

COMMISSIONER PROCEEDINGS

September 30, 2019

Call to Order: The regular meeting of the Lincoln County Board of Commissioners was held in the commission meeting room of the courthouse Monday, September 30, 2019. Chairman Alexis Pflugh called the meeting to order at 10:00 a.m. with Vice-Chairman Randy Lohmann and Member James Gabelmann present. County Clerk Dawn Harlow was in attendance.

Visitors: Others present for portions of the meeting: Mona Gerstmann, Cynthia Nelson, Darrell Oetting, Mike Weigel, Leann Bishop, Sharon Dohe, Howard Wehrmann, Ladonna Reinert, Brendan Mackay, Tanner Yost, David Gerstmann, Dan Finnegan and Brad Schiermeyer.

Correspondence: Correspondence: letter from Lincoln County Attorney denying the ability for her staff to assist the highway department and a letter from Liz Lee declining the offer to assist; bill for Lincoln Park Manor; the 2018 Lincoln County Audit; County inventory through December 31, 2018; invitation to join a class action lawsuit regarding opioids; training opportunities; and email from Ladonna Reinert regarding Hunter Siren.

Minutes Approved: James Gabelmann moved to approve the minutes as written, both sets, seconded by Randy Lohmann. Motion carried. (September 23, 2019 regular meeting, September 25, 2019 special meeting)

Executive Session: Alexis Pflugh moved to recess into executive session for twenty minutes to open the confidential communications packet from Jennifer O'Hare, County Attorney regarding Wilson Lake Estates, 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 commission meeting room, with the board, seconded by James Gabelmann. Motion failed. Voting as follows: Lohmann – Aye; Pflugh – Nay; Gabelmann – Nay.

Correspondence: The board reviewed the information received from County Attorney O'Hare in open session. The board discussed the following topics regarding the Wilson Lake Estates: plat map; construction of the roads; Attorney General's 1991 opinion; roads not built to standards; new home construction is potentially affecting current road infrastructure and drainage; the developer is responsible for building the road infrastructure to standards and could be held liable; and building an alternate access. Commissioner Pflugh related that the Wilson Lake Estates Home Owners Association has contacted her that if the county is not willing to repair the roads, then perhaps exclude them from Lincoln County as an option.

Department Head Meeting: Health Nurse/Administrator Ladonna Reinert provided an update on the county department head meeting regarding the following subjects: evaluations; mileage reimbursement rates; meal reimbursement rates; handbook pages and purchasing policy. Reinert related that nursing home residents and families asked her to tell the board that they would like to visit with board members regarding the nursing home future.

Inquiry: Darrell Oetting inquired if it was now the policy of the board that any member of the public can remove culverts or materials from County roads and nothing will be done. Board members related that it is not the policy and that individuals should report such incidents. The board instructed the Director of Highway Department Mackay to turn over documentation to the

Sheriff's Department regarding the removal of a culvert from a county road; and instructed Makay to report any future incidents to law enforcement.

Highway Department: Director of Highway Department Brendan Mackay reported on the following topics: culvert is needed in the area that the culvert was removed by a resident in Cedron Township; Alan Aufdemberge requested that the county remove a field entrance and clean the ditch, and has offered to allow the county to dispose of excess materials on his property; Hawk Dr culvert failure; road failure near the Spillman Creek on N 150th Rd has become dangerous and one gas line marker is no longer visible, which indicates the road continues to cave off; the board approved permanently closing the road; culvert replacement project for Mueller and Walker; forwarded a road closure request from Krista Cheney; road maintenance agreement presented for the Smoky Hills Windfarm repower project; forwarded a request to purchase gravel, the board denied; and the Block pit was seeded in June and will contact the state to complete the closure. Mackay presented a resignation received from Emmett Howg.

Highway Department: Tanner Yost, Kirkham Michael reported that the landslide on N 280th Rd is located on private property as the existing road right-of-way is 60 foot, the county did move material that slid into the ditch however to properly repair the county would need to move onto private property. The board consensus was to only make repairs in the right-of-way and monitor the area. Yost updated the board on the bridge replacement applications; status of the tuck pointing project; bridge on N 170th Rd is missing planks and pilings are failing, discussed potentially using concrete lego blocks to repair. Yost reported that OS 112 was selected to receive grant funding and presented form 1302 for the board's approval. Alexis Pflugh moved to have the commission sign the project programming request for OS 112, seconded by Randy Lohmann. Motion carried. Yost presented the contract to perform engineering, design and surveys for the project for a lump sum cost of \$42,000. James Gabelmann moved to approve and sign the document, seconded by Randy Lohmann. Motion carried. (Agreement for Engineering Services for OS 112)

Executive Session: Randy Lohmann moved to recess into executive session for ten minutes for the purpose of discussing job offers for the Office Manager position, pursuant to K.S.A. 75-4319(2)(b)(3) to discuss employer-employee negotiations whether or not in consultation with the representative or representatives of the public body or agency, to reconvene in the commissioner's room, with Director of Highway (Mackay), County Clerk (Harlow) and County Commission, seconded by Alexis Pflugh. Motion carried. Time in: 12:19 p.m. Time out: 12:29 p.m.

Reconvene: The chairman reconvened the meeting to regular session at 12:29 p.m. with no action taken. The board approved a job offer for the candidate that Mackay has selected.

Human Resource Candidate: James Gabelmann moved to remove Lori Lee her from the list of candidates for consideration for the Human Resource Officer position, seconded by Alexis Pflugh. Motion carried.

IT Services: Brad Schiermeyer and Dan Finnegan, Wilson Communications provided a bid for managed IT services as compared to the current contracts with Nex-Tech. The board authorized Wilson Communications to work with each of the departments to complete a thorough quote for managed services.

Executive Session: Alexis Pflugh moved to recess into executive session for ten minutes for the purpose of speaking to Lori Lee who they have been in contact with for HR, pursuant to K.S.A. 75-4319(2)(b)(3) to

discuss employer-employee negotiations whether or not in consultation with the representative or representatives of the public body or agency, with the commission, Acting HR (Clerk Harlow), and Lori Lee, seconded by Randy Lohmann. Motion carried. Time in: 12:52 p.m. Time out: 1:02 p.m.

- Reconvene: The chairman reconvened the meeting to regular session at 1:02 p.m. with no action taken.
- Recess/Reconvene: The chairman recessed the meeting at 1:02 p.m. for lunch. The chairman reconvened the meeting to regular session at 2:05 p.m.
- Health Insurance: Rhonda Fernandez, PIC Benefits Services provided and reviewed the cost information and plan to plan comparison between the Blue Cross Blue Shield bid and the State of Kansas Health Plan for the 2020 health insurance premiums and provided a total cost estimation utilizing current census information. The board discussed paying 100% of the employee cost and requiring employees on family plans to pay a higher premium than the 10% currently being charged. No decision was made on employee contributions for 2020. Randy Lohmann moved opt out of the State of Kansas Non-State Health Insurance Plan pool effective January 1, 2020, seconded by James Gabelmann. Motion carried.
- Payroll & Accounts Payable Approved: Alexis Pflugh moved to approve payroll in the amount of \$206,119.69, seconded by James Gabelmann. Motion carried. Randy Lohmann moved to approve accounts payable for the month of September in the amount of \$337,354.57, seconded by Alexis Pflugh. Motion carried.
- Meeting Registrations: The board requested that Clerk Harlow register them for the webinar on how to read financial statements and the KAC conference.
- Hunter Siren Project: The board committed the matching money for the Hunter Siren project from the Emergency Management funds.
- Wilson Lake Estates: Commissioner Gabelmann recommended that we put aside an hour on October 21 to meet with County Attorney O'Hare regarding her correspondence on Wilson Lake Estates roads.
- Adjourn: The chairman adjourned the meeting at 3:57 p.m. until Monday, October 7, 2019 in the commission meeting room of the courthouse.