

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

Bob Johnson, Iola Register and Larry Walden, citizen, was present to observe the meeting.

Commissioners approved the minutes of the August 23, 2016 meeting.

Tracy Keagle, Humanity House, took over the "Inmate" garden; with that garden and Elm Community Garden they have given away 550 pounds of produce so far this year. Tracy has been setting up little lending libraries and where people put in books and take out books. She is requesting to do a "Blessing Box" on the courtyard. It would be a 24"X24" with shake shingle house for people to leave nonperishable food items and diapers and etc. She would like a place in town for families to go pick up if they need food. She stated there are 17 homeless in Iola area. She would like to place the little house in the triangular area on the south intersection of the two sideways or by the garden area which is not county owned; Kent Thompson owns the property at the Humanity House Garden. Tracy would like permission to put the "Blessing Box" on the square. Discussion followed on how it would work. People drop items in and people would come in to pick up food. Commissioner Williams said let's try it. Commissioner Talkington would like to have it reviewed in a year. Tracy will go forward.

Heather Bosler, Humboldt Union, joined the meeting.

Larry stated he wanted to have a discussion to have the commission meet in a bigger room and have a table for persons like the press to write on.

Bryan J. Murphy, Allen County Sheriff, joined the meeting.

Kurtis Russell, Allen County Historical Society Director, invited the commission to a public business meeting at 7:00 p.m. then touring the Old Iola Theater on October 22, 2016 at 7:30 p.m.

Kurtis requested permission to have an "I shot the "Last Deer" of Allen County, 1893". Individuals would have the opportunity to purchase 3 shots for \$2.00. It would be held inside the fenced in area of the Funston property. There will be a tent for the shooter to shoot into, they will have heavy blankets to stop the air soft BBs on 3 sides of the tent and the shooter shooting in the direction of the brick wall. They would provide safety glasses for shooters to wear while shooting. The magazine would be filled with only the amount of BBs the shooter paid for and loaded when the shooter is ready. The air soft gun will be tied via rope to the shooting table so that it cannot leave the yard; it will be clear with an orange safety tip. Kurtis or a historical society board member will be at the booth at all times. The target is a paper print out of the deer with a quarter sized kill spot. The shooter has 3 tries to hit the spot and win a candy bar. If they fail, they get to keep their target and have the opportunity to buy another chance. This will raise funds for the Funston House. Aaron Franklin, Farm City Days Committee chair, told him to get approval from both the city and county. The City of Iola will have it on their meeting agenda for September 12th. The event will only take place on October 8th. Allen County Commissioners approved this event at the Allen County Historical Society Funston Home.

Mitchell Garner, Allen County Public Works Director, reported a few of the mowers are down, but in the shop.

Mitch reported they have been moving the real estate signs that were placed on county right of way that were introducing land for sale back off the right of way, so they don't block vehicle drivers vision of site. Discussion followed.

Mitch hasn't started the bids or engineering for a hangar at the Allen County Regional Airport at this time, due to the actual cost will have to be 2017's.

Mitch reported they are still shorthanded and that some of the seasonal employees were not interested in a full time position.

Mitch reported a pipe was put in at an area along 1580 St and Rhode Island seems to be flooding a resident's land. Mitch doesn't feel like the county created the problem, but if they do it for one they will have to do it for everyone else. Commissioner Williams asked if the problem was there, he didn't feel it was the county's problem. Commissioner Talkington stated he thought when the county put in the new pipe, it created an issue. Mitch will review it again but stated as a rule of thumb they don't get on personal property. Mitch mentioned individuals have to pay for pipe they want put in, but the county will put it in. Discussion followed.

Alan Weber, Allen County Counselor, Terry Call, Allen County EMS Financial Director, Mitchell Garner, Allen County Public Works Director, Cara Barkdoll, Register of Deeds, Bryan J. Murphy, Allen County Sheriff, Darolyn "Crickett" Maley, Allen County Treasurer, Sandra Drake, Allen County Appraiser and Sherrie L. Riebel, Allen County Clerk came to the commission as Department Heads for proposed 2017 Holidays. Commissioners reviewed the listing.

2017 HOLIDAYS (All Full time employees except dispatch, deputies and jailers)	
NEW YEAR'S DAY	MONDAY, JANUARY 2, 2017*
MARTIN LUTHER KING DAY	MONDAY, JANUARY 16, 2017
PRESIDENTS DAY	MONDAY, FEBRUARY 20, 2017
GOOD FRIDAY	FRIDAY, APRIL 14, 2017
MEMORIAL DAY	MONDAY, MAY 29, 2017
INDEPENDENCE DAY	TUESDAY, JULY 4, 2017
LABOR DAY	MONDAY, SEPTEMBER 4, 2017
COLUMBUS DAY	MONDAY, OCTOBER 9, 2017
VETERAN'S DAY	FRIDAY, NOVEMBER 10, 2017*
THANKSGIVING DAY	THURSDAY, NOVEMBER 23, 2017
DAY AFTER THANKSGIVING	FRIDAY, NOVEMBER 24, 2017
CHRISTMAS DAY	MONDAY, DECEMBER 25, 2017
DAY AFTER CHRISTMAS	TUESDAY, DECEMBER 26, 2017

*marks differences between the two lists.

