

Minutes of August 9, 2021

The Board of County Commissioners met in regular session on Monday, August 9, 2021 at 9 a.m., Commissioner Kelly and Chairperson Kathrens were present. Commissioner Brenner was absent. Deputy County Clerk Tara Peek recorded the minutes.

Public Works Director Scott Kieffaber submitted one fuel bid:

- Haag Oil \$20,310.00

Commissioner Kelly made a motion to approve the Haag Oil bid and Chairperson Kathrens seconded. Motion carried 2/0. Scott reported that all the state inspections have been completed. He and Don Dillner at Household Hazardous Waste have renewed their certification for the year. Road and Bridge employee Caitlyn Renyer completed certification for ROW required for State of Local Projects. Scott will be getting certified as well. Noxious Weed employee Darlene Selley took her 9A test and they are waiting for her results. Scott informed BOCC that Teasel has been added as an optional noxious weed. KWORCC Loss Prevention Manager Brandon Mann recently completed his inspections for the county buildings. Scott reported that he had met with new Banner Lake Director Kurt Zibell to go over his buildings' inspection results including updating the eye wash station and required monthly fire extinguisher checks. Scott reported requests to place stop signs at the intersection of 246 and D Roads. Commissioner Kelly suggested that Scott look up the guidelines in the MUTCA and discuss with Terry Mick. Scott reported that the county has spent over \$1 million on rock so far this year. That includes the \$193,000.00 transferred from the landfill. Chairperson Kathrens suggested that one mile of V Road needs work. Scott reported that crews have begun working on the Hamm Quarry haul route. Commissioner Kelly asked about the roof replacements and Scott explained that it has been delayed by the inability to acquire materials. They discussed the maintenance schedule for motor graders and the shop completing the oil changes and filter replacements. Keith suggested the operator could be out trimming brush while their grader is being maintained. Scott requested to get a boom attachment added to his truck for using to spray noxious weeds while he is already out and identifies an area in need. Chairperson Kathrens stated that they are trying to wean him away from the weed department, but he could go ahead and look into the cost to present. Holton Recorder reporter Ali Holcomb and County Clerk Kathy Mick joined the meeting.

At 10:01 a.m. Commissioner Kelly made a motion to recess the Commission meeting and open the election canvass. Chairperson Kathrens seconded. Motion carried 2/0. County Clerk Kathy Mick presented the BOCC with 3 provisional ballots, all address changes within the county. All 3 ballots were then counted and added to the final numbers. At 10:08 a.m. Commissioner Kelly made a motion to close the canvass and Chairperson Kathrens seconded. Motion carried 2/0.

Commissioner Kelly made a motion to approve the July 15, July 26, July 30 minutes as written and the August 2 minutes as amended. Chairperson Kathrens seconded and motion carried 2/0.

Completed the NEK-CAP ESG Homeless grant renewal paperwork.

Banner Lake Director Kurt Zibell joined the meeting. He reported that some damages had happened over the weekend to a couple paddle boards and signs. He will be installing cameras and lighting to

better survey the area. Kurt discussed trash disposal options at the lake site. He plans to spray Sericea and acquire bids for side by side UTVs.

Adjourned for lunch from noon to 1 p.m.

HIC Agency representative Dana Grauerholz met with the BOCC to give a six-month review of the current health insurance plan. The county is currently using a fully insured BCBS MERP style plan with FCMI as the third-party administrator.

Attorney Dick Lake joined the meeting to give his opinion on retaining County Attorney Shawna Miller. He stated he heard that she was considering terminating her employment as County Attorney. He stated that she is the most vigorous prosecutor the county has ever had, and they should not let her go if you can keep her for anything less than \$100,000.00. He added she works harder than the surrounding attorneys and he would take less in his fees to help budget for a salary increase for her. He suggested offering the defense attorneys a contract for fees instead of continuing to pay hourly rates. Chairperson Kathrens thanked Dick Lake for his advice. At 2:01 p.m. Commissioner Kelly made a motion to enter into executive session for attorney client privilege with County Counselor Lee Hendricks and Chairperson Kathrens seconded. Motion carried 2/0. Session reopened at 2:20 p.m. No action taken.

RenoDry representatives Don Smith and BLANK met with Commissioners to discuss their evaluation of the rising damp or capillary action, the natural occurrence of ground water coming up from the rock and bringing salt with it. This salt and water erodes the foundation. They stated that their product is the only system in the US that dries out this type of moisture in masonry. Chairperson Kathrens explained that they were initially not interested based on the recommendation of the maintenance supervisor, but agreed to review their report.

Judge Marek and District Court Clerk Jennifer Strathman joined the meeting to review bids for the third floor renovations. Bids were submitted for the large courtroom and converting the current small courtroom into the clerk's office:

- Coal Creek Construction \$134,074.00
- Kelley Construction \$138,020.00

Commissioner Kelly made a motion to approve the Coal Creek Construction bid and Chairperson Kathrens seconded. Motion carried 2/0. They will review bids for the conversion of the current clerk's office into a new small courtroom and meeting rooms at a later date. Judge informed the BOCC that the new court reporter will start on Monday and a third Court Services Officer will start on the 23rd. He also explained that he has requested grant funds from OJA for sound systems, security and technology related to Covid-19. If approved, the funding would need to be spent by 2024.

County Attorney Shawna Miller joined the meeting to discuss the salary increase she requested. She stated that unfortunately their offer is not enough to stay, but she was grateful for the increase. She stated that she had discussed her decision with her staff and explained what a transition would look like. Chairperson Kathrens asked her what it would take to retain her employment as County Attorney. She stated that she has made the emotional decision to move on but did not have a date of resignation at this time. She considers this her family and it has been a hard decision. She understands the budget constraints, but her counterparts are making six figures with lighter caseloads. She realizes that a large

increase in her salary would be difficult to justify and it has been a 10 to 15 year problem in the making by not keeping up with salaries. Commissioner Kelly added that it is unfortunate that the prior council did not recognize the deficiency. They discussed moving the defense fees to contracted amounts, but Shawna has concerns that won't save enough funds to fully compensate her salary appropriately. Chairperson Kathrens stated that it would be easier to do in increments if she would consider. Shawna explained the process in filling her term should she continue to proceed with resignation. The BOCC asked her to wait to make a final decision until they can discuss with Commissioner Brenner. Commissioner Kelly stated that if they can justify an increase to the people, that experience and dedication comes with a cost and can affect the crime rate, they will try to do so.

Signed the following Occupy County Right of Way petitions:

Company	To	Sec/Twp/Rng	Address	Date
Telcom Communication	Bore under T Road to pedestal	12/08/15E	T Road	01/12/2021

Signed the following Purchase Orders:

Department	PO #	To	For	Amount
Road and Bridge	6768	Foley Caterpillar	4-scarifiers	\$30,000.00
Road and Bridge	6781	Murphy Tractor	2021 John Deere 310SL with thumb	\$104,500.00
Road and Bridge	6776	Welborn Sales	tubes	\$17,855.00
Road and Bridge	6779	Welborn Sales	tube	\$17,297.50
Road and Bridge	6780	Norfolk Contracting	Bridge construction	\$63,300.00

Signed the following payroll change notices:

Department	Name	From	To	Reason	Date / /
Appriaser	Justin Fitzhenry	\$15.29 per hour	\$15.81 per hour	Introductory Period Complete	8/10/2021
Road and Bridge	Jim Brown	\$	\$	Discharge	8/9/2021
Road and Bridge	Linda Jackson	\$15.29 per hour	\$15.81 per hour	Introductory Period Complete	8/10/2021

The meeting adjourned at 4:27 p.m. The next Commission meeting will be Monday, August 16, 2021 at 9:00 a.m.

Board of County Commissioners
Jackson County, Kansas

Attest:

Kathy Mick
Jackson County Clerk

Ed Kathrens, 1st District

Dan Brenner, 2nd District

Keith Kelly, 3rd District