

1. The Coffey County Commission Chambers opened at 8:00 a.m. Monday, November 17, 2003, to individually review correspondence. Vice-Chairman Fred Rowley, Jr. called the meeting to order at 9:00 a.m. with members R. Kraig Kirchner, Tim Sipe and Larry Crotts present. Also present were Vernon Birk, Coffey County Clerk, Doug Witteman, Coffey County Attorney and Mary Bloomer, Administrative Coordinator. Present for part of the meeting were Jeannene Ryan and Steve Trendel, WCNO, and Mark Petterson, Coffey County Republican Editor. Chairman Gene Merry was attending to other County business.

2. Sipe moved to approve the minutes of Monday, November 10, 2003, as corrected, seconded by Crotts. Motion carried. Corrections were: November 10, 2003, paragraph 9, change 'Commissioners' to "Board". Paragraph 29, delete 'may be a possibility', replace with "looks good". Paragraph 32, add after '11:48 a.m.', "to attend the mural dedication at noon and to attend the County road tour Wednesday morning."

3. Crotts moved to approve the minutes of Wednesday, November 12, 2003, as corrected, seconded by Kirchner. Motion carried. Corrections were: November 12, 2003, paragraph 3, change '3:20 p.m.' to "3:28 p.m.".

**4. Consent Agenda:**

A. Move to authorize and direct the Vice-Chairman to sign the Coffey County Payroll Notice for CSA compensation for Darla Jones as Acting Department Head for the month of November 2003, in the amount of \$20.97.

B. Move to authorize and direct the Vice-Chairman to sign 18 abatements to the Treasurer's tax roll in the amount of \$749.67.

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

5. Rowley moved, on the recommendation of the County Clerk, to authorize and direct the Chairman to sign the year 2004 Cereal Malt Beverage Application and Notice to Township Board for S&S Lebo Plaza at 2740 Fauna Rd. NW, Lebo, Kansas, seconded by Crotts. Motion carried.

6. The Board discussed riding lawn mower bids received recently, but due to an oversight in the specifications that were distributed to the vendors, the Board's decision was to re-bid the riding mower. John Andrick, Building and Grounds Supervisor, was also present for the discussion.

7. Kirchner moved to approve the Settlement and Mutual Release between the Board of County Commissioners of Coffey County, Kansas and the Estate of Jim Strawder, Nancy Strawder, Ron Strawder and Sheri Strawder related to litigation pending in the United States District Court, captioned State Bank of Lebo v. Rock Creek Woodworks, L.L.C., et al, Case No. 01-2210-JWL, and to authorize and direct the Vice-Chairman to sign the same, seconded by Crotts. Motion carried.

- 8.** Commissioner Tim Sipe requested an Executive Session.
- 8 a.** Sipe moved to recess into Executive Session at 9:42 a.m. for 10 minutes, to include each of the Commissioners present and the County Attorney to discuss personnel matters of non-elected personnel, seconded by Crotts. Motion carried.
- 9.** The Board resumed regular session at 9:52 a.m.
- 10.** The Board took a break from the meeting to distribute the longevity checks to all County employees.
- 11.** Jon Hotaling, Economic Development Director, presented and discussed the weekly report for the week of November 11, 2003.
- 12.** Item No. 98-10; Hotaling finished up arrangements for SEK, Inc. sponsored tour by Kansas Department of Commerce representatives. Hotaling took the news release on the tour to the Coffey County Republican. Hotaling invited several officials from Coffey County to attend the Tuesday p.m. dinner at Parson's Country Club with Kansas Department of Commerce representatives. Hotaling would be pleased to take a County Commissioner to this dinner also, if one is available. See news release and e-mail attached. Hotaling made reservations for five including one Commissioner.
- 13.** Item No. 01-4; Hotaling set-up for the mural dedication reception and attended the dedication. Hotaling mailed out information on murals to a Lebo citizen.
- 14.** Hotaling completed the Loan Report for October.
- 15.** Hotaling also presented the Loan Fund Report for the month of October, 2003.
- 16.** Crotts moved to authorize and direct the Vice-Chairman to sign the Loan Agreement and related documents dated November 17, 2003 regarding Huff Gardens, Inc., seconded by Sipe. Motion carried.
- 17.** Rowley moved to recess into Executive Session at 10:37 a.m. for 5 minutes, to include each of the Commissioners present, the County Attorney and the Economic Development Director, to discuss confidential data relating to financial affairs or trade secrets of a corporation, seconded by Kirchner. Motion carried.
- 18.** The Board resumed regular session at 10:42 a.m.
- 19.** Polly Epting, Coffey County Land and Title, met with the Board regarding special assessments on real estate property. Epting requested that any resolutions approved by the County adding special assessments to the property should be filed with the Register of Deeds and attached to the affected property so that it is not overlooked by the abstractor in a title search. The request is primarily for the Jacobs Creek area which has by Resolution No. 600 and

Resolution No. 553 a special assessment attached for establishing and operating a sewer system. The County Attorney will follow up on the request. Jo Ann Raaf, Coffey County Treasurer, and Robin Laird, Deputy, were also present for the discussion.

**20.** Hub Caspar, Coffey County Engineer, presented the weekly report dated November 17, 2003. Robert Reed, Road Supervisor, and John Zuern, Administrative Assistant, were also present.

**21.** Item No. 93-01; Road Permits Report: Two Road Permits were issued during the past week.

**22.** Item No. 99-99; Zoning Permit/Applications Report: No Zoning Permits were issued during the past week.

**23.** Item No. 99-13; Landfill: E-Scrap – C&D Update – Post information on website. Enlarge Leachate Pond.

**24.** Caspar said KDHE is requesting that C&D information be posted on the Coffey County website. They are also requesting that the Leachate pond be enlarged which will be done with Coffey County Road and Bridge personnel.

**25.** Item No. 2002-01; B-087 (12-R.5) KDOT Project No. 16C-3779-01: Review and sign contract for Construction Engineering (inspection).

**25 a.** Kirchner moved, based upon the recommendation of the County Engineer, to approve the contract with KDOT for Coffey County to do the construction engineering (inspection) of Project No. 16C-3779-01, seconded by Crotts. Motion carried.

**26.** Item No. 2003-26; Equipment Purchase: Make award for Motorgrader purchase (bid tab attached).

**Bid Tab – One 4-Wheel Drive Articulated Motorgrader**

	<b>Berry Tractor</b>	<b>Murphy Tractor</b>	<b>Martin Tractor</b>	<b>Martin Tractor</b>
<b>Make</b>	Komatsu	John Deere	CAT	CAT
<b>Model</b>	GD 655-3CA	770 CH II	12 H'	140 H
<b>Year</b>	2004	2004	2004	2004
<b>Base Price</b>	\$134,507.00	\$246,509.00	\$244,967.00	\$288,551.00
<b>Government Discount</b>	----	\$110,301.00	\$108,249.00	\$108,701.00
<b>Trade-in Allowance</b>	\$23,000.00	\$16,500.00	\$17,000.00	\$17,000.00
<b>Delivery w/Warranty #1</b>	\$111,507.00	\$119,708.00	----	----
<b>Delivery w/Warranty #2</b>	\$120,497.00	\$127,826.00	----	----
<b>Delivery w/Warranty #3</b>	\$120,497.00	\$134,815.00	\$149,718.00	\$162,850.00

**26 a.** Crotts moved, upon the recommendation of the County Engineer and approval of the County Attorney, to find that a 1993 Dresser 850 Motorgrader (SW200523) is no longer required or cannot prudently be used for public purposes of the County and should be disposed of by trade-in sale to Berry Tractor for \$23,000.00. Notice of trade-in disposal was published in the official County newspaper on October 17<sup>th</sup> and October 24<sup>th</sup>, seconded by Kirchner. Motion carried.

**26 b.** Sipe moved, based upon the recommendation of the County Engineer, to accept the bid submitted by Berry Tractor as being the best bid, and to purchase one (1) new 4-wheel drive articulated Motorgrader for \$134,507.00, less \$23,000.00 for trade in of B-009, a 1993 Dresser 850 Motorgrader (SN200523) for a net cost of \$120,497.00 to be paid from the Road and Bridge Fund, seconded by Rowley. Motion carried.

**27.** Caspar also presented the Construction Zone Report for the week of November 17, 2003.

**28.** Rowley moved to adjourn the meeting at 11:30 a.m. until 11:30 a.m. Friday, November 21, 2003, to attend a Thanksgiving dinner in the courthouse basement and to convene in the Commission Chambers at 1:00 p.m. to sign warrants and vouchers and to attend to other County business that may arise, seconded by Sipe. Motion carried.

#### **CORRESPONDENCE:**

##### Response Not Required

1. Coffey County Housing Authority – Audit year ending December 2002.
2. Hawver’s Capitol Report – 11-7-03; 11-12-03; 11-14-03; 11-13-03
3. Corps of Engineers – Public Notice
4. Coffey County Housing Authority – Minutes 10-9-03
5. Coffey County Fire District No. 1 – Minutes 10-20-03
6. KDOT – Letter regarding Non-Federal Aid Agreement
7. KAC – Notice regarding delegates for KAC conference
8. League of Kansas Municipalities – Testimony on Kansas Open Records Act exemptions.
9. Bonnie Heath – Thank you.
10. City of Lebo – Minutes of 10-06-03; 9-08-03; 8-11-03; 8-4-03.
11. Coffey County Airport – Minutes of 10-8-03

Minutes, November 17, 2003

Signed:

Attest:

Chairman

County Clerk