McMurray, City of Savonburg Mayor, to proceed with a standard operating procedure.

Pam discussed the H1N1 informational class. Discussion followed. Commissioner Francis will plan on attending with Pam.

Sheriff Williams presented some information on the grant for the deputy he announced last week. He explained some of the requirement. The grant is for a three-year period. Discussion followed. Commissioners asked about purchasing a new car and Sheriff stated they would try to work with what they have. Commissioner Francis moved to accept the grant and for Chairman Works to sign along with Sheriff Williams. Commissioner McIntosh seconded, motioned passed 3-0-0.

Sheriff Williams discussed budget for 2010 expenses for the Law Enforcement Center, which includes Jail and Sheriff's departments. He stated his main goal would be to raise the deputies to be equal with police levels. His minimum would be \$16.00 for deputies with training and \$17.25 for Master Deputy pay, he stated this would still be lower than across the street.

Alan Weber, Allen County Counselor, discussed Fire District #3 Board. Valerie McNutt, Fire District #3 secretary, had suggested a name of an individual to serve on the board. No action was taken.

Sheriff Williams reported the jail food cost is \$1.23 per inmate.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County

Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:03 a.m. Commissioners reconvened at 11:08 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:08 a.m. Commissioners reconvened at 11:13 a.m. No action was taken.

Alan announced that there may be a special meeting held tomorrow in regards to land acquisition.

Commissioner Francis moved to amend his previous motion of July 14 concerning firearms to be amended to "I move that we do not allow carry of any firearms anywhere within the Allen County Court House building." Commissioner McIntosh seconded, motion passed 3-0-0.

Jerry Hathaway, Allen County Attorney, discussed his proposed 2010 budget. Discussion followed on comparison of budget 2005 through 2009. He explained charges pending on cost of appeals, which he will be paid for over and above his wages.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$247790.86
- b) Payroll Changes
- c) Journal Entries #50-52

With no further business to come before the board, the meeting was adjourned until August 11, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      August 11, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the August 4 & 5, 2009 meetings.

Thomas R. Williams, Allen County Sheriff, discussed the 911 meeting at the sheriff's office on Saturday. Discussion followed on a time line for switching the 911 dispatch from the City of Iola to the building on North State Street. Sheriff Williams explained the employees would become the county employees on January 1, 2010 and would go through the same process as new employees with the exception of filling out an application.

Bill King, Public Works Director, discussed the chip seal that they were working on in the Savonburg area when a storm hit and they had to quit. He stated they had to send a half tanker of oil back to the company. Some areas in the county received 2 ½ inches while others received as little as ½ inch.

Bill requested Christopher Craft carry over 53 hours of vacation. Commissioners approved the carry over to be use within 6 months.

Bill reported a cat had gotten into the Bomag and when they started the Bomag it killed the cat and cost the county \$1,800 worth of damage to the Bomag.

Bill discussed the project at the landfill. He reported they have blasted at the landfill and still need to blast deeper. The liner will go down in about a week. Discussion followed on engineering.

Rhonda Fernandez, Professional Insurance Consultants (PIC), reviewed reports with the commission concerning statistics for Allen County employees since Benefit Management Insurance (BMI) took over April 1, 2009.

Commissioner McIntosh discussed commissions for BMI for 2010. He explained what he meant. Discussion followed.

Rodney Burns of Schlotterbeck and Burns, was present to discuss 2010 budget preparation. Commissioner Francis moved to publish the proposed 2010 budget and have the hearing August 25, 2009 at 11:00 a.m. Commissioner McIntosh seconded, motion passed 3-0-0.

Chairman Works opened the public hearing for Humboldt Township Road Vacation Hearing at 10:30 a.m.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF ALLEN COUNTY, KANSAS, VACATION A CERTAIN SECTION OF  
COUNTY ROAD LOCATED WITHIN THE TOWNSHIP OF HUMBOLDT,  
ALLEN COUNTY, KANSAS  
RESOLUTION NUMBER 200914**

**WHEREAS**, the Board of County Commissioners of Allen County, Kansas has proposed to vacate a section of county road located on of Section 3, Township 26, Range 18, in Humboldt Township, Allen County, pursuant to K.S.A. 68-102a.

**WHEREAS**, said county road is described as follows:  
That portion of Sixteenth Street, in the City of Humboldt, Kansas, being the east 35' of Sixteenth Street between Elm Street and Signor Street, and outside the Humboldt city limits be vacated in Section 3, Township 26, Range 18, in Humboldt Township, Allen County, Kansas.

**WHEREAS**, notice of said proposed vacation has been given by the County Clerk as required by K.S.A. 68-102a.

**WHEREAS**, the Board has found and determined that said road is not a public utility by reason of non use and inconvenience and the necessity for said road as a public utility does not justify the expenditure of the necessary funds to keep the same in condition for public travel, and

**WHEREAS**, said vacation consists of less than two consecutive miles, as required by statute;

**BE IT, THEREFORE, RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS:**

4. That the section of county road between Section Three (3), Township Twenty-six (26), Range Eighteen (18), Humboldt Township, Allen County, Kansas, as more fully described above, be and the same is hereby vacated.
5. That the County Clerk cause a certified copy of this resolution to be filed and recorded in the office of the Register of Deeds of Allen County, Kansas.
6. That this resolution shall take effect and be in force from and after its passage by the Board.

**ADOPTED AND APPROVED** at this hearing on the 11th day of August 2009.

Commissioner Francis moved to adopt resolution 200914. Commissioner McIntosh seconded, motion passed 3-0-0.

Jason Nelson, Allen County EMS Director, and Terry Call, Assistant EMS Director, discussed the Vile of Life. They will be addressing the senior centers and low income housing around the county about the Vile of Life and how to fill it out. Commissioners requested everyone to put the website on any publications or materials they put out in the public. The website is [www.allencounty.org](http://www.allencounty.org)

Jason presented a rough draft of the proposed remodeled REC building for the ambulance-housing portion. Discussion followed in detail of each room and size. No action was taken at this time.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, and Terry Call, Assistant EMS Director. The time is now 10.55 a.m. Commissioners reconvened at 11:00 a.m. No action was taken.

Sheriff Williams and Pam Beasley, Emergency Management Coordinator, discussed the roof at the REC building.

Sheriff Williams reported Gary Stout with Stout Electric and Mechanical is going to look at the generator at the REC building.

Sheriff Williams reported he has been asked to go to a Leadership Training class in Lawrence. He is planning to go.

Sheriff Williams presented bids for a vehicle. Bids were received from Rantz Motor Company for a 2009 Chevrolet Trailblazer for \$26,999.00; Twin Motor Ford for a 2010 Explorer 4 –door for \$23,340.00 and GSA for a 2010 Ford Explorer for \$19,908.11. Commissioner Francis moved to approve the purchase from GSA for the Ford Explorer. Commissioner McIntosh seconded, motion passed 3-0-0.

Pam presented a rough draft of the proposed Emergency Management and 911 Dispatch offices for the REC building.

Commissioners reviewed the settlement contract for the building on North State Street. Commissioner Francis made the motion for Chairman Works to sign the settlement contract. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the contract.

Commissioners asked to have an account payable check issued for the amount of \$176,872.56 to purchase the REC building.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$176,872.56
- b) Payroll Changes
- c) Journal Entries #53-59

With no further business to come before the board, the meeting was adjourned until August 18, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      August 18, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the August 11, 2009 meeting.

Bill King, Public Works Director, discussed individuals who could serve on the Planning and Advisory Committee for the Allen County Regional Airport Master Plan. Names were discussed and Bill will contact those persons to see if they would be willing to serve.

Bill discussed the bucket truck and issues with it. It has been in the shop for a while and still has some problems that need to be fixed.

Bill discussed work at the Neosho River Bridge area on the east side. Discussion followed. Commissioners have received permission to proceed with some clean up work.

Bill updated the commission on work on the new cell project at the landfill.

Commissioners reviewed a job description for the 911 Director's position. Discussion followed on items listed as requirements. No action was taken at this time to adopt the job description.

Don Hillbrant, citizen, joined the meeting.

Mr. Hillbrant discussed the cemetery west of the City of Iola. Commissioners acknowledged the cemetery is a city cemetery and that any requests should be made to the City of Iola.

Jason Nelson, Allen County EMS Director, and Terry Call, EMS Assistant Director, presented a projected estimate to the commission for the rest of 2009. Total 2009 budget is \$1,212,029, year to date expenditures are \$654,019 and estimated expenditures are another \$437,534. Discussion followed.

Jason presented some rough estimates for remodeling the building on State Street. Costs ranged from \$160,000 to \$240,000. Commissioners allowed this is a very rough estimate. Jason and Terry will get more firm and binding estimates after visiting with Alan.

Jason reported there were some very good classes offered at the KEMSA (Kansas Emergency Medical Services Association) conference. He is looking forward to next years meeting.

Mr. Hillbrant requested the commission install a water line in the southeast part of the courtyard. Commissioners will have someone check into this project.

Alan Weber, Allen County Counselor, requested to go into executive session for attorney client discussion. Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor, Jason Nelson, Allen County EMS Director, and Terry Call, EMS Assistant Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:46 a.m. Commissioners reconvened at 9:56 a.m. No action was taken.

Alan discussed different options for building and remodeling the building on State Street. Discussion followed on requirements by statute for the county to build or remodel.

Alan discussed the PBC being involved in the remodel and building of the building on State Street. Alan explained the process as described by Kevin Cowen, bond professional, with Gilmore and Bell

Commissioner Francis moved that the Board of County Commissioners make an official declaration of intent to acquire and improve the REC Building for use as a consolidated 911 center and to build adjacent ambulance bays for the Allen County EMS, to issue bonds, or to cause the Allen County, Kansas Public Building Commission to issue its bonds, in the maximum amount of \$400,000 to finance the cost to acquire, improve and build such facilities and to establish that such bonds may be issued to reimburse expenditures made by the County on or after the date which is 60 days before the date of this declaration, pursuant to Treasury Regulations 1.150-2. Commissioner McIntosh seconded, motion passed 3-0-0

Alan recommended David Watts be appointed to the Rural Fire District #3 Board. Commissioner Francis moved to appoint David Watts to the Rural Fire District #3 Board.

Commissioner McIntosh seconded, motion passed 3-0-0. Alan reported one other member of Fire District #3 Board has moved out of Allen County; this will be discussed at the next FD#3 Board meeting.

Alan reminded the commission that the Tax Foreclosure Sale is at 10:00 a.m. tomorrow, August 19, 2009 in the lobby area of the courthouse.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:15 a.m. Commissioners reconvened at 10:25 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:25 a.m. Commissioners reconvened at 10:30 a.m. No action was taken.

Commissioner McIntosh discussed a meeting last evening with RC&D.

Mike Hueston, Allen County EMS EMT-I, visited with the commission on the KEMSA Conference. Discussion followed on what classes were available and the trade show for ambulances. He highly recommends attending the conference.

Mike stated his paramedic classes are starting August 19, 2009.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Terry Call, Assistant EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:41 a.m. Commissioners reconvened at 10:46 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:46 a.m. Commissioners reconvened at 10:51 a.m. No action was taken.

Commissioners moved to the assembly room to continue their meeting at 11:10 a.m.

Those that joined the meeting were Lt. Eric Lawrence, acting Iola City Police Chief; Judy Brigham, City of Iola Administrator; Timothy J. Thyer, Iola Fire Department, Rhonda Fulton, Roberta Ellis, Lee Roberts, 911 dispatchers; Pam Beasley, Allen County EM Coordinator; Thomas R. Williams, Allen County Sheriff; Terry Call, Allen County Assistant EMS director; Jason Nelson, Allen County EMS Director, Dan Onnen, City of Humboldt Police Chief, Shane Smith, City of Moran Police Chief; and Phillip Merkel, City of Moran Mayor and Fire Department representative.

Alan Weber, Allen County Counselor, discussed 911 issues for the changes expected and desired. He explained the current 911 committee consists of 5 individuals. He explained the new change in the committee would be the Allen County Sheriff, police chiefs of the cities (Humboldt, Iola, Moran, LaHarpe), Allen County EMS director, and City of Iola Fire/EMS representative. Discussion followed on the 911 Director's position. The position is expected to be a full time position to serve as an EM Assistant director and proposed job descriptions.

Alan discussed the tour of the building on State Street so that individuals could submit suggestions on the remodel and set up.

Judy asked what jobs the new dispatch center would entail. Alan reported it was recommended that after hours, weekends and holidays would be run through the 911 dispatch for city utility

calls from each of the cities within Allen County. Sheriff explained more in detail and that so far there will not be a charge; they will revisit this after one year. Discussion followed.

Eric mentioned there would be some questions that need to be addressed before the change. He will get a list to the commission.

Commissioner Francis moved to appoint the Allen County Sheriff, police chiefs of the cities (Humboldt, Iola, Moran, LaHarpe), Allen County EMS director, and City of Iola Fire/EMS representative for the new 911 Advisory Committee. Commissioner McIntosh seconded, motion passed 3-0-0. Alan stated we would work through the new board now.

Shane asked about budget issues and how to address the emergencies including who to call and what will happen with the calls. Alan stated they will determine regulations at the board meeting but would assume that the calls will carry over from the utility phone number to the 911 dispatch center phones.

Judy asked about the employees, and when the change will be made. Sheriff stated they will just be moved across the street and no application will be made but they will have to follow the other new employment regulations.

Sherrie will get a list of current benefits for the 911 dispatchers. Discussion followed.

Alan discussed the 911-dispatch director's job descriptions. No action was taken at this time.

Commissioner Francis moved to reconvene at the building on State Street for a tour of the premises. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$208,157.75
- b) Payroll Changes
- c) Journal Entries # 60-61
- d) Abatements – OIL Value 1518, \$184.34, Year 2008

With no further business to come before the board, the meeting was adjourned until August 25, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      August 25, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Commissioner Robert A. Francis acting chair, Commissioner Gary G. McIntosh and Sherrie L. Riebel, County Clerk. Chairperson Dick Works was absent.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the August 18, 2009 meeting.

Lee Gumfory, citizen, on behalf of himself and the River Rats group wanted to thank the county commission, Bill King and his crew, the City of Iola and their crew, Jack McFadden, D & K Concrete, Payless Concrete, John and Mitch Sigg, and New Klein Lumber for their help and donations on the River Bridge Park.

Thomas R. Williams, Allen County Sheriff, reported he has sent inmates to the REC Building to do outside work and would like to send them back out to start tearing out carpet and paneling. This would save money on some of the remodeling costs.

Commissioners reviewed Resolution 200915:

**SPECIAL DISTRICT RESOLUTION**

**RESOLUTION NO.200915**

*A resolution expressing the property taxation policy of the Board of Allen County Commission with respect to financing the 2010 annual budget for Sewer District #1, Allen County, Kansas.*

Whereas, K.S.A. 79-2925b provides that a resolution be adopted if property taxes levied to finance the 2010 Sewer District #1 district budget exceed the amount levied to finance the 2009 Sewer District #1 except with regard to revenue produced and attributable to the taxation of 1) new improvements to real property; 2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes; and 3) property which has changed in use during the past year, or with regard to revenue produced for the purpose of repaying the principal of and interest upon bonded indebtedness, temporary notes, or no-fund warrants; and

Whereas, budgeting, taxing and service level decisions for all district services are the responsibility of the district board; and

Whereas, Sewer District #1 provides essential services to district residents; and

Whereas, the cost of provision of these services continues to increase.

NOW, THEREFORE, BE IT RESOLVED by the Board of Allen County Commission that is our desire to notify the public of the possibility of increased property taxes to finance the 2010 Sewer District #1 budget as defined above.

**this this 25th day of August, 2009 by the Board of Allen County Commission, Allen County, Kansas. THE BOARD OF COUNTY COMMISSIONER OF ALLEN COUNTY, KANSAS**

Commissioner McIntosh moved to adopt Resolution 200915. Commissioner Francis seconded, motion passed 2-0-0.

