

## **COMMISSION MINUTES – MONDAY, SEPTEMBER 28, 2009**

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

Corwin Seamans moved and Pat Weixelman seconded to adopt the agenda for today's meeting with the addition of Phil Balch with Wildhorse Riverworks at 1:00 and a representative from Uncopiers, Inc during the appraiser's 9:00 appointment. Motion carried 3 to 0.

Corwin Seamans moved and Pat Weixelman seconded to approve amended minutes for September 21, 2009. Motion carried 3 to 0.

Corwin Seamans moved and Pat Weixelman seconded to approve amendments to the minutes for the September 14, 2009 meeting. Motion carried 3 to 0.

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

The County Clerk informed the Commission of available dates to reserve the Methodist Educational Building for the annual employee appreciation breakfast. The Commission agreed to schedule the event for Monday, October 26.

The Commission discussed the noxious weed director's request for use of a county vehicle. It was decided not to allow the use at this time.

Robert will attend a KDOT meeting this week in Topeka. There is another KDOT meeting at the Ramada Inn in Topeka on October 8. This will be concerning awarding funding for future projects.

Corwin Seamans moved and Pat Weixelman seconded to sign the Indigent Defense Services Contract for 2010 with attorneys Jack Turner and Russ Roe. Motion carried 3 to 0. (Attachment #1)

Lois Schlegel, county appraiser, met with the Commissioners to update them on activities in that department. She reported on Orion schooling. Dr. Isabel Zambrano representing Uncopiers, Inc met with the Commissioners to discuss the status and the situation with their tax abatement process. The Commission had approved tax abatement for them. Uncopiers had never filed the paperwork to

receive their abatement. They now have all of the paperwork necessary. It will be forwarded to the Court of Tax Appeals (COTA) for their consideration and decision.

Judson and Barbara Jones, Blue Township residents, were present for the meeting.

Chris Trudo, emergency management director, presented the Commission with a department update. Topics discussed were: tornado sirens, county mitigation plan, response to events within the county, pre-disaster planning of cities and subdivisions, and EMGT office priorities & activities. Bruce Brazzle, county fire supervisor updated the Commission on liability issues and what can be done to protect the county, cities, and firefighters. It is important to have documentation given to a call to dispatch stating who is in charge of an incident.

Richard Jankovich, with the Manhattan Airport Authority, met with the Commissioners to update them on services provided. The flight offered from Manhattan to Dallas/Ft. Worth has had a 72% to 73% capacity. The Airport Authority has in the past requested financial assistance in their marketing aspect. The amount requested is based on a percentage of usage by Pottawatomie County customers. At 6.8%, that would amount to between \$6,000 and \$7,000 for our county's share. No decision was made at this time.

Leslie Campbell, health director, met with a department update. She stated her department will have several clinics throughout the county and especially in the schools to administer the seasonal flu vaccinations. They will also be giving H1N1 flu vaccinations at the schools when supplies are received. Holding these clinics is going to require extra staff to keep the necessary documentation required by the State. She will also need to utilize more nurses to help with administering the vaccine. Corwin Seamans moved and Pat Weixelman seconded to authorize the Chairman to sign a contract with Kansas Department of Health and Environment (KDHE) for Focus Area 1 in the amount \$28,713 and Focus Area 2 in the amount of \$1,000. Focus Area 1 monies are for activities related to mass vaccination and Focus Area 2 monies are for epidemiology and surveillance. Funds from each area are to be tracked and reported separately. Motion carried 3 to 0. (Attachment #2)

Leu Lowrey, public works director, met with the Commission to discuss a proposal from Riley County to do the engineering services and inspection of the bridge redecking project on Dyer Road. Pat Weixelman moved and Corwin Seamans seconded to sign and submit to Kansas Department of Transportation (KDOT) a

proposal for construction engineering services with Riley County for the bridge redecking project on Dyer Road. Motion carried 3 to 0. (Attachment #3)

Phil Balch, streambank specialist with Wildhorse Riverworks, Inc of Topeka, met with the Commissioners to discuss the proposal to repair bank erosion on Elbo Creek near Timber Creek III in Blue Township. Also present were Margaret Parker, administrative assistant and Leu Lowrey, public works director. Balch had given a presentation to the citizens in the area at the Green Valley Community Building on Monday, September 21<sup>st</sup> at 7:00 P.M. There will be another meeting at the same location on Monday, October 5<sup>th</sup> at 7:00 P.M. The Commission discussed with Balch what the presentation on October 5<sup>th</sup> might include and how to best explain the plans and procedures for the project. There is a concern of payment for the project. Besides bank stabilization, there will be a need for rain gardens to help with run off during heavy rains. Cost for the project is \$475,000. There is the possibility of a 75/25 match. The 75% is eligible as a forgiveness loan, but there is no guarantee. Options for collection of funds for the 25% payment were discussed. Robert will check with bond counsel as to what those options might be. The Commission will discuss further at next week's Commission meeting what the final plan will be and what types of structures and their locations will be considered. The presentation to the residents at the next meeting will include this information. Decisions need to be made as to the cost for individual owners as well as by the Homeowners' Association. There are approximately 24 homeowners directly affected by this project. Without the innovative green aspect, the grant will not be awarded. Pat Weixelman stated he felt a fair way to recover the money was to have the landowners pay 25% of the county's 25% share of the project as it is for the protection of their property.

After review of the document submitted by county counselor, Stan Hartwich moved and Corwin Seamans seconded to sign the settlement agreement between the Commissioners and the County Attorney addressing the issue of Kansas Open Meeting Act violations. Motion carried 3 to 0.

Robert Reece, county administrator, informed the Commission of an employee's request for family medical leave. The request meets the requirements for granting the FMLA request.

Administrator discussed bond funds for special assessments. Stan Hartwich moved and Corwin Seamans seconded to authorize the transfer of up to \$11,000 from General Unclassified to the Bond and Interest Funds for delinquent special

assessments. Corwin Seamans requested a copy of the letter to be sent out and the list of landowners. Motion carried 3 to 0.

Corwin Seamans moved and Pat Weixelman seconded to adopt Resolutions 2009-42 and 2009-43. 2009-42 is approval of a Transportation Revolving Loan Fund (TRF) Project #TR 0115 agreement in the amount of \$1,586,968 for the Balderson Blvd project with the City of Wamego. 2009-43 is approval of a Transportation Revolving Loan Fund (TRF) Project #TR 0128 agreement in the amount of \$344,938 for overlay project in Ashley's Vineyard and Megan's Vineyard Subdivisions in St. George Township. Motion carried 3 to 0. (Attachment #4)

Chairman signed NRTF Project Billing Form document for Federal Reimbursement Request for payment of expenditures for the WAM/SAG/MAN Trail project. (Attachment #5)

The Commission agreed to maintain the leave policy currently in place for absences regarding the H1N1 flu.

The Commission reviewed and Chairman signed account payable documents for September 21, 2009.

Meeting was adjourned at 3:32 P.M.

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County Clerk

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Chairman

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Vice Chairman

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Member