SUBJECT: 2017 HOLIDAYS (full time dispatch, deputies, jailers)	
NEW YEAR'S DAY	SUNDAY, JANUARY 1, 2017*
MARTIN LUTHER KING DAY	MONDAY, JANUARY 16, 2017
PRESIDENTS DAY	MONDAY, FEBRUARY 20, 2017
GOOD FRIDAY	FRIDAY, APRIL 14, 2017
MEMORIAL DAY	MONDAY, MAY 29, 2017
INDEPENDENCE DAY	TUESDAY, JULY 4, 2017
LABOR DAY	MONDAY, SEPTEMBER 4, 2017
COLUMBUS DAY	MONDAY, OCTOBER 9, 2017
VETERAN'S DAY	SATURDAY, NOVEMBER 11, 2017*
THANKSGIVING DAY	THURSDAY, NOVEMBER 23, 2017
DAY AFTER THANKSGIVING	FRIDAY, NOVEMBER 24, 2017
CHRISTMAS DAY	MONDAY, DECEMBER 25, 2017
DAY AFTER CHRISTMAS	TUESDAY, DECEMBER 26, 2017

Bryan asked that the employees that start work on the holiday get the holiday pay for their entire 12 hours. Example is if an employee starts work the evening before a holiday at 6:00 p.m. and works until 6:00 a.m. that that person would not qualify for holiday, but the person that comes in at 6:00 p.m. on the

holiday would get 12 hours of holiday pay. Commissioners requested to take under consideration. Commissioner Talkington moved to approve the 2017 Holidays as presented. Commissioner Williams seconded, motion passed 2-0-0.

Jeff Cokely, Allen County Community Foundations (ACCF), discussed what monies the commission has already given to the foundation in the past under a different commission. Environmental fund and health fund both got \$50,000. He explained current funds held at the community foundation which includes Allen County donations:

December 2012 – Allen County Environmental Endowment Fund Established

Donations from Allen County: \$50,000.00

Current Balance in Fund: \$56,479.51

Available for use by County Commission: \$6,479.51

Allen County Commissioners can spend interest from this account.

December 2012 – Allen County Public Health Endowment Fund Established

Donation from Allen County: \$50,000.00

Current Fund Balance: \$207,005.96 (includes interest and other donations)

Grants to date: \$13,900.00

Your Community Foundation invests this money back into Allen County in the form of grants to charitable and civic organizations.

He presented a proposal for Allen County to transfer money in the Allen County Landfill Trust to Allen County Community Foundation to invest through the Greater Kansas City Community Foundation. Options were:

1. Money can be placed in a "Pass Through" fund which leaves complete discretion to County Commissioners on use of principal and interest.
2. Money can be placed in a "Quasi-Endowment" which allows County Commissioners to access principal only for certain situations, i.e. needs at the landfill site.
3. Money can be placed in an "Endowment" whereby only the interest may be withdrawn. (Your Community Foundation is willing to commit up to \$25,000.00 of matching funds if up to \$200,000.00 is invested in a donor advised endowment fund or \$100,000.00 is invested in the Public Health Fund. The resulting \$225,000.00 or \$125,000.00 would be principal which could not be withdrawn, but from which interest would be earned that could be used however the County Commission decided.)
4. Any of the fore mentioned combinations.

Jeff addressed concerns the commission had back in November 2015;

1. Money would not be accessible if needed for landfill.
2. Timing (with matching funds from KHF) makes it look like commissioners are transferring the money more for ACCF than in the interest of county.
3. Questions of whether or not money could be ultimately deposited in K.C., MO. (Greater Kansas City Community Foundation).

4. While overwhelming majority of county citizens approved the use of interest from this fund going into recycling efforts, some did not.

Commissioner Talkington asked about the final say on spending monies. Jeff stated the Community Foundation has the final say. He was hoping to explain the investment process. He reported Allen County should put the Allen County Landfill Trust money into an endowment fund. "Quasi-Endowment" does not count as a match. Both donations of \$100,000 in public health would qualify for a \$25,000 match and donor advised \$200,000 would qualify for a \$25,000 match. Discussion followed. The pass though earns interest if passed up through Kansas City; it would be earning interest, but not as a checking account. Alan stated he feels it is a conflict with him as Allen County Commissioner Attorney and attorney advisor for the Community Foundation and stated if they do an endowment, it is giving county monies away and if other options might not be legal for the county to invest monies.

Jeff discussed positives:

1. Past history indicates money would have made more interest for the county even with the 1% fee charged.
2. The 1% fee charged by ACCF helps to support their work and grants to over 30 charitable and civic organizations within Allen County.

Jeff's current proposals dealing with the concerns were addressed as following:

1. Place the money in a "Quasi-Endowment." Interest can be withdrawn at any time. Corpus can be withdrawn for pre-defined purposes such as "needed at the landfill."
2. A Quasi-Endowment does NOT qualify for matching funds for ACCF.
3. Current legal counsel Alan Weber has made statement that moving funds into an ACCF account is allowable. Additionally, lead attorney from Greater Kansas City Community Foundation is willing to conference call all commissioners to address this issue.
4. The interest from the Quasi-Endowment can be rolled back into a fund for the landfill or used for whatever purpose the county decides.

Discussion followed. Alan stated some of his concerns. Commissioners will table until Alan asked about laws including cases and laws that pertain to this. Alan will put it out to his peers.

Larry asked what the county would benefit from the endowment. Jeff stated funds would be used to fund different activities. Alan explained the endowment and no authorization on what the monies is used for unless they are on the advisory board and might be able to have input.

David Toland, Thrive Executive Director, joined the meeting.

Alan presented a Resolution No. 201605 concerning the Rural Opportunity Zone for review:

Resolution No.201605

RESOLUTION OF THE BOARD OF ALLEN COUNTY COMMISSIONERS AUTHORIZING
PARTICIPATION IN RURAL OPPORTUNITY ZONE STUDENT LOAN REPAYMENT PROGRAM

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

Section 1. Pursuant to K.S.A. 2015 Supp. 74-50,223, the Board of County Commissioners expressed its intent to participate in the Rural Opportunity Zone (ROZ) student loan repayment program.

Section 2. Allen County has been designated a Rural Opportunity Zone pursuant to K.S.A. 2015 Supp. 74-50,222.

Section 3. Allen County Commissioners hereby obligate Allen County to participate in the ROZ student loan repayment program as provided by K.S.A. 2015 Supp. 74-50,223 for a period of five years, which shall be irrevocable.

Section 4. Allen County agrees to pay in equal shares with the State of Kansas the outstanding student loan balance of any resident individual for five years, if the resident individual meets the terms of qualification provided by the State of Kansas in K.S.A.

2015 Supp. 74-50,223, and the appropriate rules and regulations. The number of qualified resident individuals receiving such payments will be subject to the availability of funds.

Section 5. Allen County intends to enter into partnerships with Employers for the direct sponsorship of Rural Opportunity Zone Applicants. Sponsored Applicants must meet all qualifications of the ROZ program. All sponsorships will be subject to ROZ student loan repayment rules and regulations.

Section 6. The maximum student loan balance for each qualified resident individual to be repaid jointly by Allen County and the State of Kansas shall be \$15,000 over a term of five years.

Section 7. Allen County shall allocate \$ 1,500.00 for the purpose of matching payments from the State of Kansas to qualified resident individuals. Allen County shall revise its ROZ budget on an annual basis and shall inform the State of Kansas of any changes to the annual allocation.

BE IT FURTHER RESOLVED that this resolution shall be published once in the official county newspaper and shall be in effect from and after its date of publication.

Adopted this 6th day of September 2016 by the Board of Allen County Commissioners, Allen County, Kansas.

BOARD OF COUNTY COMMISSIONERS
OF ALLEN COUNTY, KANSAS

Commissioner Williams moved to adopt Resolution 201605. Commissioner Talkington seconded, motion passed 2-0-0.

Sherrie asked permission for a couple to use the bandstand on October 31 for a wedding. Commissioners approve.

Commissioner Williams moved to go into executive session for 15 minutes to discuss land acquisition. Commissioner Talkington seconded, motion passed 3-0-0. Those in the room will be Commissioner Talkington, Commissioner Williams, Alan Weber, Allen County Counselor, David Toland, Thrive Executive Director, John McRae, Iola Industries and Sherrie L. Riebel, Allen County Clerk. The time is now 9:45 a.m. Commissioners reconvened at 10:00 a.m. No action was taken.

Alan updated the commission on the zoning meeting held August 25, 2016 to consider wind farms/renewable energy updates to the 1977 Zoning Plan. The meeting was continued to September 22 and will probably go into October. Nothing has been decided at this time. Discussion followed on the decommissioning and PILOT (Payment in lieu of tax).

Commissioners approved the following documents:

- a) Clerk's Vouchers – \$264,009.81
- b) Payroll changes
- c) Journal Entry #49-52

With no further business to come before the board, the meeting was adjourned until September 13, 2016 at 8:30 a.m. in the Commission room of the courthouse.

Absent
Jerry Daniels, Chairperson

Thomas R. Williams, Commissioner

Sherrie L. Riebel, County Clerk

Jim Talkington, Commissioner