Commissioners reviewed Resolution 200916:

**SPECIAL DISTRICT RESOLUTION**

**RESOLUTION NO.200916**

*A resolution expressing the property taxation policy of the Board of Allen County Commission with respect to financing the 2010 annual budget for Sewer District #2, Allen County, Kansas.*

Whereas, K.S.A. 79-2925b provides that a resolution be adopted if property taxes levied to finance the 2010 Sewer District #2 district budget exceed the amount levied to finance the 2009 Sewer District #2 except with regard to revenue produced and attributable to the taxation of 1) new improvements to real property; 2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes; and 3) property which has changed in use during the past year, or with regard to revenue produced for the purpose of repaying the principal of and interest upon bonded indebtedness, temporary notes, or no-fund warrants; and

Whereas, budgeting, taxing and service level decisions for all district services are the responsibility of the district board; and

Whereas, Sewer District #2 provides essential services to district residents; and

Whereas, the cost of provision of these services continues to increase.



NOW, THEREFORE, BE IT RESOLVED by the Board of Allen County Commission that is our desire to notify the public of the possibility of increased property taxes to finance the 2010 Sewer District #2 budget as defined above.

**Adopted this 25th day of August, 2009 by the Board of Allen County Commission, Allen County, Kansas. THE BOARD OF COUNTY COMMISSIONER OF ALLEN COUNTY, KANSAS**

Commissioner McIntosh moved to adopt Resolution 200916. Commissioner Francis seconded, motion passed 2-0-0.

Commissioners reviewed Resolution 200917:

**Resolution No. 200917**

A resolution expressing the property taxation policy of the Board of Allen County Commissioners with respect to financing the 2010 annual budget for Allen County.

Whereas, K.S.A. 79-2925b provides that a resolution be adopted if property taxes levied to finance the 2010 Allen County budget exceed the amount levied to finance the 2009 Allen County budget, except with regard to revenue produced and attributable to the taxation of 1) new improvements to real property; 2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes; and 3) property which has changed in use during the past year, or with regard to revenue produced for the purpose of repaying the principal of and interest upon bonded indebtedness, temporary notes, or no-fund warrants; and

Whereas, budgeting, taxing and service level decisions for all county services are the responsibility of the board of county commissioners; and

Whereas, Allen County provides the essential services to protect the health, safety, and well being of the citizens of the county; and

Whereas, the cost of provision of these services continues to increase; and

Whereas, the 2009 Kansas State Legislature failed to fulfill its obligations in regard to the statutory funding of demand transfers and, by significantly limiting state revenue sharing payments to counties, has contributed to higher county property tax levies to finance the 2010 Allen County budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Allen County Commissions that is our desire to notify the public of the possibility of increased property taxes to finance the 2010 Allen County budget due to the above mentioned constraints, and that all persons are invited and encouraged to attend budget meeting conducted by the Board of Allen County Commissioners.

The date and time of budget hearings with the Board of Allen County Commissioners will be published in the Iola Register. Interested persons can also address questions concerning the budget to County Clerk by calling 365-1407 between the hours of 8:00 a.m. to 5:00 p.m., Monday through Fridays, excluding holidays.

Commissioners published budget in the Iola Register. Interested persons can also address.

Adopted this 25th day of August 2009 by the Board of Allen County Commissioners.

Commissioner McIntosh moved to adopt Resolution 200917. Commissioner Francis seconded, motion passed 2-0-0.

Sherrie reported on a State inspection at the Iola Senior Center. Anita Catron, site manager, had reported there is indirect plumbing at the senior center and needs to have an air break as well as the need to install a mop sink. Discussion followed. Allen County has until February 5, 2010 to comply.

Sherrie reported the lease on the Pitney Bowes postage meter is almost up. Commissioners requested to go out for bids for the postage meter.

Sherrie reported a run off report from Blue Cross Blue Shield would cost the county \$100.00. David Dillon, BCBS representative, had stated it would not be a benefit. Commissioners declined to purchase the information.

Terry McDonald, citizen, joined the meeting for observation.

Dina Morrison, 31<sup>st</sup> Judicial District Court Clerk, presented a letter from Justice Marla Luckert in regards to the Federal Recovery Act Edward Byrne Memorial Justice Assistance grant funds that are set aside for local government use. The letter included: The Allen County Commissioners certify that they recognize that the Federal Recovery Act Edward Byrne Memorial Justice Assistance grant funds are set aside for local government use; The Allen County Commissioners certify that the proposed project by the Kansas Judicial Branch will provide a direct local benefit; and The Allen County Commissioners agree that funding the Kansas Judicial Branch project is in the best interest of the unit of local government. Judge Timothy Brazil requested the commission sign. This would help the court employees not to have unpaid furloughs. Commissioner McIntosh moved to sign the letter. Commissioner Francis seconded, motion passed 2-0-0.

Bill King, Public Works Director, discussed the bridge project 1C-4206-01. He reported he would be publishing required notification.

Bill reported he has not heard back from the individuals he sent letters to in regards to the Planning and Advisory Committee for the Allen County Regional Airport Master Plan.

Bill reported they are chip sealing in Humboldt for the next few days.

Travis Allen, Southeast Kansas Community Action Program ARRA Specialist, introduced a CSBG-ARRA Community Development Project Proposal where they have received grant monies to get involved in communities. The Community Service Block Grant funds allocated through the American Recovery and Reinvestment Act of 2009 will be utilized – “to provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient.” Discussion followed. Travis has visited with Angela Henry, Safe Base Director. Commissioners suggested he visit with David Toland, Thrive Director, to get ideas for the needs in the community. Travis stated he is just to provide the information and if the commission has any suggestions he would be the one to fill out the forms on behalf of the county, they can email or call him. He stated the main questions to qualify for the grant would be “How does this stimulate the economy?”

Alan Weber, Allen County Counselor, requested to go in to executive session. Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 2-0-0. Those in the room will be Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:19 a.m. Commissioners reconvened at 10:24 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 2-0-0. Those in the room will be Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:24 a.m. Commissioners reconvened at 10:29 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 2-0-0. Those in the room will be Commissioner McIntosh, Commissioner Francis, and Alan Weber, Allen County Counselor. The time is now 10:32 a.m. Commissioners reconvened at 10:37 a.m. No action was taken.

Pam Beasley, Allen County Emergency Management Coordinator, reported the Emergency Management Table Top Exercise would be October 29, 2009 from 1 to 5 p.m.

Sheriff Williams discussed a communications problem. The current repeaters are over 20 years old. A bid was received from Advantage Communications for \$14, 451.00. He has two bids out. He will make sure the bids include a tower that is structurally and legally sound.

Commissioner Francis opened the Budget Hearing at 11:00 a.m. No public was present at this hearing. Commissioner McIntosh moved to adopt the budget as published. Commissioner Francis seconded, motion passed 2-0-0.

Jason Nelson, Allen County EMS Director, discussed putting living quarters into the proposed new portion of the building. Discussion followed. Alan stated he felt the money limit to keep under the variance limit requirements the commission might want to reconsider the Gas site. Discussion followed. No action was taken at this time.

Commissioner McIntosh stated he has requested Bill to have his crews take a look at the parking lot at the old REC building on State Street.

Commissioner Francis asked the sheriff who pays for the towing fees. Sheriff stated when the county has one of its vehicles down that Terry McDonald tows at no charge. Sheriff Williams stated he would like to put it out for bid to tow abandoned vehicles, impounded vehicles and any that would fall under the county's responsibility. Discussion followed on whether it would still be the responsibility of the owner of the vehicle if it was owner requested. Alan explained some of the legal issues but stated it could be revisited and was concerned about security. Terry explained his impound lot is at his home with cameras installed. Random fee schedules were discussed as an issue. Commissioners requested Alan to visit with Sheriff Williams on the law requirements.

Jason reported they had 70 ambulance runs in the last three weeks. Discussion followed.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 2-0-0. Those in the room will be Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:26 a.m. Commissioners reconvened at 11:31 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 2-0-0. Those in the room will be Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:31 a.m. Commissioners reconvened at 11:36 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$452,417.29 Signed on 8-19-2009
- b) Clerk's Vouchers Totaling \$61,485.32 Signed on 8-25-2009
- c) Payroll Changes
- d) Journal Entries # 62
- e) Abatements –Trucks Value 4145, \$474.92, Year 2008

With no further business to come before the board, the meeting was adjourned until September 1, 2009 at 8:30 a.m. in the Commission room of the courthouse.

absent  
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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      September 1, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the August 25, 2009 meeting.

Sherrie reported the Service to the Elderly van has a dent on the right side. Jerry Jackman, Allen County Shop Foreman, is having it repaired.

Sherrie reported the LaHarpe Senior Center is having problems with the fascia on the underside of the buildings roof. She reported Bill King, Public Works Director, would check on the problem.

Terry McDonald, citizen, joined the meeting, particularly interested in the towing discussion.

Bill King, Public Works Director, discussed bridge project 1C-4206-01. He needs signatures on an agreement relative to performing certain work, and/or the occupancy of the county's highway right-of-way by the facilities of A T & T utility easement. Commissioners signed the easement.

Thomas R. Williams, Allen County Sheriff, stated Alan Weber is checking into the towing situation.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:03 a.m. Commissioners reconvened at 9:08 a.m. No action was taken.

Bill reported his crews have rebuilt a mile and a half of road in the City of LaHarpe. The project will be completed today. The crew will then move to the City of Moran to finish that project. Bill reported they will be laying plastic at the landfill for the new cell project.

Bill discussed a request on a speed limit change at the City of Humboldt south city limits. He presented pictures of the requested road plus the footage. Discussion followed. Commissioners will pass a resolution next week.

Bill discussed the speed limit change north on old hwy 169 going into the City of Humboldt. Discussion followed on where to start the speed limit. Commissioners will pass a resolution next week.

Sharon K. Utley, Allen County Treasurer, explained about CDARS CDs, which is why she has to set up a separate bank account. Discussion followed on how the interest is accrued on this account.

Sandra Drake, Allen County Appraiser, joined the meeting for the In Service Day for employees.

Sharon presented meal bids for the in-service day for 100 county employees. She presented bids from Matt Kerr for \$7.50 per plate; The New Greenery for \$800 for 100 people; Party Girls for \$8.00 per plate; and USD #256 Marmaton Valley FCCLA for \$8.00 per plate. Discussion followed. The bids were to include 2 meats, a potato, 2 vegetables, 2 salads and bread. Commissioner McIntosh moved to accept the bid from Matt Kerr. Commissioner Francis seconded, motion passed 3-0-0.

Sharon discussed using the money from the pop machine as door prizes and use the general fund to round the amount to an even number. Commissioners approved.

Sherrie discussed flu shots, blood tests and blood pressure tests for the in-service day offered to the employees. Allen County EMS will be checking the blood pressure and possibly vision and hearing tests. The SEK Multi County Health Department would be doing the flu shots for \$20. The Allen County Hospital would be taking blood to check the CBC (\$10.30), CMP (\$15.45), Lipid Panel (\$15.45), PSA for men (\$15.45) and TSH for women (\$15.45). Discussion followed. Commissioners approved the costs.

Wendy Froggatte, SEK Multi County Health Department, introduced herself and explained her role in public safety. She reported on a trip to New Mexico to learn awareness on the H1N1 virus. Wendy presented information concerning H1N1 and the county's role as well as each family's responsibility to address education and cleanliness. Wendy went into detail on

coverage, who should and who shouldn't get the H1N1 shot. She requested the commissioners go ahead and get the regular flu shot to promote the flu shots for the public.

Pam Beasley, Emergency Management Coordinator, reported on work at the REC Building in preparation for the 911 dispatch and EM offices.

Jason Nelson, Allen County EMS Director, presented bids for an ambulance. He presented bids from Rocky Mountain Emergency Vehicles for \$128,968 and Emergency Services Supply for \$122,895. No action was taken at this time.

Jason discussed using some of the Humboldt Police Department area once the City of Humboldt vacates their current building. Jason will be meeting with the Humboldt City Council. Discussion followed.

Jason requested to purchase two recliners for the EMS. Commissioners requested him to get bids.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Jason Nelson, Allen County EMS Director. The time is now 10:25 a.m. Commissioners reconvened at 10:30 a.m. No action was taken.

Wendy gave the three commissioners, Sherrie and Jason flu shots to show promotion for all of Allen County.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Michael Burnett, EMS-MICT and Jason Nelson, Allen County EMS Director. The time is now 10:38 a.m. Commissioners reconvened at 10:43 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Jason Nelson, Allen County EMS Director. The time is now 10:44 a.m. Commissioners reconvened at 10:49 a.m. No action was taken.

Alan Weber, Allen County Counselor, discussed the easement request by the City of Humboldt. He reported the land description is not correct.

Commissioners discussed design build with Alan and what is proper by law. Discussion followed on turnkey building.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:05 a.m. Commissioners reconvened at 11:10 a.m. No action was taken.

Jason discussed design/build bid and remodel bids for the proposed ambulance station on North State Street. Commissioners requested him to get bids estimates.

Alan is still researching the towing requirements and licenses. Discussion followed.

Bob Johnson, Iola Register reporter, asked questions about where the ambulances are stationed currently and are they still in the future plan. Commissioners stated they are not pulling ambulances out of the cities of Humboldt and Moran.

Commissioner McIntosh moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County

Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:32 a.m. Commissioners reconvened at 11:42 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 132,799.08
- b) Clerk's Vouchers Totaling 259,092.46 Signed 9/4/2009
- c) Payroll Changes
- d) Journal Entries # 63-64

With no further business to come before the board, the meeting was adjourned until September 8, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS

OFFICE OF THE ALLEN COUNTY

September 8, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the September 1, 2009 meeting.

Commissioner McIntosh discussed a call from a citizen that reported the crosses have been stolen from the cemetery at the old county farm on 1400 Street.

Delmar and Polly Sarver, and Bill Mentzer, citizens, discussed the ambulance services between the City of Iola and Allen County. He asked about the promise from two new commissioners to fix the county and city issues. Delmar stated he thinks we lost two good commissioners because of promises from the two new commissioners.

Delmar reported on an incident that happened to him last week. He had to wait 1 hour and 40 minutes for an ambulance to take him to Labette Medical Center. Discussion followed. He will be visiting with the City of Iola later this afternoon.

Bill Mentzer discussed an incident his son was involved in concerning the ambulance service. Discussion followed.

Bill Mentzer discussed the purchase of the old REC Building. Commissioners explained they were not going to consolidate all the ambulances in one building. They have one already in the City of Moran and the City of Humboldt. Discussion followed.

Kathy McEwen, FCS Agent, and Carla Nemecek, Allen County Extension Ag Agent, discussed the consolidation of extension districts. The resolution presented comes with the recommendation of the current extension council. Discussion followed on time lines and effective dates as well as persons and counties involved.

Bill King, Public Works Director, presented resolution for the speed limit change just outside the City of Humboldt. Commissioners reviewed:

**RESOLUTION NO. 200918**

**A RESOLUTION ESTABLISHING A MAXIMUM SPEED LIMIT OF 45 MPH ON PORTIONS OF 1200 STREET NORTH AND SOUTH OF THE CITY OF HUMBOLDT, KANSAS**

WHEREAS, Allen County has Home Rule and statutory authority to modify speed limits under K.S.A. 19-101a and K.S.A. 8-1560; and

WHEREAS, the County Commissioners of Allen County, Kansas have considered reducing the maximum speed limit from 55 MPH to 45 MPH on two portions of 1200 Street as set out below; and

WHEREAS, upon due consideration, the County Commissioners have determined that the reduction in the maximum speed limit on the portions of road described below will enhance public safety.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Allen County, Kansas that a maximum speed limit of 45 MPH shall be established for the following portions of 1200 Street:

a. 1200 Street between the north city limit of the City of Humboldt, Kansas and a point 1400 feet north of said city limit;

b. 1200 Street between the south city limit of the City of Humboldt, Kansas and a point 913 feet south of said city limit.

BE IT FURTHER RESOLVED that signs designating said speed limits shall be posted by Allen County Public Works at appropriate locations on the county road right-of-way.

This resolution shall become effective upon publication in the official county newspaper and posting of said signs.

RESOLVED This 8<sup>th</sup> Day of September, 2009.

Commissioner Francis moved to approve the changes. Commissioner McIntosh seconded, motion passed 3-0-0.

**Bill discussed work needed at the City of LaHarpe Senior Center. Commissioners requested to publish an ad in the Iola Register for bids on fixing the soffit and back door.**

Bill discussed a call he had gotten concerning the missing crosses at the cemetery by the old county farm. Discussion followed.

