

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Thomas R Williams, Commissioner Jerry Daniels, Commissioner John F. Brocker and Sherrie L. Riebel, Allen County Clerk.

Robert Johnson, Iola Register, Nick Reynolds, The Humboldt Union, Terry McDonald, T.J.'s Towing LLC., Bryan J. Murphy, Allen County Sheriff and Larry Walden, citizen was present to observe the meeting.

Ron Holman, Allen County House and Grounds Director, discussed his proposal from last week for landscape design on the south east and south west corners of the square. Commissioners think it is a great idea. Ron stated the current shrubs will be removed. Discussion followed on cost. Ron stated Commissioner Brocker moved to accept the bid. Commissioner Daniels seconded, motion passed 3-0-0.

Chairman Williams discuss the request for reappointment of Patti Miklos Boyd to the REACH Healthcare Foundation's Community Advisory Committee (CAC). Patti has completed one, three-year term on the CAC and is eligible to serve a second term that would run from June 1, 2018 and continue through May 31, 2021. Commissioner Daniels moved to reappoint Patti Miklos Boyd to the REACH Healthcare Foundation's Community Advisory Committee. Commissioner Brocker seconded, motion passed 3-0-0.

Larry Walden said he would be waiting until later to circulate a petition for 5 commissioners for Allen County. Discussion followed by Larry.

Cole Herder, City of Humboldt administrator, joined the meeting.

Commissioner Brocker stated he had visited with Allen County Regional Hospital Trustees Board and they would have one board member come up to visit with the commission, however Tony Thompson will not come up to the commission meetings once a month. Discussion followed on renewal of ACH renewal contract with the county. Larry said the Iola Register reported Tony is on the committee to look at other entities to contract with.

Mitchell Garner, Allen County Public Works Director, presented bids for ice machines. He received two bids: Tholen's Heating and Air Conditioning for a Koolaire KDTO300 ice machine with K400 ice bin for \$3,797.42 installed, evaporator 5 years parts & labor, compressor 5 years parts, ice machine all parts & labor 3 years; and ACE Refrigeration Heating & Cooling for a Koolaire KD0250A ice machine with K400 ice bin for \$3,457.00 installed, ice maker 3 years parts & labor, evaporator 5 years parts & labor, compressor 5 years parts & 3 years labor. Commissioner Brocker moved to purchase from ACE. Commissioner Daniels seconded, motion passed 3-0-0.

Mitch reported they are shutting US Hwy #169 on May 2, 2018 so the county roads will be seeing an increase of traffic.

Mitch reported they will be stripping 9th Street and Bridge Street in Humboldt over the weekend of May 5th, 2018.

Chairman Williams discussed lowering the speed limit going south out of Humboldt to McFerrin's Lake to Delaware. This is south a mile south of Humboldt. Reason being a lot of trucks turning in to the quarry and with US Hwy #169 shutting down there will be an increase of local traffic. Commissioners discussed having a Resolution to lower the speed limit to 45 miles per hour. This would be approximately 2/10's north of Connecticut Road. Alan will check it out and write up a resolution. Cole stated the road is not safe because it is rough therefore making it dangerous. People need to slow down to keep from bouncing around. Sheriff Murphy stated it used to be 45 miles per hour south of Humboldt until passed Monarch Cement. Alan will do the resolution and Mitch will put us signs. Discussion followed on weight issues and speed limits.

Mitch reported the crusher is up and running well. He worked the crew Saturday to get some stock pile gravel. Discussion followed on roads and cities that need rock.

Steve Robb, City of Gas employee, Rachel McDonald and Larry Manes, Marmaton Market, joined the meeting.

Commissioner Daniels discussed the Humboldt River Bridge and weight limits. Mitch stated they are having an inspection. He commented they going to have to look into replacing in the future. This is the only bridge in Allen County that crosses the river that is a county road. Discussion followed.

Alan stated the Hospital Trustees would make the decision on keeping ACH or not; not the Allen County Commission. Commissioner stated Marion "Tony" Thompson, Allen County Regional Hospital Chief Executive Officer should not be on the committee to make that decision. He is employed by HCA. Discussion followed on impropriety and who is on the committee. Commissioner Daniels said it would make a difference if everything was running perfectly; and since the CEO won't visit with the commission. Discussion followed. The Commission wants the hospital to be successful.

Alan discussed T.J.'s Towing LLC Zoning held last Thursday, April 26, 2018. He reported zoning board's recommendation to the Allen County Commission that the T.J. Towing LLC's request for Conditional Use Permit to permit the operation of a Salvage Yard with modification of the current CUP in order to be allowed to use a track excavator to flatten the tops on vehicles and load them into an enclosed trailer for hauling be approved. The flattening of the vehicle roofs must be done without crushing the entire vehicle and must be confined to the existing crushing site on Terry's property. Alan stated that anyone with same kind of permit (CUP) does not automatically have the modification set out above without making an application to the planning board. Discussion followed. Chairman Williams moved to go approve the Zoning Boards recommendation. Commissioner Daniels seconded. Discussion followed on if this motion passed then they will have to hold the same standards. Alan explained Ray's Metal Depot had existing business as did TJ's Towing LLC. He said they want to support local businesses. Steve Robb asked about a security bond. Alan discussed the environmental security bond insurance. Alan requested a deference on that until it can be looked in to. Chairman Williams called for a vote on the motion on the table, motion passed 3-0-0.

Alan discussed Marmaton Market and the Memorandum of Agreement (MOA). Larry and Rachel were present. Alan asked if commissioners would approve Grants **and** donations.

Memorandum of Agreement

Grant from Allen County to The Marmaton Market, Inc.

This memorandum of Agreement is entered into this 2nd day of May, 2018 by and between The Marmaton Market, Inc. (hereinafter "Marmaton") and Allen County, Kansas. (hereinafter "County").

Whereas, County seeks to support the efforts of Allen County communities to maintain sources of healthy food to all its citizens including those with limited mobility; and

Whereas, Marmaton has the opportunity to purchase Stub's Market-the local grocery store in Moran, which will otherwise close and leave Moran without a grocery store; and

Whereas, the citizens of Moran and Allen county have raised substantial equity, donations and grant dollars to aid in the grocery store acquisition, remodeling and management and operations but need additional funds to assure adequate capital is on hand to make the purchase and necessary upgrades;

Now, therefore, the parties agree as follows:

1. This Agreement will commence immediately, the grant having been approved by County at its regular commission meeting on April 3, 2018.
2. County agrees to match any grants (but not loans) awarded to Marmaton and any donations (but not owner equity) which have already been paid or which will be awarded and paid before the end of 2018 up to a maximum amount of \$100,000.00. All such funds will be used by Marmaton for the purchase of Stub's Market, for upgrades and for business operations. Marmaton will provide County with proof of grants and donations awarded and paid to Marmaton and County shall, within 30 days after receiving such proof, pay the matching amounts to Marmaton.

3. Marmaton shall allow representatives of County to inspect the premises at all reasonable times.
4. Any notices required hereunder may be mailed by regular first-class mail or certified mail addressed to the parties as follows:

County: Allen County Clerk
1 N. Washington
Iola, KS 66749

Marmaton: The Marmaton Market, Inc.
P.O. Box 152
Moran, KS 66755

5. If any default is made by Marmaton in the performance of or compliance with any term or condition hereof, then this agreement may be terminated at the option of the County. If Marmaton fails to expend the grant funds as directed, all such funds shall immediately be repaid to County.

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

IN WITNESS WHEREOF, the parties have executed this agreement in Allen County, Kansas the day and year first above written.

Commissioner Daniels moved to approve Chairman Williams sign the MOA. Commissioner Brocker seconded. Discussion about actual monies not promised monies. Commissioner Brocker asked if Marmaton Market has applied for SEK Regional Planning. Rachel stated she was in the process of working on the application. Chairman Williams called for a vote. Motion passed 3-0-0.

Larry Manes reported on a summary of Grant Awards and Donations; Sunflower Foundation - \$15,000, Sunflower Foundation - \$60,000, SEED Fund (Food Co-op Initiative) - \$10,000, Kansas Healthy Food Initiative (IFF) - \$50,000 and members and community donations received total \$14,225 (memberships and loans are excluded from this number) for a total of \$149,225.

Alan will review with Ben Alexander, Thrive, to review grants.

Alan stated Ken McWhirter will be by tomorrow for his MOA for LaHarpe Rural Tech Center. Discussion followed.

Chairman Williams discussed Project Block 22 in Pittsburg that the College and City of Pittsburg, where the college wants to work with the city. He explained the project.

Alan discussed property west of Rebel Works that a person is interested in purchasing. He asked the commission if they want to pursue it. Discussion followed. This is where County currently parks the semi's for the Rotary's Paper Drive. Commissioners stated they are all for it but they have to advertise a hearing on the property. Alan will have surveyed and advertise a hearing.

Cole Herder, City of Humboldt Administrator, stated the grant for utilities project is going forward but haven't heard anything at this time.

Commissioner Daniels commented on calls he received about the sheriff's suggestion on moving all the ambulances to the center of the county. He asked Cole if they have found any property in Humboldt at this time. Cole stated not at this time.

Cole said they will be applying for an easement from Mitch for extending the water line for the project.

Chairman Williams stated on the Thrive's trip to Pittsburg to discuss Project 22 that the City of Pittsburg was impressed on what all Humboldt is doing. Cole stated things happening are happening because of businesses and private individuals. Discussion followed.

Commissioner Brocker asked Alan about the study group for the hospital, could one of the commission set on it? Alan stated they could. Chairman Williams stated he would be interested in serving on that study group. Commissioner Brocker offered to serve as alternate. Alan stated

the state statutes provides that the commission appoint the trustees and the trustees runs the hospital. Commissioner Brocker was invited to set in on the budget committee. Alan stated the next study group committee meeting is May 16, 2018 at 11:30 a.m. in the Allen County Regional Hospital boardroom.

Commissioners approved the following documents:

- a) Clerk's Vouchers – \$ 140,703.94
- b) Payroll Changes – Mileage reimbursement for Cindy Scovill
- c) Clerk's Journal Entries: #25 & 26
- d) Abatements: OIL Value 842, \$120.00, Year 2017

With no further business to come before the board, Commissioner Daniels moved to adjourned, Commissioner Brocker seconded, motion passed 3-0-0. Meeting was adjourned at 9:33 a.m. until May 8, 2018 at 8:30 a.m. in the Commission room of the courthouse.

Thomas R. Williams, Chairperson

Jerry Daniels, Commissioner

Sherrie L. Riebel, Allen County Clerk

John F. Brocker, Commissioner