

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Jerry Daniels, Commissioner John F. Brocker, Commissioner William H. "Bill" King and Sherrie L. Riebel, Allen County Clerk.

Rick Danley, Iola Register, Nick Reynolds, The Humboldt Union, Dena Daniels, Chairman Daniels wife, Darolyn "Crickett" Maley, Allen County Treasurer, Mitchell Garner, Allen County Public Works Director, Bryan J. Murphy, Allen County Sheriff, Robert Johnson, II, Allen County Counselor, Terry Call, Zoning/LEPP/Ambulance Billing Director, Sandra Drake, Allen County Appraiser, Ron Holman, Allen County House and Grounds Director, Angie Murphy, 911 Director, Robert Garrett Paul Zirjack and Larry Walden , citizens were present to observe the meeting.

Commissioner Brocker led the flag salute.

Sherrie sworn into office Jerry Daniels, Allen County Commissioner District #1, and Bruce Symes, County Commission Dist. #3 Elect.

Commissioners approved the minutes of the regular meeting on January 8, 2019.

Commissioner King moved to appoint Jerry Daniels as Chairman for 2019. Commissioner Symes seconded, motion passed 3-0-0

Commissioners discussed the need to have a Vice chairman for when the Chairman is absent. Chairman Daniels moved to appoint Commissioner Bill King as vice chair. Commissioner Symes seconded, motion passed 3-0-0

Sherrie discussed a request from Mike Swallow, Technology Net, Co./Personnel Systems to provide current KAC "League mode" with convenient access to targeted benchmark jobs for a cost of \$175. Kansas Association of Counties (KAC) has indorsed the program for the last few years; in short works county employee wage survey. The user group is down to 39 Kansas Counties out of 105 using it. Discussion followed on need or not. Commissioners will visit this week at their class with other commissioners concerning the benefits of using this service.

Sherrie presented an application from Humboldt Speedway, Inc. for a cereal malt beverage license for consumption on the premises at 1663 Georgia Road, Humboldt, Kansas. Sheriff Bryan J. Murphy stated there is not an issue at this time. Commissioner King moved to accept the application and give a cereal malt beverage license to Humboldt Speedway, Inc. for 2019. Commissioner Symes seconded, motion passed 3-0-0.

Commissioners discussed a position with Southeast Kansas Regional Planning Revolving Loan Committee. Commissioner Symes moved to reappoint Andy Dunlap and John Brocker as alternate, to continue to serve for 2019. Commissioner King seconded, motion passed 3-0-0.

Commissioners discussed a vacant position on the Area Agency on Aging Board. Chairman Daniels stated he is checking on one of the positions to be covered. Commissioner King moved to reappoint LaDonna Krone to serve for one of the positions. Commissioner Symes seconded, motion passed 3-0-0.

Commissioners discussed the Executive Committee of the Southeast Kansas Regional Planning Commission; their meetings are held at 1:00 p.m. in Chanute. Commissioner Symes moved to reappoint John Brocker to serve for 2019. Commissioner King seconded, motion passed 3-0-0.

Commissioner King moved to reappoint Loren Korte as vice president for another term on the Allen County Public Building Commission. Commissioner Symes seconded, motion passed 3-0-0. Loren Korte's term will expire in 2022.

Commissioners discussed the position on the Southeast Kansas Regional Juvenile Detention Center Board. They meet quarterly on the 4<sup>th</sup> Tuesday of January, April, August, and November. Commissioner Symes stated he would be able to attend evening meetings. Chairman Daniels moved to appoint Commissioner Bruce Symes to serve on the SKRJDC. Commissioner King seconded, motion passed 3-0-0.

Commissioners discussed the official newspaper for Allen County. They allowed that the Iola Register has been the official newspaper for 2018 but continued to publish in the Humboldt Union. Chairman Daniels moved to appoint Humboldt Union as the official Allen County newspaper for 2019 but to continue all publications with Iola Register as well. Commissioner Symes seconded, motion passed 3-0-0.

