

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairman Bruce Symes, Jerry Daniels, Commissioner, David E. Lee, Commissioner, and Sherrie L. Riebel, Allen County Clerk.

Trevor Hoag, Iola Register, Terry Call, Allen County EMS Financial Director, Ron Holman, Allen County House and Grounds Director, Mitchell Garner, Allen County Public Works Director, Johnathon Goering, Thrive Allen County, and Paul Zirjacks, citizen, was present to observe the meeting.

Trevor Hoag led the group in the Pledge of Allegiance.

Commissioners approved the minutes of the regular meeting on July 6, 2021.

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

Mitchell Garner, Allen County Public Works Director, updated the commissioners on road work since the weekend rains.

Mitch asked about BG Consultants where to pay the consultant fees. Discussion followed.

Mitch reported the crusher is at the quarry but still not in operation; there are on and off-key issues. They are still waiting on parts.

Mitch discussed a request for a road vacation from Stephen F. "Fred" Beck for vacating the east portion of Wyoming Road, which is a county line road. Discussion followed. Commissioners approved to proceed with the hearing.

Mitch discussed a tank for the pot hole patching oil. The city of Humboldt uses a different type of oil than what the county needs to. Mitch discussed the size of the tank needed to keep oil for county use. The county uses the slow seal and City of Humboldt uses a quick seal due to the speed of the traffic.

Commissioner Lee asked about what chemical the county sprays along roads. Mitch stated they spray for noxious weeds only. Mitch stated they use different chemicals for different weeds.

Commissioner Lee asked about 1800 Road, what the process will be to repair it. Mitch replied the trucks tearing it up still have a 2-3-year contract. He discussed having them change roads for usage. The road will remain as a reclaimed road until the company is done.

Mitch stated a truck bed is being put on one of the 10-wheel trucks, so then they will be able to get it after it has been approved.

Johnathon Goering, Thrive Allen County, representing Iola Pride Group, stated they have an interest in a splash park on the square. Funding would be checked on if commissioners approved a splash park. He is thinking north of the clock tower and west. Johnathon stated it depended on if the county wanted it, they would look into it. Commissioner Lee was not comfortable, Commissioner Daniels not sure. Discussion followed. Chairman Symes stated not anyone interested.

Johnathon discussed labor study, salaries, benefits, skills, housing, switching jobs, demographics, age, what to recruit for. Discussion followed. Marks Nelson's cost for the study is \$25,000, Evergy contribution of \$8,000 for a total of \$17,000; Next Move Group's cost for the study is \$22,400, Evergy contribution of \$8,000 for a total of \$14,400 and

FHSU/Docking Institute for a cost of \$18,714, Evergy contribution of \$8,000 for a total of \$10,714. Discussion followed. Chairman Symes requested Johnathon check with the other economic development entities; Humboldt, Iola and Iola Industries. Commissioner Symes asked about asking College, and USD's. Discussion followed. Commissioner Lee stated he would like to hear from the companies about what their studies will be used for after they are completed. Commissioner Symes asked what the study will be applied towards. The agency will share what will be done with the information. Commissioner Daniels wanted to know who instigated this. Johnathon stated Evergy is the one who made the suggestion. Commissioner Lee suggested to check with the top manufacturing companies in the county about cost share as well.

Johnathon updated the commission on the airport project. The engineers will be here at the August 31, 2021 commissioner meeting.

Robert Johnson II, Allen County Counselor, and Arlyn Briggs joined the meeting.

Johnathon wanted to discuss Land Banks at a county level not city level. A quasi track of land and makes them available for a residential development. Discussion followed. Johnathon, once it is the land bank then the county would have to maintain the property. Chairman Symes stated the property could be improved. Johnathon shared the City of Chanute's Land Bank ordinance:

Chapter 2.94 - LAND BANK

2.94.010 - Creation; duties.

The City of Chanute, Kansas (herein after "City"), by the power vested in it by K.S.A. 12-5901, et seq., hereby establishes a city land bank. The land bank will be the centralized point of contact for individuals and developers interested in acquiring developable vacant and abandoned land within the City of Chanute, Kansas. The land bank will be guided in its affairs by a board of trustees.

([Ord. No. 2635](#), § 1, 3-9-2020)

2.94.020 - Board of Trustees and Staff.

The land bank board of trustees shall consist of a 1 (3) member board comprised of a member appointed by the city commission, a member appointed by the Planning Commission and a member appointed by the Chanute Regional Development Authority. The land bank staff shall consist of the staff of the Chanute Regional Development Authority (herein after "CRDA").

([Ord. No. 2635](#), § 2, 3-9-2020)

2.94.030 - Cash Basis and Budget.

The bank shall be subject to the provisions of the cash-basis law, K.S.A. 10-1101, et seq., and amendments thereto, as provided in K.S.A. 12-5903 (a). The budget of the bank shall be prepared, adopted and published as provided by law for other political subdivisions of the state. No budget shall be adopted by the board until it has been submitted to, reviewed and approved by the Governing Body of the City of Chanute.

([Ord. No. 2635](#), § 3, 3-9-2020)

2.94.040 - Property Eligible for Land Bank and Management of the Property.

For any property acquired by the land bank, the trustees shall: (1) manage, maintain and protect the same; (2) compile and maintain a written inventory of such property; (3) study, analyze and evaluate potential, present and future uses for such property which would provide for its effective re-utilization; (4) plan for and use the board's best efforts to consummate the sale or other disposition of such property upon such terms and conditions deemed appropriate; (5) establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the bank's activities; and (6) develop such policies and procedures as the board determines reasonable and necessary to effectuate the purposes of the land bank.

Property available for inclusion in the land bank shall include, but not be limited to: (1) parcels of tax delinquent property foreclosed on by the county of Neosho pursuant to K.S.A. 79-2401, et seq. and requested by the land bank board of trustees pursuant to its authority under K.S.A. 12-5901, et seq. (Only property that has the potential for development within a reasonable period of time and has been accepted by the land bank board of trustees will be identified for inclusion in the land bank); (2) property currently held in the name of the City of Chanute, Kansas; (3) parcels of property donated by other governmental entities; (4) property purchased by the land bank board of trustees to compliment properties previously identified to the land bank through other means; and (5) property offered to and accepted by the land bank.

([Ord. No. 2635](#), § 4, 3-9-2020)

2.94.050 - Incentive and Sale of Property.

- (a) The land bank board of trustees may offer such incentives as it deems appropriate to encourage the development of land bank property. Special consideration will be given to Owner Occupied developments.
- (b) The land bank staff shall consult with any individuals, organizations and developers which may be affected by a land bank development project and pass on to the land bank board of trustees the recommendations and concerns of individuals, organizations and developers.
- (c) Proposals will be reviewed by the land bank staff and forwarded to the land bank board of trustees along with recommendations and or concerns of affected individuals, organizations and developers.

([Ord. No. 2635](#), § 5, 3-9-2020)

2.94.060 - Operating funds and annual report.

The governing body of the City of Chanute, Kansas may advance operating funds to the land bank to pay expenses of the board of trustees and the land bank. The land bank staff is required to make an annual report to the governing body of the City of Chanute, Kansas, on or before January 31 of each year, showing receipts and disbursements from all funds under its control.

([Ord. No. 2635](#), § 6, 3-9-2020)

2.94.070 - Money retained from sales and compensation for board of trustees.

Any money derived from the sale of property by the land bank shall be retained by the land bank. Any funds not immediately required for the purposes of the land bank shall be invested in the manner provided by K.S.A. 12-1675, and amendments thereto. Members of the board of trustees shall receive no compensation, but shall be paid their actual expenses in attending meetings and carrying out their duties as members of the board of trustees.

([Ord. No. 2635](#), § 7, 3-9-2020)

2.94.080 - Statutory authority.

The provisions of this ordinance shall at all times be consistent with K.S.A. 12-5901, et seq., and amendments thereto.

([Ord. No. 2635](#), § 8, 3-9-2020)

Chairman Symes stated Chanute has only one property in it currently to see how it goes. Johnathon would like to know if the commission is even interested in this. If not, they will concentrate at a city level. Discussion followed. Commissioner Lee wondered what that would do for the county; he understands the concept. Johnathon said the empty lots allow for more opportunities for residential area. Chairman Symes said it would allow signs in the yards so that persons know who owns it. It would need to be spread across the county, not just Iola and Humboldt. Discussion continued. Johnathon will continue to look into this.