Bill requested Henry Jackman carry over 57 hours of vacation. Commissioners approved the carry over providing it is used within 6 months.

Bill stated all the rain has shut them down at the landfill as well as chip and seal projects.

Darrel Catron, City of Gas resident, discussed the ambulance station on State Street. Discussion followed. He stated his concern over the commissioner's choice of where the station will go and he feels the service is duplication.

Rodney Burns, Schlotterbeck and Burns, Inc. auditor, reported on the Allen County 2008 Audit. He reviewed some of the issues that were addressed last year that has been taken care of. He reported on 2008 audit and issues that he found. He reported on the sheriff's office paying incentive pay for serving process papers. Discussion followed. He reported Star Bright owes around \$20,000 on fuel bills at the airport. He requested the commission check on that. He stated all else looked good and the employees do a good job.

Jason Nelson, EMS Director, reported a couple of his employees will be attending a burn treatment class in Parsons.

Jason reported he has met with Larry Tucker, City of Humboldt Administrator, and has scheduled a meeting with the Humboldt City Council later this month.

Jason reported he would be meeting with Superior Contractors concerning the cost of stick built in comparison to other constructions processes such as concrete, and steel.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:00 a.m. Commissioners reconvened at 10:05 a.m. No action was taken.

Michael Burnett, MICT, joined the meeting.

Jason and commissioners discussed the layout for the ambulance station on State Street.

Bill King discussed the Airport Advisory Board. He reported Barbara Chalker could not serve. Bill asked who would the commission like to ask in place of her. Discussion followed on names. Bill will make calls.

Commissioners reviewed **Resolution 200919**:

**RESOLUTION TO APPROVE PROPOSED EXTENSION DISTRICT**

WHEREAS, the Board of County Commissioners of Allen County, Kansas, is authorized to approve an agreement pertaining to proposed extension districts created under K.S.A.2-623,et. seq.; and,

WHEREAS, it is the desire of the Allen County Extension Council to join the Neosho County Extension Council in forming an extension district pursuant to K.S.A. 2-623; and,

WHEREAS, pursuant to K.S.A. 2-623(i) prior to approving the agreement of the proposed extension district, the Board of County Commissioners of Allen County, Kansas, is required to provide certain notice.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Allen County, Kansas, that it is the intention of the Board of County Commissioners of Allen County, Kansas, to approve an agreement to permit the Allen County Extension Council to join the Neosho County Extension Council in forming an extension district pursuant to K.S.A. 2-623, et seq.; and,

BE IT FURTHER RESOLVED that the extension district shall have for its sole purpose the giving of instruction and practical demonstration in agriculture, marketing, home economics (family and consumer science), 4-H Club and youth work, community and resource development, and economic development initiatives to all persons in the extension district and the imparting of such persons of information on the subjects through practical demonstrations, meetings, publications, or otherwise in accordance with the program and service prescribed by the governing body of the extension district; and,

BE IT FINALLY RESOLVED that if, within sixty (60) days following the last publication of this resolution, a petition in opposition to the approval of the agreement and the inclusion of Allen County in the extension district is signed by not less than five percent (5%) of the qualified electors of Allen County and is filed with the Allen County election officer, the Board of County Commissioners of Allen County, Kansas, will not approve the agreement and Allen County will not be included in the extension district unless and until the agreement is approved by a majority of the qualified electors of Allen County voting at a primary or a general election or a special election called and held for such purpose. This resolution shall become effective the day and year below written.

Commissioner McIntosh moved to approve and sign Resolution 200919. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners discussed a request from the City of Humboldt for a right-a-way easement for their walking trail/sidewalk. Commissioner Francis moved to sign an easement for the City of Humboldt on the walking trail/sidewalk. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan Weber, Allen County Counselor, discussed grants available and the Davis Bacon Act when it is federal grants.

Alan discussed an application that would allow the commission to apply for a grant. The county has \$139,000 available to them if they so choose. Commissioner Francis moved to accept the State of Kansas Recovery Zone Bond Notice of Intent to Issue. Commissioner McIntosh seconded, motion passed 3-0-0.



Alan requested Chairman Works sign a tax exemption form for the land at State Street. Commissioner Francis moved to authorize Chairman Works' signature. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan reported the grievance hearing has been withdrawn.

Alan requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:51 a.m. Commissioners reconvened at 10:56 a.m. No action was taken.

Commissioners discussed reviewing and updating the employee handbook to account for 24-hour employees.

Commissioners approved the following documents:

- a) Employee Vouchers
- b) Payroll changes
- c) Journal Entries #65-66

With no further business to come before the board, the meeting was adjourned until September 15, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      September 15, 2009

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Skip and Donald Becker, citizens, were present to observe the meeting.

Commissioners corrected and approved the minutes of the September 8, 2009 meeting.

Commissioners discussed the crosses along old us Hwy 169 north out of Iola where the county farm had a cemetery.

Commissioner McIntosh discussed a RC&D Committee meeting to be held in Iola on September 29, 2009.

Skip requested the commissioners respond to letter in the Iola Register's forum. Discussion followed. Commissioners stated the land they bought on State Street is not in the flood plain.

Chuck Richey, citizen, joined the meeting.

Commissioner Works responded on the question of the City of Iola and Allen County not getting along. Commissioners stated Allen County works with the City of Iola just fine; the ambulance isn't a new issue it has been going on for years. There are several other areas where the two

entities work together without issue. Commissioners stated they are not able to make the City change their mind. Discussion followed.

David Toland, Thrive Executive Director, joined the meeting.

Skip asked commissioners to respond to the request on spending of \$400,000 for ambulance. The commissioners explained that it was a preliminary step advised by the county counselor. And the building is being used for 911 dispatches, Emergency Management and Ambulance. Discussion followed.

They addressed the location of the station because of State Street being a busy street. The current station is on US Hwy 54, which is busier than State Street. Discussion followed on cost and locations, which have been researched for two years.

They addressed more questions from the Iola Register Forum: the owner is in Colorado and the realtor was Thompson Realty. The center of the county would be too close to the City of Moran's station. The question on the PCBs isn't even in question because the county purchased the office building not the storage building.

Skip asked if the county could do something about animal control. Discussion followed. Bob Johnson stated when the city did have an animal problem it would deal only with domestic animals and only with the wild animals if they acted sick.

Chuck Richey reported he has received parts to make the clock ring. It will be November before it is done and two service groups are paying for it.

David Toland, Thrive Executive, discussed a grant to install an Allen County Community Kiosk at a cost of \$24,511 to replicate the original kiosk, which was located on the southeast corner of the square. David explained how the kiosk would be set up. He is requesting permission to put a permanent fixture of the kiosk, which would have messages rolling through periodically on two sides with the other two sides being bulletin boards. Discussion followed. David needs to have a letter from the commission showing approval of the request by the end of the week. Commissioners will take under advisement. David will check measurements. David would like the county to own the kiosk once it is up and running.

Bill King, Public Works Director, discussed Star Bright Aviation. Mitch Garner, Allen County Regional Airport Manager, Bruce and Marla Bright, Star Bright Aviation owners, and Rob Jordon, chief instructor at the airport, were present for discussion. Rob mentioned the business is slow mainly because of the economy. He explained they are almost at the peak to get over the main costs. He explained goals that have been accomplished and goals that are close. Discussion followed. Bruce explained he would like to sell the dorm and the office building to the county for \$200,000 to help with the costs. He stated the county would be getting an above ground handicap storm cellar, which would be included in the costs. Rob explained how he would like Allen Community College to get a two-year certification to use Star Bright to give flight instructions to students. Star Bright Aviation has already trained 30 + students who have completed 50+ ratings. Currently they have 13 students working on 24 ratings. Marla discussed the certifications. Star Bright Aviation gives transfers to Salina Community College. Rob explained how they plan to accomplish the remaining goals and this would set them up for Visa passes and VA bills. They cannot do charters programs yet, but they can do within 6 months once they get the permits. They can transport merchandise now. If the county purchased the buildings that would free them up for purchasing three more planes so that they could rent planes. Discussion followed on options for Star Bright Aviation. Marla stated the monies on the fuel would be taken care of within the month. Commissioners will take their request under advisement.

Bill requested to purchase a rock drill for the bobcat; it would cost about \$4,000. He would like to get bids and advertise. Commissioners approved to him to get bids.

Thomas R. Williams, Allen County Sheriff, discussed 911 dispatch and set up.

Ralph Shafer, citizen, joined the meeting. He discussed the Carlyle area and explained there are people buried in the cemetery at the old County Farm, which is now the Allen County Community College's farm. He said he had attended a funeral there.

Jason Nelson, Allen County EMS Director, reported he had been going every Tuesday to help with health screenings at the after school programs.

Jason stated they had an ambulance in the Elsmore Days Parade last week and plan to have one in the parade at Moran Days Parade this coming weekend.

Jason mentioned David Bass, Monarch Safety Supervisor, has requested Allen County EMS be part of a safety film they are doing at The Monarch Cement Company.

Jason reported two employees will be going to AMLS training in and two employees to Burn classes next week in Parsons, Classes will start in January 2010. Runs are up to 728 for the year. Jason is applying for a grant to allow CPR Classes for the community.

Jason purchased two recliners for the Humboldt Ambulance Station. Jason submitted three bids and commissioners agreed to go with Westco, the lowest bidder.

Commissioners asked about the individual concerned about the time he had to wait on the ambulance. It took the Allen County EMS ambulance 14 minutes to get to the hospital after being paged. Most of the time the individual spent waiting was while the hospital was doing an assessment and trying to get the patient into a specialized hospital. The ambulance came out of Humboldt Station for the transfer.

Jason presented pictures of area ambulance stations in the Southeast KS area.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:07 a.m. Commissioners reconvened at 10:12 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:12 a.m. Commissioners reconvened at 10:17 a.m. No action was taken.

Terry McDonald, TJ's Towing, joined the meeting to discussed towing decisions. Alan Weber, Allen County Counselor, reported he has been reviewing other county's towing policies and no action has been taken.

Commissioners discussed all the tax exemptions within the State of Kansas.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:24 a.m. Commissioners reconvened at 10:29 a.m. No action was taken.

Donald Leapheart, City of Iola Fire Chief and Gary Kimball, Iola Fire Department, reported \$720.00 was rebated to the county from the purchase of 16 Motorola Minitor V Pagers for the Iola Fire Department. They presented the rebate check to the commissioners. They expressed their appreciation for the purchase of these pagers.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries # 67-71
- c) Clerk's Vouchers Totaling \$71,391.03

- d) Abatements PP- Value 708, \$109.16, Year 2008
- e) Abatements RE- Value 327, \$65.98, Year 2008

With no further business to come before the board, the meeting was adjourned until September 22, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      September 22, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Bill Jenkins, citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the September 15, 2009 meeting.

David Toland, Thrive Executive Director, discussed writing a grant for a needs assessment through Greater Health Care. The county would be responsible for this grant and would be able to pay Thrive to do the research. Discussion followed.

David Allen, Mildred citizen, joined the meeting.

Bill King, Public Works Director, Mitch Garner, Allen County Regional Airport Manager, Bruce and Marla Bright, Star Bright Aviation owners, and Rob Jordon, chief instructor at the airport, were present to discuss the airport and Star Bright's business. Bill asked about rent if the county purchased the buildings and would all the fixtures be left. Bruce stated yes they would leave the fixtures and would be requesting the rent be deferred for two years. Discussion followed on items that would help the business. Bill presented prices Star Bright paid for the dorm for \$94,500; office for \$12,000; contract labor for office for \$21,965.09; materials for office for \$27,512.55 for a total of \$155,977.64. A plan for the school and business was requested by the commission. No action was taken.

Bill reported it is time to pick a construction engineer for bridge project #1C-4206-01 which is in southern Allen County on old hwy #169. He requested bids from five contractors, three declined to bid. Desires to bid were received from Schwab-Eaton and Cook, Flatt and Strobel. Commissioner Francis moved to approve the Evaluations Consultants by Selection Committee recommendation be submitted. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill then submitted to the commission a form to "rank the Consultants by Negotiating Committee" for bridge project #1C-4206-01. The county has paid all the easements and items up to this point, now KDOT will kick in 80% and the county 20%. Commissioner scored the two companies and Schwab-Eaton PA scored the highest. Bill will submit this to KDOT.

Bill presented bids for work at the LaHarpe Senior Center to replace all of the soffit and the back door. Bids were received from Larry Barnett for \$2,050.46 and Spencer Construction for \$2,972.22. Discussion followed. Commissioner Francis moved to approve the bid from Larry Barnett. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill presented bids for a rock drill for the Bobcat skid loader. Bids were received from KC Bobcat for an off brand auger unit with weights for \$4,430.00 and White Star for a Model 30C Auger for \$3,095.63. Discussion followed. Commissioner Francis moved to approve the bid from White Star. Commissioner McIntosh seconded, motion passed 3-0-0.

David Allen discussed the cemeteries north of Iola (Carpenter Cemetery, Carlyle Cemetery and County Farm Cemetery). Discussion followed. He stated he would maintain the County Farm Cemetery.

John Masterson, ACCC President, discussed the burial site at the Allen County College Farm (County Farm). He reported on several different groups that have maintained that site. John reported the crosses were in very bad shape, and hard to mow around. He hadn't found anything that showed anyone was buried there, so the decision to remove the individual crosses and put one memorial there to represent these individuals was made. Commissioners Francis and McIntosh expressed they felt the county should do something because this is part of the county's history. Discussion followed. David presented information from the State Historical Society. Ideas were tossed around. Commissioner Francis moved to appoint a committee, David Allen to weld the crosses, the county pay for the material cost of the crosses; David will mow the site and to eventually put up a memorial plaque. Commissioner McIntosh seconded, motion passed 3-0-0.

Thomas R. Williams, Allen County Sheriff, Dan Onnen, City of Humboldt Police Chief, Eric Lawrence, City of Iola Police Chief representative, Shane Smith, City of Moran Police Chief, Jason Nelson, Allen County EMS Director, Donald Leapheart, City of Iola Fire Chief, Alan Weber, Allen County Counselor, Pam Beasley, Allen County Emergency Management Coordinator and Lee and Loretta Roberts were present for the 911 Dispatch discussion. Alan introduced the 911 Advisory Committee and purpose of meeting with the Commission. He explained they recommend having a head director and not to have them working a shift. Alan presented forms used in the interviews. Alan reported the advisory board recommends hiring Angie Murphy as the director. Alan listed all the things the Director needs to be working on before the building and department is up and running. Alan discussed a probation time to be 18 months on the director; the employees coming over from the city would remain the 6-month probation. Sheriff Williams feels the director should be a salaried person and have the authority to hire and fire the employees instead of going through the advisory board then commission. Discussion followed on several items of interest. Donald stated he agreed that the person should not have to worry about working a shift while dealing with department issues. This individual will work under the commission and the director will come to the commission when they have issues or when the commission requests. Eric reported there are two positions open now in dispatch.

Jana Taylor, Iola Area Chamber of Commerce, presented posters for the 38<sup>th</sup> Annual Farm City Days. She also requested to have a feed on the square and to use the downstairs assembly room in case of rain. She stated they estimate 200 kids. The commissioners stated the assembly room will not hold 200 kids. Jana stated she would pursue a different building to use in case of rain. Commissioners approved her to use the outside courtyard.

Sheriff Williams reported Pam Beasley was nominated as Emergency Manager of the Year. She was one of three nominations statewide. Pam reported she would be serving as KEMA (Kansas Emergency Management Association) vice-president for the next year.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, Alan Weber, County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:22 a.m. Commissioners reconvened at 10:32 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 2 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, Alan Weber, County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:34 a.m. Commissioners reconvened at 10:36 a.m. No action was taken.

Sheriff Williams presented a job description for each employee position for Dispatch. Commissioners will review next week.

Angela Murphy joined the meeting. Commissioner Francis excused himself from the discussion and left the room. Commissioners offered her the job as 911 Dispatch Director. Commissioner

McIntosh moved to hire Angela Murphy. Commissioner Works seconded, motion passed, 2-0-0. Commissioner Francis was absent.

Commissioner Francis rejoined the commission meeting.

Jason Nelson, Allen County EMS Director, Terry Call, EMS Billing Manager, Eric Sanders, MICT/shift supervisor, Michael Burnett, MICT/shift supervisor, Lisa Burwell, EMT-I and Rick Zingre, Zingre & Associates, discussed the proposed ambulance building on N. State Street in Iola. Rick explained different options for the building; such as roofing, insulation, style, building materials. Discussion followed.

Jason discussed brands of ambulances. He presented bids from Emergency Services Supply for a 2010 Osage #2168 Type III modular ambulance with a 2010 Ford E450 for \$122,895.00; Midwest Vehicle Professionals for a Wheeled Coach Ford Type III 139/159 for \$120,700.00; and Rocky Mountain Emergency Vehicles for 2010 model year Ford XL chassis with ambulance prep package and Life Line Emergency Vehicles Superliner for \$128,968.00. No action was taken at this time.

Jason reported Moran Days was last weekend.

Jason reported Michael Burnett and Holly Brown attended Advance Medical Life Support class. Michael explained some topics addressed in this class.

Jason and three of his employees will be attending a Burn Class next week in Parsons.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Terry Call, EMS Billing Manager, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:41 a.m. Commissioners reconvened at 11:46 a.m. No action was taken.

Alan Weber, County Counselor, reported on the Tax Foreclosure Sale.

Alan is still working on the towing issues.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:51 a.m. Commissioners reconvened at 11:56 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$103,240.90
- b) Payroll Changes
- c) Journal Entries # 72

With no further business to come before the board, the meeting was adjourned until September 25, 2009, at 8:30 a.m. in the Conference room of the courthouse for the purpose of canvassing the Humboldt Fluoride Mail Ballot Election.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in a special session at 8:00 a.m. with Chairperson Dick Works, Commissioner Robert A. Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk for the purpose of canvassing the September 22, 2009 Special Humboldt Fluoride Mail Ballot Election. Commissioner Gary G. McIntosh was absent.

Commissioners reviewed the election and found no discrepancies. Therefore, results were finalized.

With no further business to come before the board, the meeting was adjourned until September 29, 2009 at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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absent  
Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the September 22, 2009 meeting and September 25, 2009 Election Canvass.

Sherrie requested on behalf of Lee Cline, Senior Center representative, to tear out a wall at the North State Senior Center to make more room. Commissioners will visit the center to view the wall before making a decision.

Sherrie presented bids for a FS-C5400DN Color Printing Solution printer so tax statements can be printed in color since the new program does work with preprinted forms. Bids were received from Modern Copy System for a State bid of \$1,500.00; an Internet bid from pcandl.com for \$1,849.00 and addrex.com for \$2,593.00. Discussion followed. Commissioner Francis moved to purchase from Modern Copy Systems for \$1,500.00. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill King, Public Works Director, discussed the pumps at the Quarry. He reported to replace the entire system at the quarry would cost \$31,000; to replace just the pumps would be around \$8,000. Commissioners approved him to get bids for pumps.

Bill discussed the proposal at the Allen County Regional Airport for the buildings owned by Star Bright. Discussion followed. Commissioners stated they would like to see them work with Allen County Community College. The Commission stated they could not purchase these buildings, so no action was taken.

Bill discussed getting bids for a Bobcat before the end of the year. Discussion followed. Commissioners discussed budget for the Public Works Department.

Bill stated they will chip and seal one more day before they quit for the season. He discussed using the road reclaimer.

Bill discussed mowing along county roads and intersections. He stated costs prohibit bringing in a mower from 15 miles away to mow a driveway entrance.

Bill discussed rock issues for the landfill liner project.

Jason Nelson, EMS Director, discussed new ambulance proposals from last week. Commissioners stated there is not money to purchase an ambulance this year.

Jason presented letter from Rick Zingre, architect, concerning the new Emergency Services building.

Commissioners discussed the Allen County Animal Rescue Foundation's request for the commissions support so that they can apply for a grant. Commissioner McIntosh moved to authorize Chairman Works' signature on a letter of support. Commissioner Francis seconded, motion passed 3-0-0. Chairman Works signed the letter of support.

Alan Weber, Allen County Counselor, Michael Burnett, EMS Shift Supervisor and Michael Steedley, EMT-I, joined the meeting.

Jason reported on several training opportunities for the EMS Department including PEEP Pediatrics October 7, 2009; ACLS training class for October 21; training on Weapons of Mass Destruction the first week in November and highway Hazmat on September 29<sup>th</sup> -30<sup>th</sup>.

Jason will be attending a Board of EMS meeting on Friday, October 2, 2009 in Topeka.

Jason requested to go into executive session. Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, Michael Burnett, EMS Shift Supervisor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:51 a.m. Commissioners reconvened at 10:01 a.m. No action was taken.

Commissioners requested Ron Holman, Allen County House and Grounds Director, visit with Diane Bertone, SEK Multi-County Health Department Director, about the front steps at the SEK Multi-County Health Department.

Ron reported there is asbestos in tile at the Emergency Services building on State Street that needs to be removed. Sheriff Williams reported they will be able to just cover over the tile in the dispatch room at the Emergency Services Building.

Ron asked about sensor lights in the restrooms. Discussion followed. Ron will proceed with getting bids.

Shannon Moore, Allen County Undersheriff, reported she will be resigning as Undersheriff to serve as Woodson County Sheriff once the Governor makes the appointment on November 26, 2009. Discussion followed. Commissioners congratulated her on her decision.

Thomas R. Williams, Allen County Sheriff, Shannon Moore, Allen County Undersheriff, Dan Onnen, City of Humboldt Police Chief, Eric Lawrence, Lieutenant of the City of Iola Police, and Angie Murphy, 911 Director, joined the meeting for discussions.

Commissioners discussed the job description for 911 Director. Commissioner Francis moved to approve the job description as previously submitted. Commissioner McIntosh seconded, motion passed 3-0-0.

Sheriff Williams reported the generator at the Emergency Services building needs to be replaced. Commissioners requested him to get bids. Discussion followed on other costs and items needed at the Emergency Services building such as consoles and other equipment.

Angie reported to the commission on 911 dispatch. She requested permission to hire the two needed dispatchers as county employees. Lt. Lawrence reported the City of Iola agrees with the hiring. Sheriff Williams expressed the dire need to get these two positions filled. Discussion followed. Commissioners request Angie visit with the City of Iola.



Angie mentioned a company came to the Emergency Services Building to custom fit the dispatch center for consoles and such. She hopes to have bids next week.

Sheriff Williams reported they will be able to just cover over the tile in the dispatch room at the Emergency Services Building.

Commissioners requested information on any contracts on the tower located at the Emergency Services Building. Alan reported he does know of one but thinks two others are located on the tower. Angie will check on any others.

Ron reported the steps at SEK Multi County Health Department building do need attention, maybe a brace or something similar.

Commissioner McIntosh moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:50 a.m. Commissioners reconvened at 10:55 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:55 a.m. Commissioners reconvened at 11:00 a.m. No action was taken.

Commissioners approved the following documents:

- a) Journal Entry #73
- b) Clerk's Vouchers Totaling \$78,486.24
- c) Payroll Changes
- d) Abatements – RE Value 7596, \$1171.24, Year 2008

With no further business to come before the board, the meeting was adjourned until October 6, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      October 6, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the September 29, 2009 meeting.

Bill King, Public Works Director, Mitch Garner, Allen County Regional Airport Manager, Alan Weber, Allen County Counselor, Bruce and Marla Bright, Star Bright Aviation owners, and Rob Jordon, chief instructor at the airport, were present to discuss the future of Star Bright's business. Bruce requested the commission reconsider the purchase of the school building at the Allen County Regional Airport. He reported they have a mechanic hired and he will be coming up soon. Rob Jordon stated he has had meetings with the Allen County Community College to see about offering classes. Discussion followed. Commissioner McIntosh stated since the Neosho

County Community College offers the same classes he felt it was a business courtesy not to offer the same specialty classes.

Bruce stated they have four career individuals starting class. Commissioners asked if they have visited with Thrive Allen County to see about grants and loans, or SEK Regional Planning Commission for grants or loans. Bruce stated he has visited with SEKRPC and all that is available is loans. Discussion followed.

Bruce requested the commission to purchase the building and let them continue to use it. Discussion followed. Commissioners stated they would like to see him pursue other options such as Eagle Med and ACCC before the county purchases the flight school building. No action was taken at this time.

Bill presented bids for a six-inch water pump. Bids were received from Iola Auto Supply for a Gorman Rupp for \$8,032; IBT for a Gorman Rupp for \$8,060; and Midwest Meter Inc. for a Gorman Rupp for \$8,170. Commissioner Francis moved to approve the purchase from Iola Auto Supply. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill presented a contract with Schwab-Eaton, PA for the Biennial Update 2009 Bridge Inspection and Analysis for Allen County. Schwab-Eaton cost would be \$78.00 per bridge inspection, there would be an additional charge paid simply by the hour to inspect and analyze any new bridge to be added to the inventory, not previously inspected. Currently Allen County has 224 bridges on the RS and Off-System roads within Allen County. Discussion followed on what all is entailed. Commissioner McIntosh moved to approve the contract. Commissioner Francis seconded, motion passed 3-0-0.

Bill reported they are putting rock on the cover at the landfill. Discussion followed.

Ronald D. Moore, citizen, requested Allen County Public Works Dept. check out drainage holes around the Coal Creek Bridge area. He thinks it may need to be cleaned out.

Jason Nelson, Allen County EMS Director, discussed the Hazmat Class he had attended. Jason and the City of Iola Fire Dept. will be setting up training for the rest of the crews. Jason discussed bringing the class to Allen County by using a grant. He mentioned the costs and locations currently offered.

Jason reported a class of Weapons of Mass Destruction on a Nov 2<sup>nd</sup> and 4<sup>th</sup>, which will be held at the new Emergency Services Building. Discussion followed.

Jason reported on the State Board of EMS meeting on Friday. He stated they were discussing grants and certification classes.

Jason reported the EMS Department would be attending the PEEP Pediatrics training tomorrow October 7, 2009.

Jason mentioned the salesman for Osage Ambulances has been on vacation this last week.

Jason reported he would be visiting with the City of Humboldt to discuss the ambulance using the City Hall building once they move City Hall to the old Emprise bank building.

Jason reported Anna Catterson's class at Allen County Community College is working on designing a patch for the Allen County Ambulance. Discussion followed.

Jason visited with Travis West, PA at the Allen County Hospital about the Allen County Ambulance Services. He had stated Allen County Services are very much appreciated and feels they are a very professional service.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County

EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:00 a.m. Commissioners reconvened at 10:05 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:05 a.m. Commissioners reconvened at 10:10 a.m. No action was taken.

Thomas R. Williams, Allen County Sheriff, Angie Murphy, 911 Director, Pam Beasley, Allen County Emergency Management Coordinator, and Eric Lawrence, Lieutenant of the City of Iola Police, Dept. joined the meeting for discussions. Angie discussed hiring the dispatchers. Lt. Lawrence reported concerns of the City of Iola; one of which would be hiring the individuals for just 3 months. They are thinking Allen County would hire these as their employees so the benefits don't change in three months. He stated they would be visiting with the City of Iola at the next Commissioner Meeting. Discussion followed.

Alan reported there is someone coming in to look at the tower located at the Emergency Services Building. Discussion followed on contracts and vendors.

Angie presented estimates for work at the Emergency Services Building. She presented a total estimated cost of \$197,205.30; these include office furniture, supplies, remodeling costs, plumbing, phones, internet/camera/phones, generator, appliances, locks and etc. Discussion followed on itemized line items.

Bill Shirley, City Commissioner, joined the meeting.

Angie discussed dispatcher's positions (workstations), two for sure and a third workstation for 2010 if funding isn't available now. Sheriff Williams explained in more detail the third position. Discussion followed on grants available. Pam Beasley, Allen County Emergency management Coordinator, stated there are funds to apply for improvements and the mitigation funds are disappearing quickly with all the disasters, but are looking at several options. Sheriff Williams discussed \$149,000 governor's grant from E911 and what it would help to pay for. Angie would like to have approval to have the remodeling part done with the electricity and construction parts. Commissioners requested Angie get bids for construction and other items due to the Allen County Purchasing Policy.

Commissioner Francis moved to approve Angie purchase three consoles piggy-backing on the Johnson County bid. Commissioner McIntosh seconded. Discussion followed. Motion passed 3-0-0.

Commissioners discussed other items for 911 dispatch which need to go out for bid.

Angie discussed Resolution 200920 requesting Allen County 911 Dispatch be established which needs to be adopted by the Allen County Commission. Discussion followed.

**RESOLUTION NO. 200920  
ALLEN COUNTY, KANSAS**

**A RESOLUTION ESTABLISHING THE ALLEN COUNTY DISPATCH CENTER AS A  
DEPARTMENT OF ALLEN COUNTY, KANSAS**

WHEREAS, the duly appointed 911 Advisory Board has recommended that Allen County establish a county-wide dispatch center; and

WHEREAS, the Commissioners of Allen County, Kansas desire to establish such a center with the form and function set out below.

NOW THEREFORE, be it resolved by the Board of County Commissioners as follows:

1. The Allen County, Kansas Dispatch Center (hereinafter referred to as "Center") is hereby established and is authorized and empowered to provide 911 emergency services and provide such other communication services for the participating entities in Allen County as may be provided by interlocal agreement.

2. Participating entities shall include Allen County Sheriff, Allen County EMS; Iola Police, Fire and EMS; Humboldt Police and Fire; Moran Police; LaHarpe Police and all fire districts in the county.
3. The Center shall be under the direct supervision of the Dispatch Director who shall be a department head for Allen County and who shall be hired by and under the direct supervision of the Allen County Commission. The Dispatch Director shall be responsible for all Center personnel and shall be responsible for the hiring and termination of such personnel with the approval of the Board of County Commissioners.
4. The Center shall be staffed by qualified employees who shall be employees of Allen County and shall be responsible to the Dispatch Director. All such employees shall be paid by the County and shall be subject and governed by the Allen County personnel policies.
5. To aid in the establishment and operation of the Center, there shall be established a 911 Advisory Board comprised of the Allen County Sheriff, the Allen County EMS director, the Iola Police Chief, the Iola Fire Chief, the Humboldt Police Chief, the Moran Police Chief and the LaHarpe Police Chief or their designees. The members of the Advisory board shall each have one vote. The Advisory Board shall provide input into the establishment of operational policies and procedures to be used by the Center
6. All purchases for the Center shall be made according to the Allen County purchasing procedures. All licenses and permits required for the operation of the Center shall be obtained by the Dispatch Director in accordance with applicable laws and regulations.
7. Title to all new equipment or real estate acquired by the Center shall be in the name of the Board of County Commissioners of Allen County, Kansas.
8. The duties of the Center shall include, but are not limited to the following:
  - a. Will be the answering point for all 911 calls.
  - b. Will dispatch all units and personnel of the participating agencies and other participating emergency services.
  - c. Will monitor and coordinate law enforcement, fire and other emergency frequencies, as designated by the County Commission and the 911 Advisory Board.
  - d. Will be responsible for the operation of the Kansas Criminal Justice Information Systems (KCJIS) and the National Law Enforcement Teletype System (NLETS) pursuant to policies and procedures established by the 911 Advisory Board.
9. All funding including all revenues from the 911 emergency telephone tax for the Center shall be used for all necessary or discretionary expenditures in accordance with state and local laws. All costs of operating the Center shall be the responsibility of Allen County unless otherwise provided in future resolutions or interlocal agreements.

RESOLVED THIS 6th Day of October, 2009.

Commissioner McIntosh moved to approve the Resolution 200920. Commissioner Francis seconded, motion passed 3-0-0.

Sheriff Williams reported he would not be hiring a person to fill the deputy position at this time vacated by Undersheriff Moore.

Pam Beasley, Allen County Emergency Management Coordinator, stated she has all she needs for her office worked in with the 911 Dispatch bids.

Phil Young, DOC Administrator, discussed work in the Court Services Office located on the lower floor of the courthouse. He explained he turns in his budget request to the court and the judges bring up the budget requests. He stated it was in the budget to put in bulletproof glass, pass through tray and a buzz in button. Phil stated the work is completed on the doorway.

Commissioners discussed budget for DOC and applying for grants from both State and Federal. Discussion followed on furloughs and state legislation.

Jana Taylor, Iola Area Chamber of Commerce, requested money to paint the retaining wall at the Allen County Hospital that was approved back in May. They will be doing this on Friday. Commissioners requested her to submit the bill to the county clerk's office.

Crystal Maddox, Jana Taylor, and Wade Bowie, representing Young Professionals, reported they now have 16 members. She requested permission to have trunk and treat event to hand out candy with a ghost hunt on October 30 from 5 – 6 p.m. Discussion followed. Commissioners approved the use of the courthouse lawn as long as they clean up after they are done.

Jana stated they would be marking the courtyard for lines so that poles for the Farm City Days tents will not be hitting lines.

Commissioner Works stated he has received applications for cleaning the Humboldt Senior Center. Commissioners approved Dick to interview the applicants and hire who he thinks could do the job.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:43 a.m. Commissioners reconvened at 11:48 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 197,107.69 Signed 10-2-2009
- b) Clerk's Vouchers Totaling \$ 101,847.05 Signed 10-6/2009
- c) Clerk's Vouchers Totaling \$203,400.00 for 10-13-2009 Special Payout
- d) Payroll Changes
- e) Journal Entries # 74-79

With no further business to come before the board, the meeting was adjourned until October 13, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      October 13, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, and Sherrie L. Riebel, County Clerk. Commissioner Robert A. Francis was absent.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 6, 2009 meeting.

Marla Bright, Star Bright Inc., reported the college would not be utilizing the Allen County Regional Airport, so they would not be interested in purchasing the buildings at the airport. Discussion followed. Marla explained the college already supports and recommends their students to another established business.

Bill King, Public Works Director, discussed In-Service activities.

Alan Weber, Allen County Counselor, discussed Fire District #3 Board. Jerry Kaufman was recommended to serve on the board. Commissioner McIntosh moved to appoint Jerry Kaufman. Commissioner Works seconded, motion passed 2-0-0.

Sharon Utley, Allen County Treasurer, Cara Barkdoll, Register of Deeds, Jason Nelson, Allen County EMS Director, Bill King, Public Works Director, Alan Weber, Allen County Counselor, Thomas R. Williams, Allen County Sheriff, Angie Murphy, 911 Director, and Sherrie L. Riebel,

Allen County Clerk, were present to express their appreciation to the commission for National Bosses Day.

Angela Murphy, 911 Director, discussed bids for work at the new Emergency Center at 410 N State. Discussion followed. She discussed hiring staff.

Jason introduced Sam Konkel, Eclipse Hazmat Response Training Civil Support Team, and Sedgwick County Fire Department. He will be doing training for Allen County and surrounding counties.

Jason discussed a timeframe from Osage Ambulance Company for the purchase of a new ambulance. Discussion followed. Allen County has until the middle of October.

Jason met with the City of Humboldt on remodeling the station at Humboldt. He presented drawings and estimates. No action was taken at this time.

Jason discussed Farm/City Day events for this weekend.

Rhonda Fernandez, PIC, reviewed the quarterly report from BMI on Allen County's insurance carrier.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$59,260.60
- b) Payroll Changes
- c) Journal Entries #82-86

With no further business to come before the board, the meeting was adjourned until October 20, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Absent  
Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      October 20, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 13, 2009 meeting.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:30 a.m. Commissioners reconvened at 8:35 a.m. No action was taken.

Bill reported on work the Public Works Dept is doing at the Emergency Services building on N. State. Discussion followed.

Ron Holman, Allen County House and Grounds Director, recapped Farm/City Days and activities. Discussion followed. Ron suggested having the car show off the courthouse lawn from now on.

Ron presented bids for lighting for the rest of the courthouse, which would be for 13-two lamp, 24-three lamp, 34-four lamp, 2-four lamp surface, 3-four lamp eight-foot strip lights and material and labor. Bids were received from Hoffmeier Electric, LLC for \$8,568.00; K-K Electric, Inc for \$8,945.00 and Stout declined to bid. Commissioner Francis moved to approve the bid from Hoffmeier Electric. Commissioner McIntosh seconded, motion passed 3-0-0.

Ron presented bids for light sensors for the restrooms. Bids were received from Hoffmeier Electric LLC for 7 Passive Infrared Sensor at \$100.00 and 7 Dual Technology Infrared Ultrasonic-\$150.00 each installed; and K-K Electric, Inc to change out 7 bath occupancy sensors material and labor for \$823.50. Discussion followed on the lights and costs. Commissioners decided to drop the idea.

Sherrie requested on behalf of Alfred Link, Veteran's Day Committee representative, for the courthouse be open on November 11 from 10:00 a.m. to 1:00 p.m. for public restrooms. Commissioners approved.

Jason Nelson, EMS Director, discussed ambulance bids with the commission. Lease Purchase was an option suggested by Rodney Burns, auditor. Discussion followed. Jason will call the company for information.

Jason did a quick review of the projects he has scheduled for the rest of the year.

Jason reported the Eagle Med helicopter landed on Waugh-Yokum Funeral Home parking lot during Farm/City Days.

Commissioners and Jason discussed the proposed ambulance station at the Emergency Services building on N State. The commission will explore design/build of a 40 x 60 building. A public hearing will be held at 10:00 a.m. on November 10, 2009 and published as such.

Angela Murphy, 911 Director and Alan Weber, Allen County Counselor, updated the commission on bids and county policy. Discussion followed. Angela requested the commission waive the county purchasing policy for setup at the 911 dispatch center so that the company that is familiar with the current setup could do the setup. Discussion followed. No action was taken at this time.

Angela discussed work at the Emergency Services building. She has interviews scheduled to fill two or three positions. Discussion followed on city benefits and county benefits.

Commissioners asked Alan about the tower at the Emergency Services building. Discussion followed on leases and obligations.

Commissioners reviewed Resolution #200921 concerning the annexation to the City of Humboldt.

RESOLUTION NO.200921  
ALLEN COUNTY, KANSAS

A RESOLUTION CONSIDERING THE ANNEXATION OF CERTAIN LANDS BY THE CITY OF HUMBOLDT AND MAKING CERTAIN FINDINGS RELATIVE THERETO

WHEREAS, the City of Humboldt, Kansas has expressed its intent to annex certain lands near to and adjoining said City by and through its Resolution No. 10-12-09; and,

WHEREAS, pursuant to K.S.A. 12-520c, the City of Humboldt has requested that the Allen county Commission consider the effect of the annexation and make findings as required by said statute

NOW THEREFORE, be it resolved by the Board of County Commissioners as follows:

1. That the real estate described in Humboldt City Council Resolution No.10-12-09 lies adjacent to or near to the city limits of the City of Humboldt;
2. That annexation of said real estate is consistent with the natural growth of the City of Humboldt;
3. That the annexation will in no way hinder or prevent the growth and development

- of the area and will in fact promote growth and development;
4. That the annexation will not hinder, prevent or affect in any way the growth and development of any other city in the county.

RESOLVED THIS 20th Day of October, 2009.

Commissioner Francis moved to approve Resolution 200921. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan discussed a Monarch Zoning request on August 27, 1997. The planning board approved it and it should have come to the commission but for whatever reason didn't make it. Alan will publish a notice in the Iola Register with a time line for comments.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:06 a.m. Commissioners reconvened at 10:16 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:16 a.m. Commissioners reconvened at 10:21 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 15 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:21 a.m. Commissioners reconvened at 10:36 a.m. No action was taken.

Commissioners approved for 911 Dispatch to hire Advantage Computer to wire the 911 dispatch center.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$150,894.78
- b) Payroll Changes
- c) Journal Entries #87

With no further business to come before the board, the meeting was adjourned until October 27, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      October 27, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk. Commissioner Gary G. McIntosh was absent.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 20, 2009 meeting.

Bill King, Public Works Director, requested to go into executive session. Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 2-0-0. Those in the room will be Chairman



Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:36 a.m. Commissioners reconvened at 8:46 a.m. No action was taken.

Bill discussed speed limits on Oregon Road, and a few other issues going on in Public Works department.

Darrel Catron, City of Gas Mayor, visited with the commission about a hospital. Discussion followed.

Commissioners reviewed a Proclamation to proclaim October as Domestic Violence Awareness Month.

*Proclamation of  
Allen County, Kansas*

*Whereas:* Home should be a place of warmth, unconditional love and security and for most of us, home and family can indeed be counted among our greatest blessings. Tragically, for many, these blessings are tarnished by violence and fear; and

*Whereas:* Domestic violence is not confined to any group or groups of people but crosses all walks of life.

*Whereas:* A collaborative response is necessary to directly address this issue, including law enforcement, domestic violence advocates, health care providers, faith based organizations and other concerned citizens. We recognize the commitment and dedication of these professionals, volunteers and citizens; and we applaud their efforts to increase public understanding of this issue.

*Now, therefore,* we the commissioners of Allen County, Kansas do hereby proclaim the month of October as

**Domestic Violence Awareness Month**

We urge all citizens to observe the month by becoming aware of the tragedy of domestic violence, supporting those who are working toward its end and participating in community efforts throughout the year.

Signed and dated this the 27<sup>th</sup> day of October, 2009.

Commissioner Francis moved to sign the Proclamation of Allen County, Kansas. Commissioner Works seconded, motion passed 2-0-0.

Jason Nelson, Allen County EMS Director, reported on an Educator Workshop put on by the State Board of EMS that he and Eric Sanders, MICT, attended last weekend. Discussion followed on some changes allowed by the state.

Jason reported he is working on SOP's (Standard Operating Procedures) for dispatch. He said Donald Leapheart, City of Iola Fire Chief, Angela Murphy, 911 Dispatch Director, and he are working on these standards.

Jason reported on the upcoming event for the youth that EMS is planning.

Jason discussed the ambulance billing for Allen County. He proposed increasing ambulance rates and he presented area rates. Discussion followed.

Jason introduced Keene Schaaf, Osage Ambulance sales representative. Mr. Schaaf discussed what is available for sale and the changes in the future on ambulances. Discussion followed. He presented information on lease purchase from Republic First National. Commissioners requested him to come back in January 2010.

Angela Murphy, 911 Dispatch Director, Thomas R. Williams, Allen County Sheriff, Eric Lawrence, City of Iola Lieutenant, and Alan Weber, Allen County Counselor, joined the meeting.

Angela Murphy, 911 Dispatch Director, reported the building is starting to come together. She requested to name the building and services as Allen County Critical Response Center. Commissioners requested to take under consideration before ordering any signage.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 2-0-0. Those in the room will be Chairman Works, Commissioner Francis, Alan Weber, Allen County Counselor, Angela

Murphy, 911 Dispatch Director, Thomas R. Williams, Allen County Sheriff, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:39 a.m. Commissioners reconvened at 9:49 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 2-0-0. Those in the room will be Chairman Works, Commissioner Francis, Alan Weber, Allen County Counselor, Angela Murphy, 911 Dispatch Director, Thomas R. Williams, Allen County Sheriff, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:49 a.m. Commissioners reconvened at 9:54 a.m. No action was taken.

Alan Weber, Allen County Counselor, presented information on firearms and concealed carry required by Kansas Department of Transportation's Public Transportation Policies.

Firearms and concealed carry

Firearms, whether concealed or not, are prohibited on transit vehicles and in the transportation services office (currently the office of the Allen County Clerk). As required by KDOT Public Transportation Policies, concealed carry signs will be posted on the main entry doors of the transportation services office and also on the entry door of the transit vehicle.

Commissioner Francis moved to comply with KDOT Public Transportation Policies. Commissioner Works seconded, motion passed 2-0-0.

Alan discussed a company interested in putting Allen County on their website.

Monty Rogers, Beyond RX President, presented a power point on information available by his company to Allen County. He explained the services and process of services. He will review Allen County's information.

Sunny Shreve, Thrive Administrative Assistant, called to request use of the assembly room for the Jingle Bell Jog if the weather is bad. Commissioners declined the request but offered to pay the rent if they use the Iola Senior Center.

Bill Shirley, City of Iola Commissioner, visited with the commission about repairing the sidewalks around the square. The Commission went out to view the sidewalks.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 68,043.57
- b) Payroll Changes
- c) Journal Entries #88

With no further business to come before the board, the meeting was adjourned until November 3, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Absent  
Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      November 3, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 27, 2009 meeting.

Thomas R, Williams, Allen County Sheriff, reported on work at the Emergency Services Building. Brian Murphy, Allen County Undersheriff, was present.

Sheriff reported on new voluntary special needs GIS program for the public to register their disabilities.

He mentioned Jeremy Trester as a new deputy but he was not in attendance and also introduced Dan Sherwood as another new deputy who was in attendance.

Pam Beasley, Allen County Emergency Manager, discussed getting a county COOP plan in order. November 12, 2009 is the first meeting in this region. She explained how it would work. Pam requested the commission set up a courthouse committee.

Pam reported on training yesterday for the region for the NetEOP operations. She reported on several upcoming meetings to be held in Allen County. Discussion followed.

Pam and commissioners discussed the Emergency Planning Table Top exercise held last week. Discussion followed on interaction of each of municipality.

Chuck Richey, citizen, joined the meeting.

Bill King, Public Works Director, reported there will be a planning meeting for the Allen County Regional Airport Advisory 5 Year Plan meeting on December 1, 2009

Bill reported Star Bright will be shutting down the flight school. Bill asked about the time line for them to vacate the premises. Discussion followed. Commissioners stated they should wait a couple of weeks and then let them have a couple of weeks to remove planes. Bill will send a letter to Star Bright.

Bill presented bids for a skid steer loader. Scott Reeder, Special Bridge Foreman, was present for the bid discussion.

He received bids from the following companies:

Company	Model	Cost	Warranty	Delivery	Options
<b>Storrer Implement</b>	2009 Gehl U270	\$55,963.00 List - \$18,313.00 Gov. Discount \$37,650.00 Bid List - \$13,000.00 Trade Allowance = \$24,650.00 Trade Difference	12 month on base machine - 24 month or 2000 hour on engine.	45 Days	72" Grapple bucket \$3400  Buy back 1 yr.- 1000 hrs \$33,750.00 \$650.00 for additional 14 pin connector which will allow all attachments to work.
<b>White Star Machinery</b>	Bobcat S250	\$33,543.39 \$7,500.00 Trade Allowance = \$26,043.39 Trade Difference		4-6 Weeks	74" Grapple bucket \$2733.50 Buy back 1 yr.-\$31,295.00
<b>Martin Tractor</b>	Caterpillar 262 C	\$47,143.26 - \$7,550.00 Trade Allowance = \$39,593.26 Trade Difference	12 month or 1500 hr full machine  Extended 24 month or 2000 hour on power train.	10-12 Weeks	78" Grapple bucket \$4711.00
<b>O'Malley Equipment</b>	John Deere 0328	\$54,672.33 List - \$16,797.33 Gov. Discount \$37,875.00 Bid List - \$12,500.00 Trade Allowance = \$25,375.00 Trade Difference	1 year unlimited hrs.	Dec 2009	Grapple bucket \$5,595.00

<b>Bobcat of Springfield</b>	Bobcat S250	\$36,657.00 -\$9,100.00 Trade Allowance = \$ 27,557.00 Trade Difference	12 months	30-45 Days	74" Grapple bucket \$2440.00
<b>Berry Tractor</b>	Komatsu	NO Bid		Model change Can not guarantee delivery date	
<b>Jack McKarnin</b>		Bid on used 863 \$5,500.00			

Proposals opened on October 29, 2009 at 1p.m. in the Public Works office. Those present were Bill King, Director of Public Works, Sharon Utley, County Treasurer, Keith Carseloway, White Star Machinery and Robert Storrer, Storrer Implement.

Robert Storrer, Storrer Implement; Keith Carseloway, White Star Machinery, and Rodney Warren, Martin Tractor, spoke in regards to their equipment offered. Discussion followed. No action was taken at this time.

Jason Nelson, Allen County EMS Director, discussed rate changes. He presented several ambulance rates throughout the State of Kansas. Discussion followed on costs and rating. Commissioners still have some researching to do before making a change.

Jason presented patches for review. He has five the ambulance crew will be deciding on.

Jason stated they have been busy with training as well as runs. He explained the training procedures.

