

COMMISSION MINUTES – MONDAY, OCTOBER 29, 2007

At 8:30 A.M., all members of the Pottawatomie Count Commission met for a regular session in the County Commission Room. Present were Tom Doperalski, chairman; Corwin Seamans, vice chairman; and Stan Hartwich, member.

Corwin Seamans moved and Stan Hartwich seconded to adopt the agenda for today's meeting. Motion carried 3 to 0.

Stan Hartwich moved and Corwin Seamans seconded to approve minutes for October 22, 2007. Motion carried 3 to 0.

Gary Conklin, county counselor, met with the Commissioners to update them on projects he is working on.

Robert Reece, county administrator, reported on the Flint Hills Regional Planning meeting he attended on October 25th. Robert and the County Commissioners will attend a meeting in Junction City tomorrow at 11:30. At the request of the County Commissioners, Robert is working on scheduling a meeting for November 1 at 8:00 A.M. with KDOT and Shawnee County Commissioners. The meeting is to discuss future planning of improving Hwy 24 east of Wamego to Topeka.

Robert updated the Commission on his meeting at the KEC Building, Business Incubator. The Commissioners previously approved contributing and becoming a partner in this project to provide small bio-science companies an opportunity to develop. In order to participate, the Commission needs to formally authorize the County Administrator to enter into the Memorandum of Understanding between the City of Manhattan, Pottawatomie County Economic Development, Manhattan Area Chamber of Commerce, North Central Regional Planning Commission, and National Institute for Strategic Technology Acquisition and Commercialization (NISTAC) for the purpose of developing a Business Incubator.

The Board considered and acted on tax roll corrections. (Attachment #1)

Betty Abitz, register of deeds, met with the Commissioners to discuss 2008 contracts for accessing online information from her department. She has received a few completed 2008 contracts. She has also received a request to

come on board for the rest of the year to see what the program is like. One has offered to pay \$100/month, but does not want to pay the full \$400 annual fee. The Commission approved Betty allowing offering the service at \$100/month for the remainder of the year.

Kenny McCarter, resident on Elm Slough Rd, met with the Commissioners to express concerns of grading the road in August and disturbing the dust control he had paid to have put on. McCarter stated he had requested no grading until fall. The Commission stated sometimes roads need to be graded for safety reasons. Commissioner Doperalski stated the Commission would visit with the public works director about his concerns.

Robert Reece, county administrator, presented to the Commission a request by the Historical Society and Rodney Biesenthal to authorize construction of 3 historic markers to be placed within the County. Approximate cost for the signs is \$6,000. Corwin Seamans moved and Stan Hartwich seconded to authorize the construction of three historic marker signs not to exceed \$6,000 to be paid from the Historical Fund. This dollar amount was authorized to the Historical Preservation Committee for this purpose. Motion carried 3 to 0.

Corwin Seamans moved to appoint Patrick Blanka to complete the unexpired term as Louisville Township Treasurer. The vacancy is due to the death of Dale Ebert. Stan Hartwich seconded the motion which carried 3 to 0.

Corwin Seamans moved and Stan Hartwich seconded to reappoint Terry Arthur to the Big Lakes Development Council Board of Directors for a 3 year term to expire on 11/1/2010. Motion carried 3 to 0.

Diane Novak, Robert Cole Jr, Brandi Brinegar, Dustin Trego, and Leu Lowrey met with the Commissioners to discuss the WAM/SAG/MAN trail project. Corwin Seamans moved and Stan Hartwich seconded to adopt Resolution 2007-69 authorizing the use of county road right-of-way for the placement and construction of a bicycle/pedestrian facility located on Military Trail Road. Motion carried 3 to 0. (Attachment #2) Corwin Seamans moved and Stan Hartwich seconded to adopt Resolution 2007-70 declaring the eligibility of Pottawatomie County to submit an application to the Kansas Department of Transportation for use of Transportation enhancement funds set forth by the Federal Transportation Equity Act for

the 21st Century for the WAM/SAG/MAN Trail Project and authorizing Pottawatomie County to sign the application. Motion carried 3 to 0. (Attachment #3) Commissioner Doperalski requested notation in the minutes stating this Commission would not commit the next Commission to participate financially in the project. At the end of September, 2010 if the money is not raised privately for the project, the Commissioners will not be liable for funding.

The Chairman signed acknowledgement of receipt from FEMA for flood insurance in Blue Township.

Following review of the memorandum of understanding for the Kansas Entrepreneurial Center partnership, Stan Hartwich moved and Corwin Seamans seconded to authorize Robert Reece to sign the Memorandum of Understanding between the City of Manhattan, Pottawatomie County Economic Development, Manhattan Area Chamber of Commerce, North Central Regional Planning Commission, and National Institute for Strategic Technology Acquisition and Commercialization (NISTAC) for the purpose of developing a Business Incubator. Motion carried 3 to 0.

The Commission reviewed the only bid submitted for audit services for the County for year ended December 31, 2007, 2008, and 2009. The proposal was submitted by Reese & Novelly, P.A. of Wamego. The Commission will take formal action next Monday.

The Commission discussed the Transportation Revolving Fund Loan (TRF) for Brook Ridge Subdivision in Louisville Township. Robert Reece explained the process to the Commissioners. Corwin Seamans moved and Stan Hartwich seconded to adopt Resolution 2007-71 authorizing the execution of a loan agreement between Pottawatomie County and the State of Kansas, acting by and through the Kansas Department of Transportation for the purpose of obtaining a loan from the Kansas Transportation Revolving Fund to finance a qualified transportation project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the loan agreement. Motion carried 3 to 0. (Attachment #4)

Robert stated he had been notified by Dave Nelson requesting the Commission act upon the Development Agreement allowing Dave to

proceed with the construction of the infrastructure for Elbo Creek Phase 2. Robert informed the Commission this agreement he drafted has changed at the request of the developer 5 different times after he has completed them. Robert informed the Commission he has provided this draft to Bond Counsel to review and make changes needed on behalf of the County to protect their rights and interests. Robert asked the Commission to review the document and provide him with any concerns they may have so they can be addressed by the County's Bond Counsel in the final document.

At 11:00 John Boyd and Bruce Brazzle with Emergency Management conducted a National Incident Management (NIMS) Training session for the Commissioners.

The Commissioners adjourned for lunch. They will reconvene at 1:00.

Stan Hartwich moved and Corwin Seamans seconded to go into executive session at 1:09 for 45 minutes to discuss non-elected personnel. Also present for the session will be John Boyd, EMGT director; Chris Trudo, Wamego resident; Greg Riat, Sheriff; Robert Reece, County Administrator; and Susan Figge, County Clerk. Regular meeting resumed. As a result of the executive session, Corwin Seamans moved and Stan Hartwich seconded to authorize Robert to follow up on the personnel issue discussed during the executive session and report back to the Commission. Motion carried 3 to 0.

The Commission discussed review of the project list Robert presented to them at the first of month and the need to prioritize projects.

The Commission was invited to an Open House at the Westy Assisted Living Apartments on Sunday, November 4, 2007 from 2:00 P.M. to 4:00 P.M.

The meeting was adjourned at 4:12.

County Clerk

Chairman

Vice Chairman

Member