Mitchell Garner, Allen County Public Works Director, discussed the snow received this last weekend. The crews are cleaning roads but they can't patch because it's too cold.

Commissioner Symes asked if the wind farm construction would have to wait on delivering the tower. Mitch and Sheriff Murphy both stated the construction personnel are still planning on bringing up the towers. Sheriff Murphy stated they are supposed to be coming up from Texas. Counselor Johnson stated they will be the tallest towers in Kansas. Discussion followed.

Bill Maness, Thrive Economic Director, Judy Hoener, Bourbon County Economic Development Director, Brad Stroud, Crawford County Economic Development Director, and Randy Rasa, Allen County resident bike rider, were present to discuss ABC Trails (Allen, Bourbon and Crawford counties) Project. Bill Maness presented information on trails throughout Kansas especially Southeast Kansas. He explained serious bicycle enthusiasts are willing to travel 500 miles to find a good place to ride. Bill mentioned he has noticed an increased number of cars with bicycle racks on the back of them. Allen County is a great beginning for trails.

Randy Rasa, currently servicing on the Thrive Allen County board of directors, has been the lead volunteer at Lehigh Portland Trails and worked to develop the ABC Trails Plan. He gave a little background of himself. He was impressed Allen County was investing in trail development. Randy stated he is a freelance web developer and one of the projects he developed was a website called "Kansas Cyclist" which was intended to be a resource for people looking to ride their bikes in Kansas; a directory of bike events, bike shops, bike trails and so on. As part of developing the website he was very familiar with trails and bike-related projects around the state. He stated Allen County was doing more than any other rural county to develop and promote trails. Randy stated he was impressed with the cooperation between Allen County Commissioners and Public Works Department and trail volunteers building the Southwind trail and wanted to be a part of it.

Randy stated the ABC Plan was the next logical step; that thinking should be on trails and routes not just within Allen County but within neighboring counties, connecting trails to the larger regional and national trail and route network.

The ABC Plan is connecting with other trails. Randy said he sees it stimulating economic development and diversifying the economy. Tourism in the area is growing and the trails are attracting people to the community, where they will stay, eat and shop

Allen County has been a leader in trails throughout the State of Kansas. Randy pointed it out on a presented map of Allen, Bourbon and Crawford Counties and how they can link Iola to Fort Scott, Fort Scott to Pittsburg. How they can connect to nationwide trails to the Katy Trail in the Northeast, other trails in the state and how they are working to connect to all of them linking them back to Allen County.

Jody explained there are more trails than what shows on the map that they could work incorporating. Commissioner Symes asked about signage on the trails. Jody stated they would be working together to have consistent signage. Discussion followed on signs and other trails.

Bill Maness asked the commission to sign a resolution which recognizes the ABC Trails Plan as a project encouraged and supported by Allen County, in collaboration with Bourbon and Crawford Counties. They are not requesting funding but acknowledgement of this plan as a legitimate and worthwhile project to be pursued with Allen County Commission support. This will help them in turn to better qualify for grants and other funding to support the plan. Commissioners reviewed Resolution No. 201903:

ALLEN COUNTY, KANSAS

RESOLUTION NO. 201903

A RESOLUTION OF ALLEN COUNTY, KANSAS APPROVING THE ABC TRAILS ACTIVE TRANSPORTATION PLAN RECOMMENDED BY THE ABC TRAILS PARTNERSHIP CONSISTING OF THRIVE ALLEN COUNTY, THE HEALTHY BOURBON COUNTY ACTION TEAM, AND LIVE WELL CRAWFORD COUNTY.

WHEREAS, the ABC Trails Active Transportation Plan will identify and provide a variety of preferred bike routes for connection between cities, as well as trails, of Allen, Bourbon, and Crawford Counties; and

WHEREAS, the plan will improve the physical infrastructure for pedestrian and bicycle travel by residents and visitors in the participating counties; and

WHEREAS, there will be additional low or no cost recreational opportunities; and

WHEREAS, healthcare costs will reduce due to citizens partaking in healthy activities; and

WHEREAS, multi-use trails provide additional tourism, economic development, increased revenue to local businesses as well as new business opportunities; and

WHEREAS, approval of the proposed ABC Active Transportation Plan will provide ABC Partnership legitimacy and momentum in accessing state and federal grant funding to use toward achieving projects identified.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Allen County, Kansas, that it approves and adopts the attached ABC Trails Active Transportation Plan recommendation, and supports implementation of the projects detailed in the report.

THIS RESOLUTION shall take effect and be in force after its passage and publication in the official County newspaper.

Given under our hands the 14<sup>th</sup> day of January 2019 in Iola, Kansas.

Commissioner King moved to approve Resolution 201903 ABC Trails. Commissioner Symes seconded, motion passed 3-0-0.

Jody Hoener requested the Commissioners to "Save the Date" of February 12, 2019 as a "Kumbaya" set off for the project. They are planning a joint commission meeting of the three counties. Jody requested the commission be thinking about appointing persons to serve on the long range ABC Trails committee.

Bill Maness, Thrive Economic Director, discussed a request from a couple months ago that would promote "Visit Allen County" tourism program. Allen County is not doing much in the annual Kansas Tourist Guide. He explained several of the great things Allen County is doing. Bill is requested the commission approve the \$50,000 for the "Visit Allen County" project. They are requesting this from Allen County and \$25,000 from Thrive portion as requested last year. Discussion followed. He stated everyone has had the opportunity to speak up concerning the website. Bill reviewed news reports individually and their dates and pluses. Thrive has been proven established in Allen County. Commissioner Symes stated he was at one meeting and the tone was asked about duplicating between Thrive and the Chamber. It was explained and the understanding the different needs from Iola and Humboldt; there was a warning to the idea. Thrive's "Visit Allen County" would be promoting ALL of Allen County from Mildred to Humboldt to Savonburg to Carlyle. Chairman Daniels stated he has had calls concerning the \$50,000 would be every year, he stated he understood it to be a one year kick off; with the position the county is in who all is going to do, give this "PR blitz" a try for one year. A comment from the commission was made that they are Not interested paying this every year. Commissioner King asked if any other entities are kicking in monies for this project. Bill stated no, the chambers will be working with the cities. Commissioner Symes commented on whether it would be an ongoing \$50,000 year after year. Bill stated he would visit each year with the commission if they need more monies. Counselor Johnson asked about a monthly report to the commission with where funding will be going. Commissioner Symes asked about measurement of success procedure; hits on the website or??? He asked if there is a timing issue with getting dates and items in magazines and such. Bill stated no. Thrive did pay for the few advertisements put out. They would use the monies as such: \$38,000 for director for a full-time job, and staff to do social media and they would be located in the Kress Building. Counselor Johnson asked how is Thrive going to promote other areas in the county. Chairman Daniels stated this would be helping subsidize the third-class cities promoting activities that might not have that capability. Commissioners requested to table a decision until next week. Commissioner Symes would like to see the measurements used to evaluate the \$50,000 project.

Darrell Baughn, Fire District #2 Allen County Rural Volunteers Fire Chief, Travis Baughn, FD#2 Allen County Rural Volunteers, John F. Bocker, FD#2 Rural Volunteers Treasurer, Van Thompson, Patricia Howerton, Bill Mentzer, Russell Vaughn, David and Phyllis Loomis, Mike Church, Nathan Clark, Craig Mentzer, Brian Regehr, Tyson Jelinek, landowners in Geneva and Carlyle Townships joined the commission meeting to show support for a request for Allen County funding a fire station.

Darrell Baughn stated he has been Fire Chief 35 years and have always had residents that live in the area supporting the volunteer firemen. John explained the history of the Fire District and commented Bill Mentzer was part of the original fire district. He explained how small of valuation their area has but they cover a large area; all the area is rural. They serve as the backup for the City of Iola. They need a facility they can get in and out of to serve their area. They had land donated for the station so it is in their name. They have looked at getting funding from other areas but it would take 35 years to pay back if they received funding from Southeast Kansas Regional Planning Commission. They had also checked with a bank. Discussion followed. The cost is more than they can pull in with a 5-mill levy.

Chairman Daniels explained the commission is looking at a new rescue vehicle, new ambulance stations and future fire stations that all need funding. Commissioner Symes asked where the land is located. Chief Baughn stated it is just off of North State Street and Oregon Road. Chairman Daniels stated the county will be doing some of the in-kind work; they have one acre. Discussion followed on cost. Darrell stated they would like to break ground after they get bids. Commissioner King explained he would like to support it but not in the next five minutes. He would like to see the county help all the fire districts that need help. Commissioner Symes stated he is in favor of Public Safety as well. A question was asked about valuation and tax dollars. Sherrie stated all the fire districts in Allen County have a 5-mill levy. Chief Baughn stated they haven't qualified for grants because Fire District #2 (City of Iola) has already gotten one. Fire District #2 is contracted with 3 different entities; City of Iola, LaHarpe Rural and Allen County Rural Volunteers.

Carol Ross, Iola Housing Authority Executive Director, explained the history of how Iola Housing Authority received monies. She stated in 2012 HUD decided to take back some finances. Iola Housing Authority entered a class action lawsuit in which Allen County gave \$1,000 and Community National Bank gave \$1,000 to help their portion of the law suit, since they could not use Federal funds. Since then the law suit was won and they received \$92,938. Since it is non-federal funds, she wanted to use some of the monies as a benefit for the whole community of Allen County. It is an Omega Light ADA trailer; 16' mobile handicap restroom, the trailer has a crank up and down to ground level, can be set up to be hooked into a city sewer. Carol has requested Allen County take over the management to allow any entity to use for any event in the county. It is to be delivered next week at the EMS building on North State Street. Carol would like to set up a time for commission and Community National Bank to be together for photo op. The Allen County Commission will need to set up policy and rental procedures with the help of Terry Call and Counselor Johnson. Discussion followed on benefits for the Allen County community. The city will have to be involved if the trailer is set along the trails within the city. Carol commented she is hoping it could be used at Cofachique Park across from the armory when not checked out to one of the entities. There will need to be rental fees set up for cleaning and paper towels and to cover costs of ongoing maintenance.

Chairman Daniels commented on some issues that have been brought up in reference of confidentiality for executive session. He stated the immediate hallway and conference room will not be allowed to have persons in those areas during executive sessions.

Commissioner King moved to go into executive session for 10 minutes to discuss Attorney-Client Privilege. Commissioner Symes seconded, motion passed 3-0-0. Those in the room will be Chairman Daniels, Commissioner Symes, Commissioner King, Terry Call, EMS Billing/L.E.P./Zoning Administrator and Robert Johnson, II, Allen County Counselor. The time is now 10:14 a.m. Commissioners reconvened at 10:24 a.m. No action was taken.

Commissioner Symes moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner King seconded, motion passed 3-0-0. Those in the room will be Chairman Daniels, Commissioner Symes, Commissioner King, Sherrie L. Riebel, Allen County Clerk and Robert Johnson, II, Allen County Counselor. The time is now 10.24 a.m. Commissioners reconvened at 10:29 a.m. No action was taken.

Commissioner King moved to go into executive session for 10 minutes to discuss Attorney-Client Privilege. Commissioner Symes seconded, motion passed 3-0-0. Those in the room will be Chairman Daniels, Commissioner Symes, Commissioner King, and Robert Johnson, II, Allen

County Counselor. The time is now 10:30 a.m. Commissioners reconvened at 10:40 a.m. No action was taken.

Commissioner reviewed the final draft of E-5. Vacation Leave in the Allen County Personnel Policies & Guidelines employee handbook.

**E-5. Vacation Leave.**

**(a) Full-Time employees.** Full-time employees are entitled to paid vacation leave according to the following schedule provided no paid vacation leave may be taken without approval during the first twelve months of employment.

**Years of continuous employment at anniversary date (regular shifts):**

1	2 to 9	10 or more
Vacation hours vesting on anniversary:		
40	80	120
Maximum accumulation of hours allowed-(current and carryover) :		
80	120	160

**Years of continuous employment at anniversary date (12-hour shifts):**

1	2 to 9	10 or more
Vacation hours vesting on anniversary:		
42	84	126
Maximum accumulation of hours allowed (current and carryover) :		
84	126	168

**(b) Scheduling.** The dates for the taking of vacation leave shall be scheduled in consultation with the employee's supervisor or supervisors. In cases where the requested vacation schedules of two or more employees would adversely affect the efficient operation of the County, vacation leave shall be granted at the discretion of the supervisor. Elected department heads are encouraged to and non-elected department heads shall require each employee to take at least one continuous week of vacation per year. Elected department head are encouraged to and non-elected department heads shall themselves take at least one continuous week of vacation per year. During such continuous vacation period, the employee shall refrain from engaging in any work of Allen County including office work, reviewing or answering emails, etc. The mandatory one week (5 work days) shall be calculated to include regular days off and the use of vacation days. The commission recognizes that most employees are Monday through Friday employees, however, in the event of a Public Safety employee, who is a shift schedule, who has irregular work hours the one week shall be calculated to include regular days off to meet the requirements of taking five (5) continuous days off.

**(c) Holiday During Vacation.** County holidays that occur during the taking of an employee's authorized vacation leave will not be counted as a day of vacation.

**(d) Minimum Hours.** Employees may use vacation leave in units of not less than 15 minutes, subject to the approval of their supervisor.

**(e) Termination.** Upon termination, an employee shall be compensated for all earned but unused vacation leave at their final rate of pay, limited however, to the maximum accumulation of hours authorized in the schedule in ARTICLE E-5(a) as spelled out above.

**(f) Carry over of excess hours.** Allen County believes that vacation is important to the health and well-being of our employees and encourages all employees to utilize their vacation hours. Therefore, Allen County will not accumulate unused vacation hours or pay for unused vacation days beyond the maximum accumulation of hours allowed in paragraph E-5(a). In the event special work demands prevent an employee from taking all available vacation days, a request may be made to carry over no more than the following number of hours.

**Full-time employees:** 40 hours

**12-hour shift employees:** 42 hours

Such carry over must be approved by the employee's supervisor and by the County Commission upon written application of the employee which application must be submitted by the employee and their supervisor to the Allen County Clerk no later than 30 days prior to the excess hours being accrued. Carryover hours shall be used within six (6) months of the anniversary of the carryover of the hours.

Unused vacation hours in excess of the maximum accumulation as set out in E-5 (a) which are not approved by the employee's supervisor and the County Commission shall be deemed void and shall be removed from the employee's payroll record. This portion of the personnel policy shall in essence be a use it or lose it policy from January 1, 2019 forward. Each employee shall have until July 1, 2019 to be in compliance with this new policy.

(g) Elected officials are not eligible for vacation leave.

Commissioner King moved to approve the vacation carryover as presented effective January 1, 2019. Commissioner Symes seconded, motion passed 3-0-0.

Commissioners reviewed the annual reports from Geneva Township, Fire District #2's Allen County Rural Volunteers and Fire District #2's City of Iola.

Commissioners approved the following documents:

- a) Clerk's Vouchers – \$254,920.89
- b) Payroll – Pay change for Shannon Patterson, New commissioner Bruce Symes
- c) Payroll – vacation adjustment for Jason Trego, Chelsie Angleton, Roberta Ellis, Theresa Francis, Roy Harman and Sheri Smith.
- d) Payroll – vacation carryover request from Ron Holman.
- e) Abatements: RE Value 17,542, \$2,791.84, Yr 2018

With no further business to come before the board, Commissioner King moved to adjourn, Commissioner Symes seconded, and motion passed 3-0-0. Meeting was adjourned at 10:47 a.m. until January 22, 2019 at 8:30 a.m. in the Commission room of the courthouse.

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Jerry Daniels, Chairperson

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John F. Brocker, Commissioner

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Bruce Symes, Commissioner

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William H. King, Commissioner

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Sherrie L. Riebel, Allen County Clerk