Jason discussed the proposed building on State Street. He requested to build a 70 X 60 building which is what is needed now. Commissioners stated they would wait and see what bids come in for. Discussion followed.

Robert Storrer returned to the meeting to discuss the attachment option. Discussion followed. He stated buyback would be a cash buyback at the end of a year if the county decides to buy elsewhere. Commissioner Francis moved to purchase from Storrer Implement providing he works with Bill to make sure the attachments all work. This motion includes the grapple bucket. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Alan Weber, Allen County Counselor. The time is now 10:05 a.m. Commissioners reconvened at 10:10 a.m. No action was taken.

Alan reported on the Census reports. He stated the state has left out 600 names and he has reported 100 new names. He wondered if this was within the City of Iola since the flooding. Discussion followed.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$112,980.59
- b) Payroll Changes
- c) Payroll Vouchers
- d) Journal Entries #89

With no further business to come before the board, the meeting was adjourned until November 10, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      November 10, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved minutes of the November 3, 2009 meeting.

Thomas R. Williams, Allen County Sheriff, introduced Jeremy Trester as a new county deputy.

Commissioner McIntosh presented information on usual and customary costs for our area on ambulance charges. Discussion followed.

Sherrie questioned the commission about bidding out the fire extinguishers services. Commissioners stated since it has been a few years that yes the county should go out for bid.

Bill King, Pubic Works Director, requested to go into executive session to discuss non-elected personnel. Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:54 a.m. Commissioners reconvened at 8:59 a.m. No action was taken.

Bill King, Public Works Director, discussed the business at the Allen County Regional Airport. Discussion followed on what is happening out there.

Bill requested David Craft carry over 41 hours of vacation. Commissioners approved the carryover to be used within 6 months.

Bill reported on the crusher's motor at the quarry. He stated the crusher is down and he had to purchase the filter rock to finish the project at the landfill. Van Keppel Company is replacing and servicing the crusher's motor.

Darrell Catron, City of Gas Mayor, joined the meeting.

Bill discussed other projects around the county. He also mentioned a possible safe room at the landfill. Discussion followed. No action was taken at this time.

Sheriff Williams discussed fence viewing for a landowner in Allen County. Sheriff made an official request for the commission to appoint a fence viewer. Discussion followed.

Jason Nelson, Allen County EMS Director and Michael Burnett, EMS Shift Supervisor, presented the patch choice they had picked from those shown last week. The patches will be going on white shirts.

Jason reported they are close to getting 900 runs this year.

Jason stated one of the ambulances is in the shop. The fourth is currently in operation.

Jason and Commissioners discussed ambulance rates. Allen County is much lower than what are usual and customary costs for our area on ambulance charges.

**ALLEN COUNTY, KANSAS  
RESOLUTION 200922**

A RESOLUTION SETTING THE BASE CHARGES AND MILEAGE LIMITS ON AMBULANCE SERVICE.

**BE IT RESOLVED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS:**

**SECTION 1. BASE CHARGES FOR AMBULANCE SERVICE.**

The BLS Non-Emergency rate shall be \$450.00.

The BLS Emergency rate shall be \$575.00.

The ALS Non-Emergency rate shall be \$575.00.

The ALS Emergency rate shall be \$675.00.

The ALS Intervention rate shall be \$735.00.

The BLS and ALS mileage charge shall be set at \$12.00 per mile, incurring when an ambulance is dispatched and only being charged when a patient is being transported.

**SECTION 2. EFFECTIVE DATE.**

This resolution shall be effective November 11, 2009.

Passed and adopted by the Governing Body of Allen County, Kansas, this 10th day of November 2009.

Commissioner Francis moved to pass Resolution 200922. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan requested to go into executive session to discuss land acquisition. Commissioner Francis moved to go into executive session for 10 minutes to discuss land acquisition. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:36 a.m. Commissioners reconvened at 10:46 a.m. No action was taken.

Alan Weber, Allen County Counselor, opened the public hearing for Notice of Intent to use Alternative Delivery Procurement for County Construction Project. No public was present. Commissioner Francis moved to approve alterative procurement for the ambulance station. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis and Alan Weber, Allen County Counselor. The time is now 10:04 a.m. Commissioners reconvened at 10:09 a.m. No action was taken.

Angela Murphy, 911 Dispatch Director, discussed the progress at the Emergency Services building. Discussion followed. She discussed the name of the building, which was requested as Allen County Critical Response Center. Discussion followed. Commissioner Francis moved to name the building at 410 N. State as Allen County Critical Response Center aka CRC. Commissioner McIntosh seconded, motion passed 3-0-0.

Angie discussed dispatcher jobs for January 1, 2010. There are going to be a couple of current dispatchers that will not be making the transfer to Allen County. Commissioners requested to put some numbers together for costs of hiring two new persons now.

Angie and commissioners discussed the transfer of employees and monies from the City of Iola. Angie will be attending the City of Iola Commission meeting.

Sheriff Williams, Angie and Pam Beasley, Emergency Management Coordinator, all discussed the transition into the new CCR building. The new generator is in and they stated Bill King's departments have been very helpful and instrumental in getting things done at the building.

Pam Beasley, Emergency Management Coordinator, discussed the upcoming COOP Training.

Alan discussed 911 in regards to the census. He requested the commission have a campaign or ordinance to have 911 addresses on the residences. Discussion followed. No action was taken at this time.

Pam discussed regional committee on 911 mapping. Discussion followed.

Sherrie requested to shred 2005 Claim Vouchers, 2005 Added & Abatement Taxes, 2005 Daily Work, 2005 Payroll Duplicate Checks, 2005 Bank Statements, 2005 Treasurers Daily Statements, 2005 Check Register, 2005 Motor Vehicle Daily Audits, as per Local Government Records Management Manual dated 07/14/98. "The General Records Retention and Disposition Schedule has been authorized by the State Records Board in accordance with K.S.A. 75-3504 and has been adopted by the board a K.A.R. 53-2-115, an administrative regulation having the force of law." Commissioner Francis moved to approve the shredding. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners will not be meeting November 17, 2009 so they may attend a Kansas Association of Counties meeting.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries #90-93
- c) Abatements – PP 7185 Value, \$1173.18, Year 2009
- d) Abatements – TK 4746 Value, \$635.84, Year 2009

With no further business to come before the board, the meeting was adjourned until November 24, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      November 24, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the November 10, 2009 meeting.

Commissioners recognized Cara Barkdoll for 24 years of service to Allen County. Jill Allen and Sherrie L. Riebel were recognized for 16 years of service to Allen County.

Sherrie requested the commission sign a waiver letter to allow the 911 employees to transfer to Allen County's insurance starting day one. Commissioners reviewed, approved and signed.

Commissioners discussed and signed a letter of support for transportation providers of Coordinated Transit District #10. This is so Allen County may apply for grant money for Services to Elderly van.

Allen County Commissioners discussed supporting the City of Iola in their efforts to extend the Prairie Spirit Rail Trail from Cofachique Park to Riverside Park. Allen County recognizes the need to provide resources to help promote health and fitness, as well as recreational opportunities.

This trail would be a great asset not only to the City of Iola, but to the entire community as well. Commissioners drafted a letter as such and signed.

Commissioners reviewed an office space agreement for K-State Research and Extension district to use the current room. Discussion followed. Commissioners signed.

Commissioners reviewed Southwind Extension District, Number 10, Allen County and Neosho County Operational Agreement. This is for the newly combined district for the extension districts. Commissioner Francis moved to approve Chairman Works' signature. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the operational agreement.

Commissioners reviewed a request by Sandy Erbe, Southeast Kansas Regional Planning Commission to request a time extension for an additional 12 months, which is the amount of time needed to complete the FEMA project. This project has been slow going but with several different agencies this can be expected. Allen County has been waiting on FEMA for sometime now and they are beginning to make progress. This project is very important to Allen County for it's citizens that were affected by the 2007 flood. We are on the verge of completing the buy-out process, so we hope that they will grant the 12 month extension.

Bill King, Public Works Director, requested signatures from the commission for the second phase of the project at Allen County Regional Airport. Discussion followed. Commissioner Francis moved to approve Chairman Work's signature on the authorization letter for project # 03-20-0037-11. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill requested Eula Hutton carryover 50 hours of vacation and 40 hours for himself. Commissioner Francis moved to approve the carryover as long as they use it within 6 months. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:07.m. Commissioners reconvened at 9:12 a.m. No action was taken.

Bill discussed widening 1100 Road on Humboldt hill. Commissioners will review the road first.

Jason Nelson, Allen County EMS Director, reported on EMT-B classes which would be paid for with a grant if approved. He reported on CPR classes would be held on January 14 from 6 p.m. to 9 p.m. and other EMT-B classes would be starting January 19 and continue every Tuesday and Thursday from 6 p.m. to 10 p.m. with four of the classes on Saturdays. They have put out flyers informing the public of this opportunity. Michael Burnett, MICT Shift Supervisor and Chris Nungesser, EMT-B were also present for the discussion.

Jason reported on a scheduled Movie Days for kids from K-5 in Moran, Humboldt, and Iola. They have received donations from local businesses along with candy and prizes to be given.

Jason provided a letter of thanks from Mercy Hospital in Fort Scott for helping cover the west side of Bourbon County on November 7 during a concert/rodeo.

Jason requested the personal time be paid out at the end of the year for the 24-hour persons. Commissioners will take under consideration.

Commissioner Francis moved to go into executive session for 10 minutes to discuss land acquisition. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:28 a.m. Commissioners reconvened at 9:38 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director,



Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:38 a.m. Commissioners reconvened at 9:43 a.m. No action was taken.

Commissioners reviewed a Resolution 200923.

Resolution 200923

A RESOLUTION ESTABLISHING AN ALTERATE METHODOLOGY FOR THE DISPOSAL OF COUNTY REAL ESTATE.

WHEREAS, the Board of County Commissioners may have the opportunity to trade county-owned real estate as part of the consideration when purchasing additional real estate for county use; and

WHEREAS, K.S.A. 19-211(b) and the county's home rule power allow the County Commission to establish alternative procedures for disposing of county-owned real estate which are conducive to the interests of the county's citizens;

NOW THEREFORE, be it resolved by the Board of County Commissioners as follows:

1. In order to dispose of county-owned real estate pursuant to this resolution, the Board of County Commissioners shall, by majority vote, determine that trading a particular parcel of county-owned real estate as part of the consideration for purchase of additional real estate is conducive to the interest of county's citizens.
2. Upon making the determination set out above, the Commission shall make the material terms of the transaction public and shall publish notice thereof one time in the official county newspaper at least 5 days prior to finalizing the transaction.
3. The material terms of the transaction shall include: the method of sale or other disposition; the parties to the transaction; description of the real estate parcels conveyed and received by the county; and any additional consideration to be paid or received by the county.

RESOLVED this 24<sup>th</sup> day of November 2009.

Commissioner Francis moved to approve Resolution 200923. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:46 a.m. Commissioners reconvened at 9:51 a.m. No action was taken.

Carol Ross, Iola Housing Authority Executive Director, discussed the Iola Housing Authority using parking west of the county's senior center. They need to paint the parking spaces to use for handicap at the East Townhouse. They have always been able to have a couple of parking spaces but they are requesting a couple more handicap parking for the townhouse and will paint as handicap parking. Discussion followed. Commissioner Francis moved to allow the Iola Housing Authority to use four of the county owned parking spaces for use at the East Townhouse and to paint and sign as handicap. Commissioner McIntosh seconded, motion passed 3-0-0.

Cathy McEwan, Allen County Extension Agent, stopped by to see if the commission had any questions on the newly established extension district. Discussion followed. The existing extension districts have to be closed out and the new extension district will begin.

Kendal Ashford, Allen County Cartographer, was present to observe the commission meeting for a while.

Sharon Utley, Allen County Treasurer, reported on the sales tax for Allen County year to date. Discussion followed.

Angela Murphy, Allen County 911 Dispatch Director, and Thomas R. Williams, Allen County Sheriff, reported on the progress at the Allen County Critical Response Center. Discussion followed.

Angie reported she will be attending the meeting with the City of Iola today at 1 p.m. Discussion followed. She reported the City of Iola is allowing the current employees to take

time off to use up some of their leave so there will not be any trainers on staff to train any new employees until after the first of the year. Discussion followed.

Angie presented the Mission Statement for Allen County 911 Communications Center for review by the commission. Discussion followed.

Angie presented suggested signage for the Allen County Critical Response Center. Discussion followed. She will be doing more research. Sheriff Williams offered monies out of the VIN account to help with costs.

Angie requested a county cell phone. Discussion followed. Alan will review some policies from other counties.

Angie updated the commissioners on the future process to prepare for the switch over from the City of Iola building to the Allen County Critical Response Center.

Commissioner McIntosh discussed the announcement of the “Year of the Hospital” for next year. Commissioners reported there is currently legislation to allow for a sales tax for health care. Discussion followed.

Alan asked about the fence viewing. Commissioners scheduled a fence viewing December 1 at 11:30 a. m. at the location.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:10 a.m. Commissioners reconvened at 11:15 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:19 a.m. Commissioners reconvened at 11:24 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk’s Vouchers Totaling \$35,424.65
- b) Payroll Changes
- c) Journal Entries # 94-97
- d) Abatements: All tax year 2009 - Specials \$9,565.00; Real Estate 66,726, \$10,152.46; Trucks 292, \$35; Personal Property 11,098 \$5,617.00

With no further business to come before the board, the meeting was adjourned until December 1, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Richard Luken, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the November 24, 2009 meeting.

Sherrie presented 2010 holidays for consideration.

**2010 HOLIDAYS (8 hour employees)**

NEW YEAR'S DAY	FRIDAY, JANUARY 1, 2010
MARTIN LUTHER KING DAY	MONDAY, JANUARY 18, 2010
PRESIDENTS DAY	MONDAY, FEBRUARY 15, 2010
MEMORIAL DAY	MONDAY, MAY 31, 2010
LABOR DAY	MONDAY, SEPTEMBER 6, 2010
<del>COLUMBUS DAY</del>	<del>MONDAY, OCTOBER 11, 2010</del>
VETERAN'S DAY	THURSDAY, NOVEMBER 11, 2010
THANKSGIVING DAY	THURSDAY, NOVEMBER 25, 2010
DAY AFTER THANKSGIVING	FRIDAY, NOVEMBER 26, 2010
CHRISTMAS EVE	FRIDAY, DECEMBER 24, 2010
CHRISTMAS DAY	MONDAY, DECEMBER 27, 2010
1 EXTRA PERSONAL DAY DUE TO 4 <sup>th</sup> of JULY BEING ON A SUNDAY, JULY 4, 2010	

**2010 HOLIDAYS (Landfill employees)**

NEW YEAR'S DAY	FRIDAY, JANUARY 1, 2010
MARTIN LUTHER KING DAY	MONDAY, JANUARY 18, 2010
PRESIDENTS DAY	MONDAY, FEBRUARY 15, 2010
MEMORIAL DAY	MONDAY, MAY 31, 2010
LABOR DAY	MONDAY, SEPTEMBER 6, 2010
<del>COLUMBUS DAY</del>	<del>MONDAY, OCTOBER 11, 2010</del>
VETERAN'S DAY	THURSDAY, NOVEMBER 11, 2010
THANKSGIVING DAY	THURSDAY, NOVEMBER 25, 2010
DAY AFTER THANKSGIVING	FRIDAY, NOVEMBER 26, 2010
CHRISTMAS EVE	FRIDAY, DECEMBER 24, 2010
CHRISTMAS DAY	SATURDAY, DECEMBER 25, 2010
1 EXTRA PERSONAL DAY DUE TO 4 <sup>th</sup> of JULY BEING ON A SUNDAY, JULY 4, 2010	

**2010 HOLIDAYS (all 12 & 24 hour and dispatch employees)**

NEW YEAR'S DAY	FRIDAY, JANUARY 1, 2010
MARTIN LUTHER KING DAY	MONDAY, JANUARY 18, 2010
PRESIDENTS DAY	MONDAY, FEBRUARY 15, 2010
MEMORIAL DAY	MONDAY, MAY 31, 2010
FOURTH OF JULY	SUNDAY, JULY 4, 2010
LABOR DAY	MONDAY, SEPTEMBER 6, 2010
<del>COLUMBUS DAY</del>	<del>MONDAY, OCTOBER 11, 2010</del>
VETERAN'S DAY	THURSDAY, NOVEMBER 11, 2010
THANKSGIVING DAY	THURSDAY, NOVEMBER 25, 2010
DAY AFTER THANKSGIVING	FRIDAY, NOVEMBER 26, 2010
CHRISTMAS EVE	FRIDAY, DECEMBER 24, 2010
CHRISTMAS DAY	SATURDAY, DECEMBER 25, 2010

Don Erbert, Erbert Construction, asked about the proposed ambulance station. He has bids prepared for a 60X70 and a 60 X40 building. Discussion followed. Commissioners will visit with Alan Weber, Allen County Counselor, before taking action.