Johnathon stated Atlas Community Studios will be in town next Wednesday and Thursday to tour Allen County. They will be having focus meetings and stakeholder meetings to look at housing, economic development and building Neighborhood Revitalization. Wednesday night they will be having an information meeting 5-6 p.m. in the Stadler Room at Allen County College, sharing what they have learned so far. Invite is for the public.

Chairman Symes reported on August 23, 2021 Kansas Association of Counties (KAC) is hosting a big housing conference online.

Chairman Symes discussed Economic Development focus, he said housing took the top of the list. He questioned funding mechanism for this type of thing, is it always going to come back to the county? He was concerned about duplicating services, wondered about a clearing house so that doesn't happen. Trevor stated the City of Chanute was doing a ¼ cent sales tax go towards economic development. Chairman Symes said he has thought about the PILOT monies and community foundation; it needs to be more than just county.

Rodney Burns, discussed revenue interest going down over the years, out of county prisoner housing fees, general fund expenses and general fund carryover.

Interest revenue (General Fund):

2018	278,393
2019	364,433
2020	92,982
2021 (so far)	9,081

Out-of-County Prisoner Housing Fees (General Fund):

2018	270,400
2019	195,100
2020	86,470
2021 (so far)	7,595

General Fund Expenditures:

2018	7,440,310
2019	7,317,733
2020	7,211,145
2021 (Budgeted)	7,527,684

General Fund Carryover:

Beginning of 2018	\$4,228,354
Beginning of 2019	2,881,273
Beginning of 2020	2,641,380
Beginning of 2021	1,973,149
Projected Beginning 2022	(551,410)

Draft #1

State of Kansas
County
2022

Notice of Budget Hearing:

The governing body of Allen County, Kansas, will meet on, at, at for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax. Detailed budget information is available at and will be available at this hearing.

Budget Summary

Proposed Budget 2022 Expenditures and Amount of 2021 Ad Valorem Tax establish the maximum limits of the 2022 budget. Estimated Tax Rate is subject to slight change depending on final assessed valuation.

FUND	Prior Year Actual for 2020		Current Year Estimate for 2021		Proposed Budget for 2022			Change
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2021 Ad Valorem Tax	Est Tax Rate*	
General	7,211,145	31.042	7,527,684	23.753	8,043,782	7,453,230	48.592	24.839
Special Purpose Funds:								
Airport	198,921	1.516	483,901	1.995	567,323	134,038	0.874	(1.171)
Ambulance	389,779	3.388	664,911	4.173	664,911	247,913	1.616	(2.557)
Appraiser's Cost	376,270	2.434	405,114	2.203	424,520	377,722	2.463	0.260
Conservation District	40,000	0.249	40,000	0.252	45,000	42,107	0.275	0.023
Election	169,404	0.818	179,967	0.928	190,142	158,154	1.031	0.103
Emergency Phone Equipment	67,168		91,000		91,000			
Historical Society	51,500	0.329	51,500	0.325	51,500	46,427	0.303	(0.022)
Intellectual Disabilities	70,000	0.439	70,000	0.441	70,000	63,856	0.416	(0.025)
Mental Health	153,588	0.960	153,588	0.973	156,660	144,523	0.942	(0.031)
Multi-County Health	100,000	0.625	115,000	0.735	115,000	105,508	0.688	(0.047)
Noxious Weed	77,134	0.618	127,991	0.574	129,486	72,883	0.475	(0.099)
Road and Bridge	3,290,318	19.462	4,436,008	23.890	4,561,412	2,519,659	16.427	(7.463)
Service Program for the Elderly	159,038	1.000	226,213	1.000	310,948	153,415	1.000	0.000
Special Alcohol	8,500		19,524		21,890			0.000
Special Bridge	80,393	0.000	1,035,947	1.513	1,036,804	88,688	0.578	(0.935)
Special Liability	32,069	0.000	35,000	0.079	126,974	28,577	0.186	0.107
Special Parks and Recreation	1,000		466		975			
Bond and Interest Funds:								
Hospital Sales Tax Debt Reserve	356,760		650,000		850,000			
Business Funds:								
Solid Waste	1,328,863		2,712,111		2,790,604			
Totals	14,161,850	62.880	19,025,925	62.834	20,248,930	11,636,700	75.866	13.032
Revenue Neutral Rate**								59.541
Less: Transfers	0		0		0			
Net Expenditure	14,161,850		19,025,925		20,248,930			
Total Tax Levied	9,354,735		9,224,367		XXXXXXXXXXXXXXXXXXXX			
Assessed Valuation	148,771,236		146,805,344		153,384,731			

Outstanding indebtedness, Jan. 1,	2019	2020	2021
General Obligation Bonds	-	-	-
Revenue Bonds	-	-	-
Other Debt	-	-	-
Lease Purchase Principal	-	-	-
Totals	-	-	-

* Tax Rates are expressed in mills.
** Revenue Neutral Rate as defined by 2021 Kansas Senate Bill 13

Sheriff Murphy stated housing out of county prisoners was down due to covid but is picking back up. Rodney stated the General Fund Expenditures are being kept flat but carryover keeps dropping. He has projected in the 1st draft that the mill levy will increase 16 mills over 2020, which is also over the revenue neutral rate. He explained to the commission they need to find areas to cut. Discussion on changes.

Sherriff Murphy explained his budget increases. Commissioner Daniels stated the county budgets have to level out, there has been sufficient increases over the last few years.

Chuck Apt, III, joined the meeting.

Commissioners adjourned for a 3-minute break.

Sherrie reported Attorney General Derek Schmidt would be available to be one of the guest speakers at the Southeast Kansas Regional Meeting that Allen County will be hosting on September 23, 2021.

Sherrie explained the difference between attorney vouchers; one is contracted the other is not.

Sherrie reported Naomi Ann Coltrane's Memorial was designated for Meals on Wheels and \$1,065.00 has been collected as a memorial so far. She stated that in 2020 Allen County paid \$44,730 for Meals on Wheels. This money is reimbursed back into the jail for

costs and we received \$7,509.62 for donations. Sheriff Murphy stated that is 17,892 meals a year. We serve up to 80 meals a day.

Chairman Symes opened the hearing for Michael Knavel, Property Condition Complaint. Terry Call, Allen County EMS Financial Director/Zoning Administrator, Michael Knavel, citizen, and Bret Heim, Attorney were present. Counselor Johnson requested commissioners continue the hearing for 30 days so clean up can continue. There has been progress so they would like to continue. Terry stated some is taken care of, Bob and Terry will keep an eye on it as the 30 days go. Commissioners granted the 30-day extension.

Chairman Symes discussed Area Agency on Aging services request for 2021. Discussion followed on Meals on Wheels. He suggested to pay \$3,000 instead of \$2,000 to cover services other than meals for Allen County.

Sherrie asked about the courtroom expansion committee. Commissioners agreed Judge Creitz, Judge Davis, Dina Morrison, Court Clerk, Commissioner David Lee, Sherrie L. Riebel, Allen County Clerk, Ron Holman, Allen County House and Grounds Director, Bryan J. Murphy, Allen County Sheriff, would serve on that committee and to have the court pick a citizen and Commissioner Lee has a citizen in mind from the public to serve.

Chairman Symes moved to go into executive session for 15 minutes to discuss Attorney Client Privilege. Commissioner Daniels seconded; motion passed 3-0-0. Those in the room will be Chairman Symes, Commissioner Lee, Commissioner Daniels, Terry Call, EMS Financial Director/Zoning Administrator, and Charles Apt, II. The time is now 10:20 a.m. Commissioners reconvened at 10:35 a.m. No action was taken.

Chairman Symes moved to go into executive session for 10 minutes to discuss Attorney Client Privilege. Commissioner Daniels seconded; motion passed 3-0-0. Those in the room will be Chairman Symes, Commissioner Lee, Commissioner Daniels, Terry Call, EMS Financial Director/Zoning Administrator, and Charles Apt, III. The time is now 10:37 a.m. Commissioners reconvened at 10:47 a.m. No action was taken.

Jason Jenkins, AMR Representative, discussed ambulance service they could provide for Allen County. Commissioners asked questions about services; staffing. Jason explained what would happen based on what the county design desires. Commissioner Daniels thanked Jason for coming to the commission meeting in case there were questions.

Rodney presented revised draft.

Draft #2

State of Kansas
County
2022

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Special Parks and Recreation	1,000		666		975			
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Hospital Sales Tax Debt Reserve	356,760		650,000		850,000			
Business Funds:								
Solid Waste	1,378,863		2,712,111		2,790,604			

Totals	14,161,850	62,880	18,335,635	62,834	19,428,594	10,182,667	66,386	3.552
Revenue Neutral Rate**							59,541	
Less: Transfers	0		0		0			
Net Expenditure	14,161,850		18,335,635		19,428,594			
Total Tax Levied	9,354,735		9,224,367		XXXXXXXXXXXXXXXX			
Assessed Valuation	148,771,236		146,805,344		153,384,731			
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Revenue Bonds		-	-	-				
Other Debt		-	-	-				
Lease Purchase Principal		-	-	-				
Totals		-	-	-				

* Tax Rates are expressed in mills.
** Revenue Neutral Rate as defined by 2021 Kansas Senate Bill 13

Discussion followed. Commissioners requested department heads cut more out of their budgets if they could.

Commissioners reviewed Resolution 202111:

Resolution 202111

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS TO MAKE CERTAIN FINDINGS REGARDING THE ANNEXATION OF PROPERTY IN ALLEN COUNTY, KANSAS

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

SECTION 1. The Board of Commissioners, Allen County, Kansas hereby FINDS as follows:

A. That a request for annexation of the following described land (the Property) has been presented to it by the owner of the Property, J.D. Harris, 519 S. Ohio, Iola, KS 66749:

HARLEM ADD TO IOLA, S36, T24, R18, BLOCK 1, Lot 2 & 3

B. That the Property does not adjoin land within the boundaries of the City of Iola.

C. That the annexation of the Property at the request of the Property's owner is advisable, desirable, beneficial, and in the public's interest.

SECTION 2. WHEREAS, The City of Iola, Kansas hereby respectfully requested that the Board of County Commissioners of Allen County, Kansas, find and determine that the annexation of the Property will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Allen County, Kansas, all as provided in KSA 12-520(c), as amended.

ADOPTED AND APPROVED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS THIS 13th DAY OF JULY 2021.

THE BOARD OF COUNTY COMMISSIONER OF ALLEN COUNTY, KANSAS

Commissioner Daniels moved to approved Resolution 2021 and annex 519 S. Ohio, Iola, KS into the City of Iola. Commissioner Lee seconded; motion passed 3-0-0

Chairman Symes discussed a contract with the State of Kansas Department of Transportation for Services to the Elderly van: a 5310 Contract. This provides operating expense funding for the elderly van. Commissioner Daniels moved to authorize the chairman signature on the document. Commissioner Lee seconded; motion passed 3-0-0

Commissioners reviewed the following documents:

- a) In the United States Bankruptcy Court for the District of Delaware court case
- b) Treasurer's Composition of Cash Balances and Investment reports for June, 2021.
- c) Monthly revenue reports from District Court, Public Works office, and Attorney's office.
- d) Fund Status report for ending month June 2021
- e) Memorandum from Bob Kent, Deputy Director, Division of Property Valuation on Property Tax Interest Rates for Calendar year 2022.
- f) Kansas Housing Resources Corp for Hope Unlimited for ESG Cares-FFY2020 Grant Payment.
- g) Allen County Solid Waste Financial Assurance Agency dtd 07/02/1997

Commissioners approved the following documents:

- a) Clerk's Vouchers – 7/8/2021-\$710,698.48 & 7/12/2021-\$25,401.11
- b) Journal Vouchers - #44, #45, #46, #47 & #48

- c) Payroll – Vacation Carry over of 48 hours for Nathan Jackson approved to be used before December 24, 2021 and vacation carry over of 24 hours for Brenda Beth to be used before December 23, 2021.
- d) Payroll – New hire Brandon Cameron as Assistant County Attorney.

With no further business to come before the board, Commissioner Lee moved to adjourn, Commissioner Daniels seconded, and motion passed 3-0-0. Meeting was adjourned at 11:22 a.m. until Tuesday, July 20, 2021 at 8:30 a.m. in the Assembly's Room of the courthouse.

Bruce Symes, Chairperson

Jerry Daniels, Commissioner

Sherrie L. Riebel, Allen County Clerk

David Lee, Commissioner