

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. Brockner and Jill Allen, Allen County Deputy Clerk.

Robert Johnson, Iola Register, Nick Reynolds, The Humboldt Union, Bryan J. Murphy, Allen County Sheriff, Roy Smith, Undersheriff, Bruce Symes, candidate for County Commission Dist. #3, Mark Peters, Iola City Council Dist. #4, Virginia Peters, citizen, Mike Bruner, Allen County Democratic Chairman, James Lewis, citizen, Alan Weber, County Counselor and Larry Walden, citizen was present to observe the meeting.

Commissioner Brockner led the flag salute.

Chairman Williams presented the one bid that came in for the 2012 Services to the Elderly Van. Alan opened; it is from Marlon Spurrier for \$4,050. Commissioner Daniels moved to accept the bid from Marlon Spurrier, Commissioner Brockner seconded, motion passed 3-0-0.

Mr. Lewis made comments on old highway between Iola and Humboldt. He assumed the speed was 55 mph. He stated he was stopped for going 61 mph. He didn't pull over until he got to Dollar General in Humboldt because there was no place to pull off the old highway. Mr. Lewis was driving a pickup pulling a trailer. He felt the sheriff was unfriendly and wrote him a ticket for speeding, but not for evading the law since he didn't stop as soon as he saw the lights trying to pull him over. He felt this was entrapment on the part of the sheriff. Mr. Lewis asked the commission to forgive his \$200 fine. Commissioner Daniels explained the process of what happens when you get a speeding ticket; he has a court date to deal with such. He also reminded Mr. Lewis KDOT closed the highway, not the county. The County is dealing with it the best way possible.

Mitch Garner, Public Works Director and Terry Johnson, Public Works employee, stopped by the meeting. Mitch reported 45 mph signs have all come in and will be put up today. He hired some seasonal employees, still needs one more.

Commissioners reviewed Resolution 201806.

RESOLUTION NO. 201806  
ALLEN COUNTY, KANSAS

A RESOLUTION ESTABLISHING A MAXIMUM SPEED LIMIT OF 35 MPH  
ON NE 1200 STREET AND 1250 STREET LYING SOUTH AND EAST 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 35 MPH on a portion of NE 1200 Street and 1250 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 portion 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 35 MPH shall be established for all that part of NE 1200 St. lying north and east of its intersection with 1200 St. to its intersection with Delaware Rd. and 1250 St. and then all that part of 1250 St. north from its intersection with Delaware Rd. and NE 1200 St. to the south city limits of the City of Humboldt.

BE IT FURTHER RESOLVED that signs designating said speed limit 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 22<sup>nd</sup> Day of May, 2018

Commissioner Daniels moved to approve Resolution #201806, Commissioner Brocker seconded, and motion carried 3-0-0.

Darrel Baughn, Travis Baughn, Terry Johnson and John Hutton, Allen County Rural Fire District #2 joined the meeting. Travis shared plans for a fire station. He stated they have the deed to the property. He has met with two contractors. Don Erbert and Rich Miller both gave quotes. The station would be more centrally located and owned by the Fire District. Travis asked the commissioners to accept his proposal to build a station for Fire District #2. Commissioner Brocker stated he is the secretary of First District, so he will abstain from this. Alan said a survey was done and the deed has been recorded, it's about an acre tract. It was discussed that Mitch agreed to clear the land. Travis further explained they do not have the funds to support the project of a new station and wish to request the commissioners to approve funds for such. Darrel said the Fire District's money has gone down and they have one line item for \$39,000. Commissioner Daniels suggested getting more bids and looking into additional funding mechanisms. Travis said he has looked into additional funding, there were grants that no longer exist for fire departments. They didn't qualify for a low to moderate income level grant. They currently pay \$500 per month for their rent. Travis stated he has asked for donations and has office furniture donated for the station. Commissioner Daniels also suggested a partial loan. Commissioner Williams stated they are commissioners for the entire county and how do they justify putting funds towards this Fire District and not the others? Darrel reminded commissioners the other fire departments are not located in storage units like theirs is. Commissioner Daniels stated he is open to the discussion of the county helping out with funding along with the Fire District further investigating funding. Commissioner Williams is open to this with a lot of reservations. Larry asked if the townships have been approached. Alan said townships are not in charge of Fire Districts; the townships are not involved at all in the Fire Districts. Travis explained volunteer fire fighters, they are certified and attend schools for such. They have 7 that are nationally certified. He has new people coming on that will take the classes and eventually get certified. Travis said he'll get some more bids and do some more legwork on the financial aspect. Larry asked if the land has been appraised. Travis said yes it being appraised.

Cole Herder, City of Humboldt Administrator joined the meeting.

Alan discussed further Fire District #2's request.

Alan reported on the pest control. He said All In One will handle pest control for the entire county.

Alan reported on a proposal of selling a ¾ acre tract west of the Rebel Works shop. The plan would be to sell to Zornes for \$3,000. This would be an economic development type of project. It would have to be advertised and hold a hearing. It would be a commercial building on the sight and probably qualify for Neighborhood Revitalization and eventually get on tax rolls. Commissioner Brocker asked about the utilities. Alan said Sandy Zornes is talking to the City of Iola about that. Commissioner Brocker asked about cost of the survey. Sheriff Murphy said it was around \$2000 for residential, agricultural is cheaper. Commissioners reviewed the Memorandum of Agreement:

Memorandum of Agreement  
Economic Development  
Sale from Allen County to Sandra & Terry Zornes

This memorandum of Agreement is entered into this 22nd day of May, 2018 by and between the Sandra & Terry Zornes (hereinafter "Purchaser") and Allen County, Kansas. (hereinafter "County").

Whereas, County seeks promote economic development opportunities within Allen County; and

Whereas Purchaser Wishes to build a warehouse supporting the purchaser's vending machine business; and

Whereas, the construction of said warehouse will support economic development and growth in Allen County and the property described below is not necessary to the conduct of county business;

Now, therefore, the parties agree as follows:

1. The BOCC shall publish its notice of intent to dispose of county property as required by law and county policy.

2. After hearing upon said notice, if the proposed sale is approved, the parties will enter into a real estate sale agreement providing for the sale of the following property by County to Purchaser for the sum of \$3,000.00, to-wit:

All that part of the Southeast Quarter (SE/4) of Section Twenty-seven (27), Township Twenty-four (24) South, Range Eighteen (18) East of the Sixth P.M. Allen County, Kansas, described as follows: Commencing at a point 567.1 feet North and 259 feet West of the Southeast corner of the Northeast Quarter of the Southeast Quarter (NE/4SE/4), thence West approximately 182 feet to the railroad right-of-way; thence South 183 feet along said railroad right-of-way; thence East approximately 182 feet; thence North 183 feet to POB. (Final Legal Description to be determined by survey the costs of which shall be paid by County).

3. In the event that the property is sold to Purchaser, Purchaser will commence construction within 60 days after sale and complete construction within 180 days thereafter.

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

Purchaser: Sandra & Terry Zornes  
409 E. Jackson Ave.  
Iola, KS 66749

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 Memorandum of Agreement, Commissioner Brocker seconded and motion passed 3-0-0.

Alan reported on a zoning hearing that has to do with Monarch Cement.

Alan said the hospital meeting is tonight and the financial audit will be presented. Commissioner Williams discussed the last meeting he attended.

Larry passed out copies of "county desk book" to commissioners. This is in reference to the ambulance contract. He said the City of Iola doesn't want the ambulance service because they need the money and the county can afford it. He stated the ambulance service belongs at the hospital. This needs to be looked at and evaluated. Also, look at long term, do you really want an ambulance center south of LaHarpe? He said the Iola Register said this is a dead issue. Commissioner Williams agreed that no decision was made. Larry wants commission to think about location of Hawaii and 2600 St. He said there will also be a windmill project in this area. He said you need to look at solving the whole problem, not just pieces of it. The discussion with Fire District #2 was good today.

Larry reported he is looking into a 5-member county commission. He said the counties he's getting responses from say this is working well. If we have to re-district the county anyway, this would be a time to do this. He asks if it needs to be a resolution. Commissioner Daniels asked what populations are the counties with 5 member commissions. Larry said there is some smaller than Allen County that have 5 members.

Sheriff Murphy reported on going digital. There are communication issues if the entire county doesn't go digital. There are still outages every Thursday morning. He has talked to Verizon about fixing the generator. Commissioner Daniels asked from a funding standpoint, should it be budgeted for 2019. Sheriff Murphy said there is a 6-8 month build time. He has only talked to one contractor. The plan he put together has room for two providers, revenue would start coming in when the tower is complete. Commissioner Daniels said this needs to be talked about more in budget discussions for 2019.

Commissioners approved the following documents:

- a) Clerk's Vouchers – \$104,076.38
- b) Payroll Changes – Mileage reimbursement for Jill Allen and meal reimbursement for Jerry Hathaway

With no further business to come before the board, Commissioner Daniels moved to adjourn, Commissioner Brocker seconded, and motion passed 3-0-0. Meeting was adjourned at 10:15 a.m. until May 29, 2018 at 8:30 a.m. in the Commission room of the courthouse.

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Thomas R. Williams, Chairperson

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Jerry Daniels, Commissioner

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Jill Allen, Allen County Deputy Clerk

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John F. Brocker, Commissioner