

COMMISSIONER PROCEEDINGS

April 5, 2021

- Call to Order: The Lincoln County Board of Commissioners met in the courthouse commission meeting room Monday, April 5, 2021. Chairman Randy Lohmann called the meeting to order at 8:30 a.m. with Vice-Chairman Dennis Ray and Member Darrell Oetting present. County Clerk Dawn Harlow was in attendance as recording secretary.
- Visitors: Others present for portions of the meeting: Baldwin Fisher, Jennifer O'Hare, Caleb Holeman, and Allan Serrien.
- Correspondence: Correspondence: a letter from the Lincoln County History Comes Alive Committee regarding signage placement identifying historical points of interest on county property and installation on road right-of-way; and an email from DVACK requesting the board proclaim April as Sexual Assault Awareness Month.
- Correspondence Action: Randy Lohmann moved to have the Historical Society proceed with putting up these signs; however, they should contact the landowners first before placing the signs. Lohmann withdrew the motion. The board approved allowing the Historical Society to place the signage; however, they need to notify the county for specific requests to install on county road right-of-way. Dennis Ray moved to allow the chairman to sign the DVACK Sexual Assault Awareness Proclamation, seconded by Darrell Oetting. Motion carried. The board discussed the Kansas Nebraska Heritage Area Partnership and President Biden's 30 by 30 plan.
- Emergency Management: Emergency Manager Baldwin Fisher inquired about the North Central Regional Planning Commission's role in completing the CDBG grant project's bid documents.
- Minutes Approved: Dennis Ray moved to approve the March 29 minutes as written, seconded by Darrell Oetting. Motion carried. Darrell Oetting moved to accept the March 31 minutes as corrected, seconded by Dennis Ray. Motion carried.
- Bids Opened & Awarded/Courthouse Studies: The board opened the bids received to complete the three courthouse studies. Dennis Ray moved to award Terracon the geotechnical study and report in the amount of \$4,500, seconded Randy Lohmann. Motion carried. Dennis Ray moved to hire Kirkham Michael to do the Site Survey in the amount of \$5,500, seconded by Darrell Oetting. Motion carried. No bids were received to conduct the environmental testing and report. The board requested Clerk Harlow contact Julia Mathias Manglitz, TreanorHL, to identify companies to complete the environmental study.
- Tax Sale Properties: Commissioner Ray reported that the PRIDE Committee will tear down the property received through the tax sale on April 17 and that he will be volunteering his equipment and time towards the project. The group conversed about the disposal of the properties on N 3rd St and W Lincoln Ave.
- Recess/Reconvene: The chairman recessed the meeting for ten minutes at 9:27 a.m. The chairman reconvened the meeting to regular session at 9:37 a.m.

Highway Department: Interim Director of Highway Department Caleb Holeman presented two gravel agreements for the board's approval. Holeman related that the Schroeder's had inquired about receiving gravel each year if they leased a pit to the county. The board approved offering an amendment to the owners of the current gravel/removal purchase agreements. Dennis Ray moved to approve the Rosebrook pit expiring March 31, 2023, and the Murray pit expiring March 31, 2022, as presented, seconded by Randy Lohmann. Motion carried. (Gravel Removal/Purchase Agreement for Jeremy Rosebrook & Holl Hill Ranch and Mark Murray) Holeman updated the board on the project to patch the asphalt roads. Holeman inquired how the board would like him to address situations when residents remove materials from county roads. Holeman provided estimates to purchase extended warranties for a motor grader and loader. No decision was made on this date. The board requested that the highway department remove remaining household items from the N 3rd St property on rainy days when the department cannot work on road projects. The board forwarded project requests for the Wilson Lake Estates. Holeman forwarded a request from Milton Wehrman, asking that the county remove the other wall from a bridge that is currently missing a wall due to an accident. The board declined the request.

County Attorney/
Executive Session: County Attorney Jennifer O'Hare requested an executive session. Randy Lohmann moved to recess into executive session for fifteen minutes for the purpose of discussing the Illegal levy complaint and legal advice, pursuant to K.S.A. 75-4319(2)(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship, to reconvene in the courthouse commissioner room, with the commission, Jennifer O'Hare County Attorney, and the County Clerk (Harlow), seconded by Dennis Ray. Motion carried. Time in: 10:33 a.m. Time out: 10:48 a.m.

Reconvene/ Counsel
Approved for Illegal Tax
Levy Complaint: The chairman reconvened the meeting to regular session at 10:48 a.m. Randy Lohmann moved to have the Lincoln County Attorney contact Mr. Mike Montoya to have him be Lincoln County counsel concerning this illegal levy complaint to appear at the Board of Tax Appeals on May 27, seconded by Dennis Ray. Motion carried.

Inquiry: Allan Serrien inquired about what the illegal levy complaint is referencing.

Adjourn: The chairman adjourned the meeting at 11:02 a.m. The next meeting will be Monday, April 12, 2021, at 8:30 a.m., in the courthouse commission meeting room.