

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairman William "Bill" H. King, Commissioner Jerry Daniels, Commissioner Bruce Symes, and Jill Allen, Allen County Deputy Clerk.

Nick Reynolds, Humboldt Union, Trevor Hoag, Iola Register, Bryan J. Murphy, Allen County Sheriff, Robert Johnson II, Allen County Counselor, Angie Murphy, 911 Director, Terry Call, EMS Financial Director, Sherrie L Riebel, Allen County Clerk, Jami Clark, Allen County Appraiser, Darolyn "Crickett" Maley, Allen County Treasurer, Mitch Garner, Public Works Director, Michelle Meiwes, ACMAT representative, Rebecca Johnson, and Susan Belt, SEK Multi-County Health Department, Jon Wells, Iola City Mayor, Larry Walden, Jennifer Coltrane & Paul Zirjacks, citizens, was present to observe the meeting.

Chairman King led the group in the Pledge of Allegiance.

Commissioners approved the minutes of the regular meeting on June 23, 2020

Mitch reported on grader training. Chairman King mentioned strobe lights and Mitch confirmed they should be on. He said dust control started going down this morning. They'll finish by noon tomorrow.

Cole Herder, Humboldt City Administrator joined the meeting.

Michelle Meiwes, ACMAT representative, thanked commissioners for their consideration on Family Safety Night. The ACMAT board has elected to cancel Family Safety Night due to current conditions. She talked about the need to provide school supplies. They are thinking about doing a drive-through type thing to hand out supplies. She said she talked to the City of Iola and they are also supportive. Commissioner Symes asked where they'd have the drive-through. Michelle said they'd ask for permission to maybe use the courthouse square at that time.

Jon wells, Iola City Mayor, stated the 891st send-off was cancelled; therefore the City has thought about declaring July 5, 2020 to be 891st Day in Allen County. He presented a proclamation. Commissioner Daniels read the proclamation. Commissioner Daniels moved Chairman King sign the proclamation, Commissioner Symes seconded, motion carried 3-0-0.

PROCLAMATION

WHEREAS, we the citizens of Allen County, Kansas would like to express our appreciation to The 891st Army National Guard; and

WHEREAS, Our 891st Army National Guard has on countless occasions put their civilian lives on hold – leaving behind family, friends, and vocation – to defend freedom and the rights of all Americans; and

WHEREAS, The men and women of the 891st make significant contributions to both our thriving economy and our strong national defense. In all facets of the civilian workforce, from small businesses to large corporations, they bring to bear considerable expertise, experience and professionalism. In uniform, they serve with honor and distinction as they respond to natural disasters and emergencies, train to ensure operational readiness, and deploy in support of critical operations; and

WHEREAS, The men and women of the 891st leave behind their families as well as their jobs in service to our great Nation; and

WHEREAS, The 891st Army National Guard will be on a yearlong deployment to Kuwait. They will be tasked with various construction projects in support of Operation Spartan Shield, which in part provides an American presence in one of the most volatile areas of the world.

NOW, THEREFORE BE IT RESOLVED, July 5, 2020, be designated as “891st Army National Guard Day” here within Allen County.

Chairman King invited Rebecca Johnson, SEK Multi-County Health Director, to come forward, as he talked about the face mask order from the governor. He asked her about recommendation versus order. Bob said counties can opt out but you have to have significant reason. Sheriff Murphy said the governor's orders have yet to be reviewed by the Attorney General's office.

Jennifer Coltrane asked what is the enforcement of this? There are a lot of people that say no to this. This would be a burden to our law enforcement. How are we going to play it? How long will this go on? The virus is going to spread regardless. Commissioner Daniels agrees it's almost impossible to enforce. He looks forward to more clarification. Sheriff Murphy said it would be a civil offense, not a criminal offense, so no arrests. Commissioner Symes reminded that the previous commission decision was to leave it up to the individual entities. He looks to the health experts for guidance on this. Angie Murphy said she understood that if the governor says it's an order, then the county doesn't get to choose to opt out. Commissioner Symes doesn't believe he interprets it the same way Angie does. He will wait on more clarification. Rebecca asked to be involved if there's a special meeting about this. Cole Herder mentioned enforcement. Mr. Zirjacks asked how big is the problem in Allen County. Rebecca said our surrounding counties have new cases. It could be persons in Allen aren't getting tested.

Lisse Regehr, Thrive President & CEO, Jonathan Goering, Thrive Economic Development Director and Jessica Thompson, Thrive Director of Development joined the meeting.

Lissa Regehr, Thrive Director, commented on the agreement between Thrive and Allen County. Commissioner Symes moved to approve the contract with Thrive on the CDGB grant, Commissioner Daniels seconded, motion passed 3-0-0. Sherrie asked for clarification on the fund to pay the administrative fee. Commissioner Symes moved to pay the administrative fee of \$7500 from the county general fund, Commissioner Daniels seconded, motion passed 3-0-0.

Commissioner Daniels moved to go into executive session for 15 minutes to discuss Attorney-Client Privilege. Commissioner Symes seconded; motion passed 3-0-0. Those in the room will be Chairman King, Commissioner Symes, Commissioner Daniels, Sherrie L Riebel, Allen County Clerk, Lisse Regehr, Thrive Director, Jessica Thompson, Thrive and Robert Johnson, II, Allen County Counselor. The time is now 9:06 a.m. Commissioners reconvened at 9:21 a.m. No action was taken.

Lisse stated the county, under the CARES act will be awarded 2.4 million Dollars on July 15. It needs to be decided how the money will be spent, need a plan by August 15 or the money goes back to the state. There is a reimbursement part that goes back to March 15. Anything that was spent mainly for COVID can be reimbursed through this funding. This information needs to be gathered and submitted. The different entities will have their own needs and all need to have input. Currently Thrive has been talking with the commission to administer this and be sure all the different voices are heard. Commissioner Symes clarified that it is for any public entity in Allen County. We have an emergency declaration in place. Angie said we can't do both for the same items, either FEMA or CARES. CARES is 100%, FEMA is 85%. Lisse said the money can be used to match FEMA funds. Commissioner Daniels said they've asked Lisse & Thrive to come up with a plan for next week. Susan Belt, SEK Multi-County Health Dept. asked if Thrive is officially engaged as the contractor, Chairman King stated no. Susan asked who makes final decisions? Lisse stated the commissioners will.

Commissioner Symes discussed the County Coronavirus Relief Fund Resolution 202010; we will recognize the Sparks program and put in place the resources to administer such. Commissioner Symes moved to approve Resolution 202010, Commissioner Daniels seconded, motion passed 3-0-0.

County Coronavirus Relief Fund Resolution 202010

WHEREAS, securing the health, safety, and economic well-being of our residents is this ALLEN COUNTY's top priority;

WHEREAS, ALLEN COUNTY is facing both a public health and economic crisis – the pandemic and public health emergency of COVID-19 – which has resulted in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS, as of this date, in ALLEN COUNTY there have been 2 reported positive cases of COVID-19, including 0 deaths with a likely second wave of COVID-19 cases expected in the Fall;

WHEREAS, the ALLEN COUNTY must remain flexible to account for the evolving nature and scope of the unprecedented public health emergency posed by COVID-19, while also simultaneously beginning the process of safely, strategically, and incrementally reopening business and facilitating economic recovery and revitalization;

WHEREAS, for the aforementioned and other reasons, and in recognition and furtherance of my responsibility to provide for and ensure the health, safety, security, and welfare of the people of the ALLEN COUNTY, ALLEN COUNTY has determined that the evolving public health and economic threats posed by COVID-19 require a proactive approach to provide immediate financial relief and long-term economic investment to communities within ALLEN COUNTY;

WHEREAS, in these challenging times, this ALLEN COUNTY will do whatever it can to avoid immediate dangers to the health, safety, and welfare of our constituents and prepare for future waves of COVID-19, including providing guidance and support for local municipal and educational entities who are making difficult and important decisions to protect the health and safety of their populations and facing significant economic challenges;

WHEREAS, on JUNE 19, 2020 the State Finance Council approved the Strengthening People and Revitalizing Kansas (SPARK) Taskforce's proposal to distribute \$2,482,283 to ALLEN COUNTY help address the health and economic challenges inflicted by COVID-19 based on ALLEN COUNTY's population and impact from COVID-19 with funds provided for reimbursement of COVID-19 related costs and as direct aid unless otherwise approved by the SPARK Taskforce.

Be it resolved that, pursuant to the authority vested in BOARD OF COMMISSIONERS OF ALLEN COUNTY , including the authority granted to this body by 202010, in order to begin the process of safely, strategically, and proactively providing communities within ALLEN COUNTY the resources they need to both mitigating the spread of COVID-19 and invest in long-term economic recovery, BOARD OF COMMISSIONERS OF ALLEN COUNTY accepts any funds appropriated to ALLEN COUNTY by the State of Kansas through the State's Coronavirus Relief Fund pursuant to the following terms designed to ensure the lawful use of funds and transparency, equity, and accountability:

1. Section 5001 of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act, as codified in 42 U.S.C. § 801, provides the eligible purposes for which Coronavirus Relief Fund ("CRF") payments may be used. Under 42 U.S.C. § 801(d) funds may be used for:
 - a. necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);
 - b. not accounted for in the budget most recently approved for the county as of March 27, 2020; and
 - c. incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

2. The following are examples of public health expenditures allowed pursuant to paragraph 1.a. above and 42 U.S.C. § 801(d):
 - COVID-19 related expenses of public hospitals or clinics
 - COVID-19 testing and quarantine costs
 - Payroll of employees substantially dedicated to COVID-19 mitigation or response
 - Expenses for establishing and operating public telemedicine capabilities
 - Technological improvements to facilitate distance learning
 - Improving telework capabilities
 - Grants or loans to small businesses to reimburse the costs of business interruption caused by required closures
 - Government payroll support program
 - Unemployment insurance costs related to COVID-19
3. The following are examples of public health expenditures NOT allowed pursuant to paragraph 1.a. above and 42 U.S.C. § 801(d):
 - Damages covered by insurance
 - Payroll or benefits for employees not substantially dedicated to mitigating or responding to COVID-19
 - Expenses that will be reimbursed under any federal program
 - Reimbursement to donors for donating items or services
 - Workforce bonuses other than hazard pay or overtime
 - Severance pay
 - Legal settlements
4. Additionally, as outlined in guidance issued by the Congressional Research Service on April 14, 2020, “Coronavirus Relief Fund payments may not be used to directly account for revenue shortfalls related to the COVID-19 outbreak. Such funds, however, may indirectly assist with revenue shortfalls in cases where expenses paid for by the Coronavirus Relief Fund would otherwise widen the gap between government outlays and receipts.”

5. To ensure the effective and timely oversight of local and state spending, and pursuant to a motion passed by the SPARK Taskforce on June 2, 2020, ALLEN COUNTY will comply with the following reporting and recoupment structure:
 - a. On August 15, 2020, counties will provide a first reconciliation of CRF funds. This reconciliation will constitute any additional receipts to be reimbursed through the CRF and a plan for spending the flexible direct aid and any unused funds provided to the county pursuant to the allowable expenditures outlined in 42 U.S.C. § 801(d). The SPARK Taskforce will approve the submitted direct aid spending plan in a timely manner upon receipt.
 - i. Additionally, any funds held by a county that have not been appropriated through the county's direct aid plan by August 15, 2020, for expenditures to occur prior to December 30, 2020, must be returned to the State for recoupment by September 15, 2020.
 - b. On September 15, 2020, counties will provide a second reconciliation of CRF funds. This reconciliation will constitute any additional receipts to be reimbursed through the CRF and an accounting of all additional spending as approved through their respective direct aid plan.
 - c. On November 1, 2020, counties will provide a third reconciliation of CRF funds. This reconciliation will constitute any additional receipts to be reimbursed through the CRF and an accounting of all additional spending as approved through their respective direct aid plan.
 - d. On December 1, 2020, counties will provide a fourth reconciliation of CRF funds. This reconciliation will constitute any additional receipts to be reimbursed through the CRF and an accounting of all additional spending as approved through their respective direct aid plan.
 - e. On February 1, 2021, counties will provide a fifth and final reconciliation of CRF funds. This date may be subject to change based on updated federal guidance for final federal reconciliation and recoupment deadlines. This reconciliation will constitute any additional receipts to be reimbursed through the CRF and an accounting of all additional spending as approved through their respective direct aid plan.
 - f. Any unspent funds not accounted for in the county's direct aid plan or otherwise unspent by December 30, 2020 must be returned to the State for recoupment. All reconciliation documents submitted to the SPARK Taskforce will be made publicly available by the Governor's Office of Recovery.

6. To ensure transparency and accountability in the deliberation, expenditure, and oversight processes associated with CRF funds, ALLEN COUNTY, in conjunction with the SPARK Taskforce and the Office of Recovery, will:
 - a. Make publicly accessible all meetings or hearings in which CRF expenditures are considered.
 - b. Make publicly accessible any meeting materials associated with the expenditure of CRF funds, including but not limited to agendas, presentations, and minutes.
 - c. Make publicly accessible a detailed and timely accounting of CRF spending, including any financial reconciliation materials.
 - d. Create, publicize, and manage a process for non-governmental organizations, businesses, and ALLEN COUNTY residents to provide comments on spending decisions, submit requests for new programs, and ask questions regarding CRF spending or administration.
 - e. Create, publicize, and manage a process for any local entities receiving CRF funds to report spending and outcomes.
7. To ensure that all educational and municipal entities within counties receive CRF funds to meet their respective health and economic challenges, the SPARK Taskforce Executive Committee passed a motion on June 2, 2020, to direct counties to allocate and share CRF funding to public educational and municipal entities within their counties. Pursuant to this motion, ALLEN COUNTY, will develop and implement a process to share, allocate, account for, and recoup funds appropriated to public educational and municipal entities within their counties for reimbursement of COVID-19 related expenses and provide reasonable consideration of flexible direct aid spending requests made to the county by public educational and municipal entities pursuant to the provisions of 42 U.S.C. § 801.
 - a. If a public educational or municipal entity has locations in more than one county, the entity should be treated as located in the county in which the entity's principal office or headquarters is located.
8. The COVID-19 pandemic has disproportionately impacted racial minorities within the State of Kansas, illustrating long-standing health disparities for African-American, Latino, and other racial minority populations in the United States. Accordingly, ALLEN COUNTY will consider and incorporate efforts to address such disproportionate impacts on racial minorities in its direct aid plan.
9. As provided in 42 U.S.C. § 801(f), the Inspector General of the Department of the Treasury determines whether CRF payments have been used for eligible purposes. Fund payments that are deemed to have been used for ineligible purposes are

treated as a debt owed by the implementing government to Treasury. This resolution signifies that, upon approval, ALLEN COUNTY agrees to cooperate with any audits or inquiries by the Department of the Treasury concerning CRF funds and agrees to pay any debt incurred to the Department of the Treasury due to ineligible expenditures of appropriated CRF funds.

10. ALLEN COUNTY understands that the United States Department of the Treasury or the Governor's Office of Recovery may issue guidance regarding the transfer, expenditure, reimbursement, or other use of CRF funds.

This document shall be filed with BOARD OF COMMISSIONERS OF ALLEN COUNTY. It shall become effective as of JUNE 30, 2020.

APPROVED BY THE GOVERNING BODY OF THE COUNTY OF ALLEN, KANSAS, this 30th day of June, 2020.

Ron Holman, Grounds & Maintenance, asked for bids for the Humboldt Senior Center bathroom. Only one received back from Ryan Murry, Murry Construction for \$2200.00 to do flooring and handicap assessable toilet. Commissioner Daniels moved to approve bid for \$2200.00 from Ryan Murry, Commissioner Symes seconded, motion passed 3-0-0.

Terry Call, EMS Financial Director, reported on the ambulance station at Humboldt. Commissioners should be able to discuss an open house for such next Tuesday.

Terry presented some pricing information for the fire department. He got quotes from three different vendors; Ozark Rescue, Rescue Tec, and NRS. Commissioner Daniels moved to approve the bid from Ozark Rescue for \$3021.13, Commissioner Symes seconded, motion passed 3-0-0.

Cole reported Humboldt will have fireworks display Friday, July 3 at dusk. It will take place at Humboldt Golf Course.

Trevor asked if the commissioners feel comfortable saying that if they can get out of the mask order, that's how they'll proceed. Chairman King said they're not ready to make that decision as of yet. They are waiting for further explanation. They are leaving open the possibility of having a special meeting, most likely would be held Thursday afternoon.

Commissioner Symes moved to go into executive session for 5 minutes to discuss Non-elected Personnel. Commissioner Symes seconded; motion passed 3-0-0. Those in the room will be Chairman King, Commissioner Symes, Commissioner Daniels, Sherrie L Riebel and Robert Johnson II, County Counselor. The time is now 9:55 a.m. Commissioners reconvened at 10:00 a.m. No action taken.

Commissioner Daniels moved to go into executive session for 15 minutes to discuss Attorney-Client Privilege for contract negotiations and liability. Commissioner Symes seconded; motion passed 3-0-0. Those in the room will be Chairman King, Commissioner Symes, Commissioner Daniels, and Robert Johnson, II, Allen County Counselor. The time is now 10:02 a.m. Commissioners reconvened at 10:17 a.m. No action was taken.

Chairman King commended Bob Johnson, County Counselor, on all his work on the hospital negotiations. Commissioner Daniels mentioned the work former County Counselor, Alan Weber had done as well. The Hospital Board of Trustees were also

publicly thanked for all they did. Bob stated Allen County has a really good hospital board.

Commissioners approved the following documents:

- a) Payroll – reimbursement for Terry Call – mileage & supplies and Cindy Scovill - mileage
- b) Clerk's Vouchers – 6/25/2020-\$233,993.24 & 6/29/2020-\$45,460.15
- c) Abatements: RE Value 150, \$21.12 ,Yr 2017
RE Value 150, \$20.58, Yr 2018
RE Value 150, \$23.30, Yr 2019

With no further business to come before the board, Commissioner Daniels moved to adjourn, Commissioner Symes seconded, and motion passed 3-0-0. Meeting was adjourned at 10:19 a.m. until Tuesday, July 7, 2020 at 8:30 a.m. in the Assembly Room of the courthouse.

William H. King, Chairperson

Bruce Symes, Commissioner

Jill Allen, Deputy County Clerk

Jerry Daniels, Commissioner