

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairman David Lee, Commissioner Daniels, Commissioner Symes and Shannon Patterson, Allen County Clerk.

Vickie Moss, Iola Register, Robert Johnson, II, County Counselor, Mark Griffith, Road & Bridge Director, Mitchell Garner, Public Works Director, Terry Call, Planning & Zoning Director, Jason Trego, Emergency Management Director, Bryan Murphy, Sheriff, Rickie Aiello, Allen County employee, Darrell Baughn, citizen, and Paul Zirjacks, citizen, was present to observe the meeting.

Chairman Lee led the group in the Pledge of Allegiance.

Commissioners approved the minutes of the regular meetings on March 14, 2023 and March 21, 2023.

Chairman Lee asked for public comment, there was none.

Mitchell Garner, Public Works Director, reported on the opening of bids for the runway. Only one bid was received from Strukel Electric. The total bid is for \$766,350.00 with the following breakdowns: runway lights, wind cone, and vault at \$442,066.00; PAPI lights at \$120,338.00; REILs at \$33,603.00; AWOS at \$170,343.00. Discussion followed. Estimated start would be this fall. Commissioner Daniels moved to accept the bid from Strukel Electric Commissioner Symes seconded; motion passed 3-0-0.

Mitch presented a proposal for new fencing at the landfill to help with catching the trash that is blowing out. The thought is to put up 50'-60' fencing. He is working on getting quotes on the pricing; he just wanted to show what he is looking at. Discussion followed.

Chairman Lee asked on the progress of the landfill project. Discussion followed.

Mark Griffith, Road & Bridge Director, reported on 5 miles of Nebraska Rd that will be getting chip sealed with help from the state.

Mark reported they are pulling slabs from the airport. Discussion followed.

Mark reported on a meeting this evening at 6:30 p.m. tonight in Mildred. They will be discussing the road work that will be done in that area.

Mark reported his road and bridge crews will be going to 10-hour days in April.

Jason Trego, Emergency Management, reported on a call that he was on that was reporting high fire danger for Thursday and Friday of this week. Resolution 202304 (title) was presented.

RESOLUTION NO. 202304 ALLEN COUNTY, KANSAS
A RESOLUTION INSTITUTING A BURN BAN FOR
ALLEN COUNTY, KANSAS

WHEREAS, on this 28th day of March, 2023, the Commissioners find that dangerous conditions continue to exist in the unincorporated areas of Allen County, Kansas due to excessively dry and windy weather and that the potential for fires which could cause damage to both persons and property has greatly increased; and

WHEREAS, the current conditions endanger the health, safety and welfare of persons and property within the borders of Allen County, Kansas and that a burn ban should be imposed in the unincorporated areas of Allen County, Kansas until weather conditions change.

NOW, THEREFORE, the Board of Commissioners of Allen County, Kansas does hereby resolve as follows:

- a) That pursuant to K.S.A. 48-932, a local emergency exists within Allen County, Kansas.
- b) That the entire unincorporated area of Allen County, Kansas is covered by this resolution.
- c) That the Board of County Commissioners has all rights and powers to perform such functions as are vested in said Board by and through the provisions of the Kansas Emergency Preparedness Act of 1975.
- d) That a ban on all open burning, inclusive of any type of controlled burning of grass, brush, weeds, trees, trash or debris as well as campfires and including fireworks within the unincorporated area of Allen County, Kansas shall go in effect at 12:00 midnight on Thursday, March 30, 2023 with the following exceptions:
 - (a). Building, maintaining, attending or using an open fire or campfire in permanent stoves or fireplaces or barbeque grills in developed recreational sites or residential sites.
 - (b). Prescribed burning for crop production or grassland management may only be conducted upon the **written permission of and upon the specific conditions required** by the Allen County Sheriff, Bryan Murphy.
- e) This burn ban shall remain in effect until 12:00 midnight Saturday, April 1, 2023.
- f) A violation of this resolution shall constitute a Class A Misdemeanor punishable under the Laws of the State of Kansas, and the Sheriff of Allen County, Kansas his deputies and authorized agents shall have the authority to enforce this resolution and the provisions therein.

7. This Resolution shall be published in the official county newspaper, The Iola Register and in The Humboldt Union.

RESOLVED THIS 28th DAY OF MARCH, 2023.

Darrell Baughn spoke on behalf of the fire ban. He would like to see some repercussions should someone violate the burn ban and the fire departments get dispatched. Discussion followed. Commissioner Symes moved to approve the Resolution 202304. Commissioner Daniels seconded; motion passed 3-0-0.

Commissioners discussed options on what to look at for repercussions for violating the burn ban.

Shannon Patterson, County Clerk, presented the Economic Development Service Agreement. Discussion followed. Commissioner Daniels moved to approve Chairman Lee's signature on the agreement. Commissioner Symes seconded; motion passed 3-0-0.

Robert Johnson, County Counselor, reported that Friday, March 31, 2023 at 10:00 a.m. will be the answer hearing for the tax sale. At this time the judge can order for the sale to happen. Paul Zirjacks, citizen, asked where the sale will happen and if the properties will have the physical address as well. Discussion followed.

Commissioner Daniels moved to go into executive session for 10 minutes for Attorney Client for land acquisition. Commissioner Symes seconded; motion passed 3-0-0. The time is now 9:12 a.m. Those present will be Commissioners, Mark Griffith, Road and Bridge Director, and Robert Johnson II, Allen County Counselor. Commissioners reconvened at 9:22 a.m. No action taken.

Commissioner Symes moved to go back into executive session for 5 minutes for Attorney Client. Commissioner Daniels seconded; motion passed 3-0-0. The time is now 9:24 a.m. Those present will be Commissioners, and Robert Johnson II, Allen County Counselor. Commissioners reconvened at 9:29 a.m. No action taken.

Chairman Lee moved to go into executive session for 15 minutes for contract negotiations. Commissioner Symes seconded; motion passed 3-0-0. The time is now 9:35 a.m. Those present will be Commissioners, Terry Call, Zoning Administrator, and Jerry Hathaway, Allen County Attorney. Commissioners reconvened at 9:50 a.m. No action taken.

Rachel Moore, Thrive Allen County, joined the meeting.

Chairman Lee moved to go back into executive session for 5 minutes for contract negotiations. Commissioner Symes seconded; motion passed 3-0-0. The time is now 9:52 a.m. Those present will be Commissioners, Terry Call, Zoning Administrator, and Jerry Hathaway, Allen County Attorney. Commissioners reconvened at 9:57 a.m. No action taken.

Rachel Moore, Thrive Allen County, reported that the Register of Deeds project has now been completed. It came in under budget so the remainder of the obligation has been put back into the balance left to be used. Discussion followed on remaining projects to be completed and any future projects being presented.

Commissioner Daniels asked about the application for the airport museum grant. Rachel stated that April 3rd was the first possible date to hear about it.

Commissioners reviewed the following documents:

- a) February monthly report for Public Works office

Commissioners approved the following documents:

- g) Clerk's Vouchers - \$406,969.84
- h) Payroll –Enrollment for Douglas Smoot
- i) Payroll – Vacation carryover for Marion Wayne Carson, Rikki Witchley
- j) Clerk's Journal Entries – #16, 17, 18
- k) Abatements – RE, Value 5415, \$727.36, year 2022
RE, Value 4940, \$671.40, year 2021
PP, Value 2719, \$467.24, year 2022
Oil, Value 19,631, \$3133.52, year 2022
Oil, Value 297, \$47.06, year 2021

With no further business to come before the board, Commissioner Daniels moved to adjourn, Commissioner Symes seconded; motion passed 3-0-0. Meeting was adjourned at 10:11 a.m. until Tuesday, April 4, 2023 at 8:30 a.m. in the Assembly Room of the courthouse.

David E. Lee, Chairperson

Bruce Symes, Commissioner

Shannon Patterson, County Clerk

Jerry Daniels, Commissioner