Bill King, Public Works Director, requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works,

Commissioner McIntosh, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8.50 a.m. Commissioners reconvened at 8.55 a.m. No action was taken.

Bill reported on a visit from MSHA at the landfill. Discussion followed. Bill reported the crusher is back up working today. He discussed leachate water regulations and training on the pumping of leachate.

Lorenzo Jensen and Dakota Jensen were present to discuss the flight school at the Allen County Regional Airport. He asked about what the county would do for him if he were to purchase the flight school from Star Bright Aviation. Discussion followed on the current contract with Star Bright Aviation and Allen County. Lorenzo explained his future plans for the aviation school, mechanics and teachers. Lorenzo requested to continue with the same contract as the current contract. Commissioners encouraged him to continue negotiations to purchase the flight school and they would do what they could.

Angie Murphy, 911 Dispatch Director, discussed the meeting with the City of Iola last Tuesday, concerning the 911 Dispatcher's benefits. Discussion followed. She will be visiting with Judy Brigham, City of Iola Administrator.

Angie presented bids for the installation of ceiling tile and grid at the Allen County Critical Response Center. Bids were received from Home Detail for \$7,857.00 and Day Construction for \$8,100.00, Call Construction declined to bid. Commissioner Francis moved to approve the low bid from Home Detail. Commissioner McIntosh seconded, motion passed 3-0-0.

Angie presented bids for 8 security cameras from Thermal Components for \$9,209.00, Advantage Computers for \$6,275.00. Discussion followed. Commissioner Francis moved to approve the bid from Advantage Computers. Commissioner McIntosh seconded, motion passed 3-0-0.

Angie presented bids for signage for the Allen County Critical Response Center. Hawk Business cost was \$999.00 plus shipping and ABX Graphix, LLC for \$7,023.68. Discussion followed. Commissioners requested more information.

Angie discussed shirts for uniforms for the dispatchers. They are getting polo shirts for the dispatch uniforms.

Thomas R. Williams, Allen County Sheriff, discussed the transfer of the 911 dispatchers as a seamless transfer from the City of Iola. He stated the past and current 911 board members agreed benefits were part of the transfer.

Audrey Maley, Moran Senior/Community Center Representative, requested the commission check on replacing the front doors. She requested to have the locks on the front doors similar to the locks on the other two doors. Discussion followed. Commissioners will find someone to fix the doors.

Jason Nelson, Allen County EMS Director, reported the State EMS Board will be meeting on Thursday and he will be attending.

Jason stated he has been doing interviews for MICT's.

Jason reported Saturday, December 7<sup>th</sup> is the first Movie Day in Moran.

Jason stated a company out of Pittsburg will be fixing the garage doors at the Iola station today.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:16 a.m. Commissioners reconvened at 10:21 a.m. No action was taken.

Diane Bertone, SEK Multi-County Health Department Executive Director, presented bids for fixing the front deck for the SEK Multi-County Health Department. Bids were received from Lowell & Son Construction for \$3,750 for EPOCK Deck or \$2100 for a wood deck; Superior Builders LLC for jacking up the porch and painting for \$2,120.00. Discussion followed on what is needed at this time to fix the porch. Commissioner McIntosh moved to accept the bid from Superior Builders LLC. Commissioner Francis seconded, motion passed 3-0-0. Diane will contact Superior Builders LLC.

Alan Weber, Allen County Counselor, requested to go into executive session. Commissioner McIntosh moved to go into executive session for 10 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:37 a.m. Commissioners reconvened at 10:47 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:03 a.m. Commissioners reconvened at 11:08 a.m. No action was taken.

Alan explained a public notice to the commission he has prepared for them:

PUBLIC NOTICE is hereby given that the Allen County, Kansas, Board of County Commissioners has determined that the county-owned real estate described below is no longer required for the public purposes of the County and can best be disposed of by trading it as part of the consideration in acquiring another parcel of real estate which is intended to be used as an ambulance station for Allen County EMS. The commissioners have determined by majority vote that trading the property is conducive to the interests of the county's citizens. The proposed transaction is a private sale between Allen County, Kansas and Heartland Rural Electric Cooperative, Inc. The property to be traded to Heartland by Allen County is described as follows:

Lots 1 through 7 inclusive, Block 11 and lots 1 through 14 inclusive Block 12 all in Taylor's First Addition to the City of Gas, Kansas

The property to be acquired by Allen County from Heartland is described as follows:

Beginning at the NW corner of Lot 1, Block 4, Martin's Addition, thence N 460 feet; thence E 408 feet; thence S 460 feet; the NE corner of Lot 9; thence W on lot line 408 feet to POB, less tract beginning 99.59 feet N and 33 feet W of SE corner of the NE/4, thence W 226 feet; thence N 258.96 feet; thence E. 226 feet; thence S along the W line of State St. 256.6 feet to POB

In addition, Allen County will pay to Heartland the cash sum of \$200,000 for the real estate and all improvements thereon. The Allen County Commissioners plan to finalize their commitment to the foregoing transaction at their next meeting on December 8<sup>th</sup>, 2009 at 10:00 a.m. in the Commission Room in the Allen County Courthouse, 1 N. Washington, Iola, Kansas,

Commissioner Francis made a motion to approve and publish the intent as drafted by Alan. Commissioner McIntosh seconded, motion passed 3-0-0.

Sheriff Williams presented information on the tower currently at Allen County Critical Response Center. Discussion followed.

Commissioner Francis moved to approve the suggested 2009 Holidays with the exception of Columbus Day. Commissioner McIntosh seconded, motion passed 3-0-0. Columbus Day will be removed from all three 2010 Holiday lists.

Commissioners adjourned for a fence viewing outside the City of Gas.

The Allen County Board of County Commissioners reconvened at 11:30 a.m. at the Allen County Country Club for the purpose of viewing the partition fence between the property owned by the Country Club on the south and the property owned by Timothy and Kelly Spears on the north. In attendance were Commissioners Dick Works, Gary McIntosh and Robert Francis. Also in attendance were County Counselor Alan Weber, L.C. Lacy and Tom Williams. The Commissioners viewed the fence and found it to be poorly maintained with many wires loose, some wires broken, some wires too low and many posts bent and/or loose. After discussion the Commissioners unanimously found the fence to be inadequate. The Commissions also found that the Spears property is being used to pasture cattle while the Country Club property is generally unfenced and has no livestock to fence in. Under Kansas's "fence in" statutes, the full responsibility for maintaining the fence rests with Spears so long as their property is used to pasture livestock. The Commissioners directed the County Counselor to prepare an order directing the Spears to repair the fence.

Commissioners approved the following documents:

- a) Clerk's Vouchers \$80967.54
- b) Payroll Changes
- c) Journal Entries #98
- d) Abatements –PP Value 13148, \$2066.82, Year 2009
- e) Abatements –RE Value 9304, \$1554.26, Year 2009
- f) Abatements- Tks Value 3132, \$374.56, Year 2009
- g) Abatements –Tks Value 2516, \$274.56, Year 2008

With no further business to come before the board, the meeting was adjourned until December 8, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      December 8, 2009**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Jill Allen, Election Deputy.

Richard Luken, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the December 1, 2009 meeting.

Dan Hamilton, KwiKom LLC, reported on a problem with one of the towers. A wire was cut and service was down about four hours. It was repaired last night.

Sandra Drake, County Appraiser, joined the commission meeting. Commissioner Francis moved to go into executive session to discuss non-elected personnel for 10 minutes, Commissioner McIntosh seconded. Those present are Chairman Works, Commissioner McIntosh, Commissioner Francis, Sandra Drake, County Appraiser, and Jill Allen, Election Deputy. The time is now 8:40 am. Commissioner reconvened at 8:50 a.m. with no action taken.

Commissioners discussed the adult misdemeanor and guardian ad-litem contracts. Commissioner Francis moved that the county go out for bids on these contracts. Commissioner McIntosh seconded, motion carried 3-0-0.

Larry Tucker, Humboldt City Administrator, visited with commissioners about Southeast Kansas Initiative to improve Internet broadband access. Larry explained there would be federal money available for this. He invited the commissioners to attend the meeting at Greenbush on December 18 to learn more about the project. He further discussed the Initiative and how Southeast Kansas can greatly benefit from it. Commissioner McIntosh expressed his willingness to attend the meeting at Greenbush.

Larry briefly shared information on the CDBG that has been applied for that would build a community center in Humboldt City. This project is in the initial planning phase at the current time. The application has been submitted.

Angie Murphy, 911 Director, Alan Weber, County Counselor, and Judy Brigham, Iola City Administrator reported on the progress of the negotiations concerning the 911 dispatchers accumulated leave.

Alan shared a letter drafted for the proposed agreement. Dispatchers will come across with their current amount of sick (within county policy guidelines of 720 hours) with the understanding that they must put in five years of service with the County in order to be eligible for the partial payout upon termination of employment (with good standing). If they should leave employment with Allen County before the five years of service, they will be paid nothing for such leave.

Judy explained that the City of Iola does not budget for leave. It was also proposed that whatever money is left in the 911 account at the end of the year will be divided 50/50 by Allen County and the City. Angie recommends that if the money is divided then both the City and the County will split the cost of the vacation out of the remaining funds.

Commissioners moved to support Angie in her proposal to the City of Iola.

Angie reported on the signage for the front of the 911 Dispatch building.

Angie also reported on the tower issue.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel, Commissioner McIntosh seconded, motion carried. Those present are Chairman Works, Commissioner McIntosh, Alan Weber, County Counselor, Angie Murphy, 911 Director, and Jill Allen, Election Deputy. Commissioner Francis left the room. The time is now 10:05 am. Commissioners reconvened at 10:15 am, no action was taken.

Alan presented the annual agreement for services from Tri-Valley. Commissioner Works moved to sign the Tri-Valley agreement, Commissioner McIntosh seconded, motion carried 3-0-0.

Alan presented the tower contract with Heartland Rural Electric Cooperative Inc. He went on to explain the details of such. Commissioner Francis moved that Commissioner Works sign the contract, Commissioner McIntosh seconded, motion carried 3-0-0.

Commissioner Works moved to approve the easement along the walking trail in the City of Humboldt, Commissioner Francis seconded, motion carried 3-0-0.

Commissioner Works discussed the amended ambulance budget. It must be published at least ten days prior to the budget hearing. Commissioner Francis moved that Commissioner Works sign the proposed amended budget and that it be published, Commissioner McIntosh seconded, motion passed unanimously.

Commissioner McIntosh brought up the idea of having a Planning Session for the New Year.

Jason Nelson, EMS Director, stopped by the meeting. He asked about employees carrying over vacation time. Commissioner Works asked Jason to come back with a proposal how to handle the situation, perhaps scheduling more time off if possible.

Jason reported on an ambulance that had to be repaired.

A private citizen stopped by to express his view on taxes.

Commissioners adjourned.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Abatements Oil- Value 1385, \$199.56, Year 2009
- c) Abatements RE- Value 10169, \$1519.00, Year 2009
- d) Abatements Gas- Value 247137, \$36425.44, Year 2009
- e) Abatements Special Assessments- \$1571.58, Year 2009

With no further business to come before the board, the meeting was adjourned until December 15, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Jill Allen, Election Deputy

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      December 15, 2009**

The Allen County Board of Commissioners met in regular session at 8:00 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis, and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the December 8, 2009 meeting.

Sandra Drake, Allen County Appraiser, discussed a position she has open in her office. She is advertising.

Sherrie discussed monies for the Bowlus Fine Arts Center for 2009. Commissioners approved to pay \$2,500.

Sherrie discussed the heating system at the Moran Senior/Community Center. Commissioners requested her to have Tholen Heating drain the tank.

Bill King, Public Works Director, discussed his annual report for 2009. Commissioners expressed their appreciation.

Bill reported that during the bad weather last week one of his vehicles that holds the spreader box lost its transmission. Discussion followed.

Bill reported the rock at the quarry is not in abundance for this winter and possibly into next year because of restrictions from MSHA and the landfill projects. He has had several cities request rock for next year to help with the city budgets. Discussion followed. Bill will have limited rock available for the cities.

Bill stated Star Bright owes \$10,531.00 in fuel to Allen County. Part of it will probably be written off. Discussion followed. Bill will send a letter to Mr. Bright in regards to a trade for a little tractor in lieu of some of the monies.

Bill stated he is still short staffed at the landfill. Discussion followed. Commissioners approved him to hire to fill the vacant positions.



Commissioners discussed future plans into 2010. Bill had presented a plan for 2010 with his yearend report. Commissioners asked if he had the plans rated in order of completing. Bill stated that would come later once they have had time to review.

Bill discussed a second bobcat will be very useful because of snow removal at all the county facilities.

Angela Murphy, Allen County 911 Director, mentioned Public Works department will be doing parking lot cleaning.

Angie discussed 911 benefits for the new employees.

Angie discussed a window at the Allen County Critical Response Center building. She reported the consoles are due to be installed the week after Christmas.

Angie presented bids for two laptop computers; one for 911 and one for ambulance. Angie and Jason both explained their need. Angie explained she had looked on line for computers and yes, Dell offers them cheaper but will not be able to have the security and programs installed without having Advantage Computer do this on top of the cost. Advantage's bid for two computers was \$2,031.00. Discussion followed. Commissioner Francis moved to approve the bid from Advantage Computers for two laptop computers. Commissioner McIntosh seconded, motion passed 3-0-0.

Angie discussed an open house before 911 goes live on January 28, 2010. Commissioners approved.

Jason Nelson, Allen County EMS Director, discussed swapping Kiowa County's 2004 International ambulance for Allen County's 2003 Meditec ambulance.

Jason reported 50 kids showed up for the Movie Day in Humboldt last weekend. Iola's Movie Day will be December 19<sup>th</sup> at 11:00 at the Iola Armory with Lincoln School being first. Discussion followed.

Jason reported on interviews he has been holding. Discussion followed.

Jason asked about personal time for 24-hour employees. Discussion followed. Commissioner McIntosh moved to approve to pay out seven 24 hour employees their 12 hour personal due to economic budget concerns and time of year we are in and change of management; that this is a one time only and employees will be responsible for taking their time in the future. Commissioner Francis seconded, motion passed 3-0-0.

Jason reported Unit 34 is in the shop.

Alan Weber, Allen County Counselor, discussed the fence viewing.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF ALLEN COUNTY, KANSAS

IN THE MATTER OF VIEWING THE PARTITION FENCE BETWEEN LANDS OWNED BY TIMOTHY & KELLY  
SPEARS AND THE ALLEN COUNTY COUNTRY CLUB.

ORDER OF FENCE VIEWERS

Whereas, the Allen County Commissioners have been requested to act as fence viewers to view the condition of that certain partition fence between land owned by the Spears on the north and land owned by the Country Club on the south and determine, in accord with law, whether said fence is adequate.

The Spears property is described as a tract in Section 30, Township 24, Range 19 beginning 466.7 feet West of the Southeast corner of the Northeast Quarter; thence West along the Quarter section line 622.8 feet; thence North 467.3 feet; thence East 638.72 feet; then South 466.96 feet to POB.

The Country Club property is described as the East half of the Southeast Quarter of Section 30, Township 24, Range 19; and

Whereas, the Commissioners did view the fence in question on December 1<sup>st</sup>, 2009 with the following persons present: Commissioners Dick Works, Gary McIntosh, and Rob Francis; County Counselor Alan Weber; L.C. Lacy and Tom Williams representing the Country Club; and,

Whereas, the fence viewers found that the Spears land is enclosed and contains cattle and must have adequate fence to hold in the livestock in accord with Kansas law and that the Country Club land is not enclosed and not used for pasture; and

Whereas, the partition fence between the properties described above was found to be in disrepair and inadequate to contain the livestock being pastured on the Spears land. Specifically, the commissioners found that many wires were not taut some wires were broken, some wires were too low and some posts were bent and/or loose;

IT IS THEREFORE ORDERED BY THE BOARD OF COUNTY COMMISSIONERS of Allen County, Kansas as follows:

1. As the Spears land is enclosed and used for pasturing livestock and the County Club property is not, it is the Spears responsibility to maintain a legal fence between the two properties.
2. If livestock is to be pastured on the Spears' land, the Spears are hereby ordered to repair the existing fence or construct a new fence at their expense, said fence to meet all legal requirements of Kansas law.
3. The fence must be made adequate by repair or new construction within 30 days of this order. If the Spears fail to comply with this order, the Country Club may apply to the Commissioners as fence viewers for the right to make the repairs on behalf of the Spears and to assess the cost of the same to the Spears.

SO ORDERED This 15th Day of December 2009.

THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS

Commissioners reviewed the letter. Commissioner Francis moved to sign the letter to be sent. Commissioner McIntosh seconded, motion passed 3-0-0.

Alan discussed the settlement statement, deed, bill of sale and antenna lease between Heartland Rural Electric Cooperative, Inc. and Allen County. Discussion followed. A contract had previously been signed at a prior commission meeting. Commissioner Francis moved to complete and sign the remaining documentation. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the settlement statement, deed, bill of sale and antenna lease.

Commissioners requested Alan draw up a proposal to evaluate the Allen County Hospital and send out to consulting firms. Commissioners are still considering the draft letter. Chairman Works discussed forming a committee to do the reviewing and present to the commission about June 2010. Discussion followed on a possibility of nine community individuals to serve on this committee. Commissioners will start taking names if they are interested in serving on this "Hospital Facility Commission". These persons should contact Sherrie L. Riebel, Allen County Clerk by phone, email or coming to the courthouse. The names will need to be submitted for consideration by December 28, 2009 at 5:00 p.m.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 139,594.93
- b) Payroll Changes
- c) Journal Entries # 99, 101-102
- d) Abatements Gas- Value 45450, \$7360.16, Year 2009
- e) Abatements PP- Value 2635, &436.22
- f) Abatements RE Value 4109, \$572.12, Year 2009
- g) Abatements TK Value 4001, \$507.26, \$507.26, Year 2009

With no further business to come before the board, the meeting was adjourned until December 22, 2009, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      December 22, 2009**

The Allen County Board of Commissioners met in regular session at 8:00 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis, and Sherrie L. Riebel, County Clerk.

Commissioners corrected and approved the minutes of the December 15, 2009 meeting.

Chairman Works discussed Savonburg's request for the old generator from the Allen County Critical Response Center building. Commissioner McIntosh moved to donate the generator to the City of Savonburg. Commissioner Francis seconded, motion passed 3-0-0 Public Works Department will take care of it.

Ron Holman, Allen County House and Grounds, was present for evaluation. Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Ron Holman, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:42 a.m. Commissioners reconvened at 8:52 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Sharon K. Utley, Allen County Treasurer, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:53 a.m. Commissioners reconvened at 8:58 a.m. No action was taken.

Sharon reported the State of Kansas will no longer be reimbursing the Treasurer's offices for AS400's and printers. This is on the Motor Vehicle department.

Bill King, Public Works Director, discussed being called out for road maintenance over the weekend from farmers tracking mud in the road. Commissioners advised Bill to send a letter to the tenant and a courtesy copy to the landowner.

Bill presented a letter from Bruce Bright, Star-Bright Aviation, offering items (John Deere 655 diesel tractor mower, hanger furnace which includes a natural 2" gas piping, 1" braided hose, electrical conduit, cord and mobile tray with filter, 4' X 10' powdered coated metal table with 1/4" top, 2' tubing frame, 6 - 5" locking casters, large 10" swivel vice with tire racks at each end, labor for installing septic tank and laterals to hangar, waterline on north and south side of hanger for bathroom in mechanics clean room, segmented circle around airport wind sock, culvert between hangar and office, over seed between hangar and office) in lieu of the fuel bill. Discussion followed on current contracts and future contracts with businesses at the Allen County Regional Airport. Commissioner McIntosh moved to write off the debt and to accept the items in lieu of the \$10,531.04. Commissioner Francis seconded, motion passed 3-0-0. It was stipulated that Alan insure that Bright provide lien release on the equipment.

Jason Nelson, Allen County EMS Director, mentioned Eagle Med is considering the airport for a station.

Bill reported the bucket truck is down. Discussion followed.

Commissioner McIntosh moved to go into executive session for 15 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, and Bill King, Public Works Director. The time is now 9:12 a.m. Commissioners reconvened at 9:27 a.m. No action was taken.

Bill discussed mechanics procedures and billing issues.

Thomas R. Williams, Allen County Sheriff, discussed the restrooms in the Allen County Critical Response Center building. They will be submitting bids for remodeling.

Jason Nelson, Allen County EMS Director, discussed an incident that happened yesterday involving Allen County EMS and the City of Iola Fire Department.

Jason reported on the Movie Day in Iola. Discussion followed.

Jason discussed a meeting with Fire District #3 on more training. Discussion followed.

Jason finished the EIG Grant and mailed to the State of Kansas. This would allow for EMT's to take training and service the department for 1 year.

Jason reported Kiowa County wants to make the switch of vehicles with Allen County. Discussion followed. He stated Alan Weber, Allen County Counselor, is taking care of the legalities and will submit to the commissioners at the proper time.

Commissioner McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:45 a.m. Commissioners reconvened at 9:50 a.m. No action was taken.

Commissioner McIntosh moved to go into executive session for 7 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis and Jason Nelson, Allen County EMS Director. The time is now 9:53 a.m. Commissioners reconvened at 10:00 a.m. No action was taken.

Jason discussed the need to have 911 addresses on homes in the county.

Angie Murphy, 911 Director, reported the restrooms at the Allen County Critical Response Center building could be remodeled for \$1,082.00. She represented bids from Mike's Carpet World for \$658.50 for vinyl; Kitchen's & More for \$155.40 with the old being removed by Allen County; South Town Body Shop Inc for refinish metal walls for \$268.25, Iola Auto Body for \$750.00 for repair and refinish bathroom stall walls and doors, The Home Depot for countertop for \$310.61, Home Detail for flooring and lavatory tops for \$2,380.00, and Decorator Supply, Inc for flooring \$953.62. Discussion followed on the individual needs and use. Commissioners discussed available grants and future. Commissioner Francis moved to approve the remodel of the bathrooms but not to exceed \$1,082.00. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 2-0-1. Those in the room will be Chairman Works, Commissioner McIntosh, Angie Murphy, Allen County 911 Director, and Thomas R. Williams, Allen County Sheriff. Commissioner Francis left the room. The time is now 10:18 a.m. Commissioners reconvened at 10:28 a.m. No action was taken.

Commissioner Francis rejoined the meeting.

Sherrie discussed Allen County committee appointments for 2010.

Commissioners stated they would not be going out for bids for property and casualty issuance for 2010.

Alan Weber, Allen County Counselor, discussed legal issues with the commission concerning mud on the roads, which has to have a call out to remove, trading ambulances and airport contracts. Discussion followed.

Sandra Drake, Allen County Appraiser, discussed future plans in the appraiser's office with the State of Kansas changing CAMA to Orion programming.

Sandra reported she is still taking applications for a oil/gas clerk and has not had but a couple of applications.

Sandra and Alan discussed the Neighborhood Revitalization plans for the City of Humboldt, City of Iola and City of LaHarpe. Alan will send a letter to the cities reminding them to make sure the person qualifies before accepting the applications and that the County Appraiser should not be the person to reject the application when the cities know they are not in compliance prior to accepting the applications.

Commissioners discussed the proposed Allen County Hospital Facility Commission. No action was taken on appointments for the commission.

Alan discussed the request for a consultant for hospital evaluation. He will be sending letters and publishing an ad for the request. Discussion followed.

Alan stated his goal for 2010 would be to get the 2007 flood property cleared up.

Commissioner McIntosh reported on the Broadband meeting he and Commissioner Francis attended in Greenbush. Discussion followed.

Sandra reported more oil/gas companies are filing for abatements. Discussion followed.

Chairman Works opened the public hearing for amending the Ambulance budget for 2009. No public was present for discussion. Commissioner Francis moved to approve and sign the amended budget. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works closed the hearing.

Allen County Commissioners discussed health care issues within Allen County.

Commissioners reviewed bids for 2010 Adult Misdemeanor Contract from Immel, Works & Heim, P.A. for \$3016.66 per month and Constance F. Peebles for \$2,875.00 per month. Discussion followed about having a local person available. Commissioner Francis moved to approve the contract with Immel, Works & Heim. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners reviewed 2010 Guardian ad Litem contracts received from Apt Law Offices, LLC, Johnson Law Office, P.A. and Constance F. Peebles. Discussion followed. No action was taken at this time.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries # 100, 103/105
- c) Abatements PP Value 153, \$26.14, Year 2009
- d) Abatements RE Value 17059, \$2766.26, Year 2009
- e) Abatements GAS Value 150,639, \$22,883.98, Year 2009
- f) Abatements TK Value 3664, \$437.92, Year 2009

With no further business to come before the board, the meeting was adjourned until December 31, 2009, at 8:30 a.m. in the Commission room of the courthouse for year-end business.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in a yearend session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the December 22, 2009 meeting.

**RESOLUTION NO. 200924  
ALLEN COUNTY, KANSAS**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE LANDFILL TIPPING FEE FUND TO THE ALLEN COUNTY GENERAL FUND**

Whereas, The Allen County Commission has established landfill "tipping fees" and has met the requirements imposed by the Secretary of the Kansas Department of Health and Environment for the landfill closing and the post closing remediation pursuant to 65-3415f; and,

Whereas, tipping fee funds may therefore be transferred to the General Fund;

NOW THEREFORE, be it resolved by the Board of County Commissioners that the amount of \$ 100,000.00 shall be transferred from the landfill tipping fee fund to the Allen County general fund

RESOLVED THIS 31st DAY OF DECEMBER, 2009.

and

**RESOLUTION NUMBER 200925  
ALLEN COUNTY SPECIAL MACHINERY FUND**

BE IT RESOLVED, by the board of County Commissioners of Allen County, Kansas:

WHEREAS, in accordance with K.S.A. 68-141F and K.S.A. 68-141G will hereby transfer \$225,000 from Allen County Public Works Fund to Allen County Special Machinery fund an amount not to exceed twenty-five (25%) credit to the Public Works Fund. All moneys credited to the Special Machinery Fund shall be used by Allen County for the purpose of purchasing road or bridge building machinery or equipment or the building of bridges and such fund shall not be subject to the provisions of K.S.A. 79-2925 to 79-2937 or acts amendatory thereof or supplemental thereto, except that in making the budgets of Allen County the amounts credited to and the amount expended there from shall be shown thereon for the information of the taxpayers of Allen County.

PASSED AND APPROVED this 31st day of December 2009.

Commissioner McIntosh moved to approve both yearend Resolutions. Commissioner Francis seconded, motion passed 3-0-0.

Charles H. Apt III, City of LaHarpe Attorney, presented the City of LaHarpe Revitalization Agreement in order to continue its revitalization program for another 5 years. They requested Allen County Commission to approve the continuation on the tax abatements. The City of LaHarpe and USD #257 have already signed the continuation of the neighborhood revitalization for the City of LaHarpe. Commissioner Francis moved to approve the agreement with the City of LaHarpe and authorize Chairman Works' signature. Commissioner McIntosh seconded, motion passed 3-0-0. Chairman Works signed the agreement.

Jason Nelson, Allen County EMS Director, presented year end transfers and income for 2009. Total year collected was \$497,510.49, which included \$175,154.52 commercial insurance, \$13,400.00 Medicaid, \$270,875.89 Medicare, \$9,164.45 other payer, and \$28,915.63 patient pay. There were 1021 runs in 2009. Discussion followed on collections and outstanding bills.

Jason discussed Kiowa County and Allen County's exchange. Alan Weber, Allen County Counselor is completing all the necessary legal publications and contract.

Bill King, Public Works Director, discussed the Christmas Eve blizzard. He had sent pictures of the work his crew had done. The wind had drifted most of the county roads closed. Bill had his crew out Christmas Eve, Christmas Day, Saturday and Sunday. There is still quite a bit of snow

on the roads. Bill said there were several farmers that helped on some of the county roads. Bill reported the last four days cost his department \$38,000 with fuel and payroll.

Commissioner McIntosh mentioned he had visited with the National Guard to offer building space to store equipment. Discussion followed.

Bill discussed the Allen County Regional Airport and contracts for 2010.

Bill will be having a Solid Waste Committee meeting on Monday evening to review the Solid Waste Plan. Discussion followed on what the committee does and who the committee consists of.

Sherrie presented a pawn license for approval for Linda A. O'Connor. Commissioners approved the license.

Commissioners discussed the bids for the Guardian ad Litem contract. Bids were received from Johnson Law Office, P.A. for \$3,566 per month, Apt Law Office, LLC for \$3,500 per month plus \$375 for overhead, termination hearings and appeals would be billed on an hourly basis of \$75.00 per hour not to exceed \$2,750.00; and Constance F. Peebles, Attorney at Law for \$3,275 per month. Alan Weber, Allen County Counselor had reviewed each bid and stated there is a difference of \$3,708 but Apt has a cap on his bid. Discussion followed. Commissioner McIntosh moved to approve the bid from Apt Law Office, Chairman Works seconded, motion passed 2-0-1. Commissioner Francis abstained.

Sandra Drake, Allen County Appraiser, discussed transferring \$25,000 into special equipment. Commissioners approved the transfer.

**ALLEN COUNTY SPECIAL EQUIPMENT RESERVE FUND  
RESOLUTION NUMBER 200926  
ALLEN COUNTY, KANSAS**

BE IT RESOLVED by the Board of Commissioners of Allen County, Kansas:

WHEREAS, in accordance with K.S.A. 19-119 and Allen County resolution number 93014 the Board of Allen County Commissioners order a transfer in the amount of \$25,000.00 from the Appraiser's Fund to the Special Equipment Reserve Fund.

PASSED AND APPROVED this 31st day of December, 2009.

Commissioner Francis moved to approve the transfer and resolution 200926. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioners discussed raises for 2010. No action was taken at this time.

Alan Weber, Allen County Counselor, discussed the Allen County Airport Lease between Allen County and Lorenzo Jensen. Commissioners approved for Alan to send to Lorenzo for approval. No contract was signed at this time.

Alan discussed the transfer of ambulances between Kiowa County and Allen County. He is working on the publication.

Alan discussed the proposal for hospital consultant. No proposals have been received at this time.

Commissioner Francis moved to nominated to reappoint Debbie Dick & Nancy Maier to the Allen County Hospital Community Advisory Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to reappoint Ken Gilpin, Tom Nevans and Neal Barclay to Allen County Revolving Loan Committee. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner McIntosh moved to reappoint Andy Dunlap and Commissioner Dick Works as his alternate to the Regional Planning Revolving Loan Committee. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Dr. Porter, Joan Willis and Jean Barber to the Multi County Health Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Gary McIntosh to Resource, Conservation and Development Committee. Commissioner Works seconded, motion passed 3-0-0.

Commissioner Francis moved to appoint Beverly Middleton and reappoint Verna Devine to the Southeast Kansas Area Agency on Aging Board. Commissioner Works seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Sandra Hildinger to the SEK-AAA Advisory Council Members. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Commissioner Gary McIntosh and Bill King, alternate, to the Southeast Kansas Solid Waste Operating Authority and Operating Authority Board of Directors. Commissioner Works seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Dick Works, to the Executive Committee of the Southeast Kansas Regional Planning Commission. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Audra Maley (term expires 12/31/2009) to the Moran Senior/Community Center Executive Board. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner McIntosh moved to approve Iola Register as the official newspaper of Allen County for 2010. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$238,759.39
- b) Payroll Changes
- c) Journal Entries # 105-111

With no further business to come before the board, the meeting was adjourned until January 5, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner