

1. The Coffey County Commission Chambers opened at 8:00 a.m. Monday, April 1, 2002, to individually review correspondence. Chairman Gene Merry called the meeting to order at 9:00 a.m. with members Tim Sipe, Fred Rowley, Jr., Johnnie Sleezer and Larry Crotts present. Also present were County Clerk Vernon Birk, Administrative Coordinator Mary Bloomer and County Attorney Doug Witteman. WCNO Representative Jeannene Ryan and Carolyn Crooks, Burlington, were present for part of the meeting.

2. Sipe moved to approve the minutes of March 25<sup>th</sup> 2002, as corrected, seconded by Rowley. Motion carried, 4-yes, 0-no, 1-abstained, Crotts. Corrections were: paragraph 9, first part of first sentence should read, "Steven Allen, President, Robert Bewley and Dave Slead, Board Members, and Chris Withers and Tim Decker, Maintenance". Paragraph 12, change '\$3,500.00' to "\$3,600.00".

3. Rowley moved to approve the minutes of Wednesday, March 27, 2002, as written, seconded by Sipe. Motion carried.

**4. CONSENT AGENDA:**

A. Upon the recommendation of the County Engineer, move to authorize and direct the Chairman to sign the Coffey County Payroll Notices for the following S.T. Temps, as follows:

<u>Employee</u>	<u>Position</u>	<u>Classification</u>	<u>Wage</u>	<u>Effective Date</u>
Roburt Ruby	Driver	M-III-a(-)	\$10.34/hr.	April 1, 2002
Robert Newkirk	Driver	M-III-a(-)	\$10.34/hr.	April 1, 2002
George Hayes	Driver	M-III-c	\$11.46/hr.	April 1, 2002
Doug Garrett	Driver	M-III-b(-)	\$10.78/hr.	April 3, 2002

B. Upon the recommendation of the Sheriff, move to approve the Fee Schedule for the Sheriff's Department. These fees are dictated by state statute.

C. Move to authorize and direct the Chairman to sign 2 Orders for Refund of Taxes in the amount of \$146.76.

No. 4606 payable to Larry R. Rich in the amount of \$81.72 for the year 2001.  
Reason: Residential grade incorrectly assigned.

No. 4607 payable to Clarence Hicks c/o Mary Hicks in the amount of \$65.04 for the year 2001.  
Reason: Correct property data.

4 a. Crotts moved to approve the Consent Agenda as submitted, seconded by Sipe. Motion carried.

5. Coffey County Sheriff Randy Rogers, Coffey County Fire District No. 1 Administrator Bill Walker and Coffey County Undersheriff Kenny Roney met with the Board to discuss the burn ban for Coffey County once again. They said since the last

burn ban was terminated on Monday, March 25, 2002, Coffey County has had forty controlled burns become out-of-control. A two-vehicle accident on old 50 Highway between 75 and Waverly on Sunday, March 31, 2002, was possibly smoke related. The Fire Administrator and the Sheriff are working on options to the open burning problem.

**6.** The County Attorney requested an Executive Session.

**6 a.** Sleezer moved to recess into Executive Session at 9:40 a.m. to include each of the Commissioners, the County Attorney, the Economic Development Director and Special Counsel Larry Hendricks, via telephone, to discuss matters which would be considered privileged in the attorney/client relationship, seconded by Rowley. Motion carried.

**7.** The Board resumed regular session at 9:50 a.m.

**8.** Todd Bemis, Recycling Coordinator, met with the Board to discuss a grant application for a horizontal baler for recycling purposes. Bemis said the grant would be through Lake Region Authority and would require a 25% match. The Board approved the grant application. Bemis also presented a promotional advertisement for the recycling program which he will follow through with.

**9.** The County Attorney discussed legal issues regarding the Country Critters building.

**10.** The County Attorney requested an Executive Session.

**10 a.** Crotts moved to recess into Executive Session at 10:23 a.m. for 5 minutes to include each of the Commissioners, the County Attorney and the Economic Development Director to discuss matters which would be deemed privileged in the attorney/client relationship, seconded by Sleezer. Motion carried.

**10 b.** The Board resumed regular session at 10:28 a.m.

**11.** The County Attorney gave a brief report on his review of the Country Critters bids and advised that both sides submitted were valid.

**11 a.** Sleezer moved, upon the approval of the County Attorney as to form, to accept the bid of Richard L. Newkirk, in the amount of \$3,600.00 opened and considered at the Board of County Commissioners' meeting held March 25, 2002, as the best bid, and to dispose of the property commonly known as the Country Critter's buildings located at 215 and 217 Neosho Street, Burlington, Kansas, seconded by Rowley. Motion carried.

**11 b.** Sipe moved, upon approval of the County Attorney as to form, to approve the Agreement for Sale of Real Property between Coffey County and Richard L. Newkirk and Martha M. Newkirk, seconded by Crotts. Motion carried.

- 12.** Jon Hotaling, Economic Development Director, presented the weekly report for the week of March 15<sup>th</sup> to March 29<sup>th</sup>, 2002.
- 13.** Item No. 95-3; Hotaling contacted a company in Emporia to pump water and oil out of drain pit in Greenlight building. They will set up an appointment the next time they will be in Burlington (in 2 to 3 weeks). Hotaling contacted the prospect that is finalizing a contract to purchase the equipment and inventory from the bank. Hotaling explained to him that a sale of the buildings could be closed in a few weeks and he will have to negotiate a lease with the new owner.
- 14.** Item No. 95-9; Hotaling completed and mailed out agendas for the Coffey County Strategic Planning meeting to be held at the Coffey County Hospital on Wednesday, April 3, 2002.
- 15.** Item No. 95-29; Hotaling finalized the speaker for the leadership graduation dinner and final session to be held April 29, 2002, at the Coffey County Museum. Hotaling ordered graduation plaques and finalized the meal with the caterer.
- 16.** Item No. 97-7; Hotaling attended the Coffey County Chamber of Commerce After 5 at The Flower Shoppe and Merry's Crossing. The store has been completely renovated after being damaged by a fire.
- 17.** Item No. 97-8; Hotaling reviewed the affidavit from Larry Hendricks on Rock Creek Woodworks loan payments and balances. Hotaling reviewed several payments with the Treasurer's office and faxed information back to Larry Hendricks.
- 18.** Item No. 98-7; Hotaling attend SEK Tourism Region meeting in Fredonia with Commissioner Gene Merry and Chamber Director Sid Meeker. The meeting included a presentation on planning a successful exhibit by Kim Qualls.
- 19.** Item No. 00-1; Hotaling completed the employee review and CP-5.
- 20.** Item No. 00-2; Hotaling attended the 21<sup>st</sup> Century Advisory Council meeting. Hotaling discussed upcoming programs, events and conferences. Hotaling will work in conjunction with the 21<sup>st</sup> Century Community Center on e-commerce for small businesses training seminars and a possible flight training program in conjunction with the University of Oklahoma for next summer.
- 21.** Item No. 00-3; After reviewing and updating the information with the flight instructor Dan Dewald, Hotaling completed information packets for the 2002-2003 flight training scholarship program and mailed them out to the counselors and the airport board. The reception for the scholarship recipients will be held before the Commission meeting on May 20, 2002.

22. Item No. 01-3; Hotaling attended the Artrain wrap-up meeting. Hotaling provided the marketing report to the committee members. Overall, the event went very well with a good turnout and support from many volunteers and organizations.
23. Hub Caspar, County Engineer, presented his weekly report dated April 1, 2002. John Zuern, Administrative Assistant, was also present. Robert Reed, Road Supervisor, was unable to attend.
24. Item No. 93-01; Road Permit Report: No Road Permits were issued during the past week.
25. Item No. 99-99; Zoning Permit/Applications Report: No Zoning Permits were issued during the past week.
26. Item No. 99-13; Landfill: Discuss Tree Planting.
27. **Caspar reported they will be planting Juniper trees at the landfill in the near future.**
28. Item No. 2002-11; Payment for Right-of-Way: Review County Engineer's Recommendation.
- 28 a. Caspar recommended that when acquiring road right-of-way, Coffey County reimburse landowners at the following rates:
- |                     |              |
|---------------------|--------------|
| Pasture/Meadow Land | \$ 550/Acre  |
| Upland Cultivated   | \$ 750/Acre  |
| Bottom Land         | \$1,200/Acre |
- 28 b. Sipe moved, upon the recommendation of the County Engineer, to approve the Payment for Right-of-Way Schedule dated March 29, 2002 for road right-of-way, effective April 1, 2002, seconded by Rowley. Motion carried.
29. Handicap parking and patching holes in the parking lot area was discussed. Caspar will get informal bids.
30. The Board discussed the proposed Lyon-Coffey Electric Cooperative, Inc. Agreement. The County Attorney will make some minor adjustments to the Agreement, after talking to Lyon-Coffey Electric, and take the matter up next week.
31. Elysa Lovelady, Coffey County Appraiser, met with the Board to discuss the payment under protest process for the Country Critter's buildings. Lovelady said today, April 1, 2002, is the last day to schedule an informal hearing with her office but the payment under protest option is still available for 2002 values.

**32.** The Board scheduled a salary (CP-5) work session for 1:00 p.m. Monday, April 8, 2002.

**33.** Randy Rogers, Coffey County Sheriff, was back in around noon to report six fires out of control in the County.

**34.** Commissioner Merry issued a Proclamation of a State of Local Disaster Emergency for the County of Coffey proclaiming a burn ban effective April 1, 2002 at 12:30 p.m.

**35.** Sleezer moved to adjourn the meeting at 12:22 p.m., seconded by Rowley. Motion carried.

### **CORRESPONDENCE:**

#### Response Required

1. Martha Newkirk – Letter regarding position on Library Board.

#### Response Optional

2. KDOCH – Notice of Seminar
3. KDOT – Notice of Seminar

#### Response Not Required

4. Bill Linde – emails regarding legislative activity
5. Hawver’s Capital Report – 3-25-02; 3-26-02; 3-27-02; 3-28-02; 3-29-02
6. Gloria Lane – Thank you
7. KEMA – Newsletter
8. Sharon Schurle – Thank you
9. State of Kansas – Department of Revenue – 2001 & 2002 Statistical Report of Property Assessment & Taxation
10. League of Kansas Municipalities – Newsletter
11. KAC – Legislative Bulletin – March 29, 2002

12. Corps of Engineers – Public Notice

13. City of Waverly – Minutes 2-4-02

Minutes, April 1, 2002

Chairman

County Clerk

Signed:

Attest: