



**Board of Pottawatomie County Commissioners**  
**Regular Meeting Minutes**  
**February 27, 2023**

612 E Campbell  
 Westmoreland KS 66549  
[www.pottcounty.org](http://www.pottcounty.org)

Public Works/Sunflower Room

8:30 a.m.

District 1 – Deloyce McKee

District 2 – Dennis Weixelman

District 3 – Greg Riat

**1.0 8:30 AM CALL TO ORDER REGULAR MEETING WITH FLAG SALUTE & PRAYER**

Attendee Name	Title	Status
Dennis Weixelman	County Commissioner, Chair	Present 8:30 a.m.
Deloyce McKee	County Commissioner, Vice Chair	Present 8:30 a.m.
Greg Riat	County Commissioner, Member	Present 8:30 a.m.
Chad Kinsley	County Administrator	Present 8:30 a.m.
John Watt	County Counselor	Present 8:30 a.m.
Dawn Henry	County Clerk	Present 8:30 a.m.
Leslie Campbell	Health Department Director	Present 8:30 a.m.
Mark Jack	Noxious Weed Director	Present 8:30 a.m.
Tommy Edwards	Buildings and Grounds Supervisor	Present 8:30 a.m.
Tim Eisenbarth	Public Works Administrator	Present 8:30 a.m.
Michelle Campbell	Resident	Present 8:30 a.m.
Steve Minton	Resident	Present 8:30 a.m.
Annie Wolfe	The Times	Present 8:30 a.m.
Natha Manges Burns	Resident	Present 8:30 a.m.
Ross Hill	Resident	Present 8:30 a.m.
Andrew Klein	Planning Commission	Present 8:30 a.m.
Doug Kern	Planning Commission	Present 8:35 a.m.
Scott Schwinn	County Sanitarian/Transfer Station	Present 8:37 a.m.
Steve Roggenkamp	Project Coordinator	Present 8:47 a.m.
Nathan Bergman	Bartlett & West	Present 8:47 a.m.
Stacie Eiche	City of Wamego	Present 8:55 a.m.
Lance Forgy	Assistant Public Works Administrator	Present 8:56 a.m.
Janell Ralph	Resident	Present 9:00 a.m.
Shane Moylan	Resident	Present 9:30 a.m.
Will Spradling	Resident	Present 9:30 a.m.
Kay Ebert	Resident	Present 9:52 a.m.
Tom Ebert	Resident	Present 9:53 a.m.
Lynn Schwandt	Resident	Present 9:53 a.m.
Armon Bosse Jr	Planning Commission	Present 10:47 a.m.
Robin Knoblauch	County Appraiser	Present 10:35 a.m.
Stephan Metzger	County Planner	Present 10:35 a.m.
Maya Schechter	Orion	Present 10:55 a.m.
Matt Riva	Orion	Present 10:58 a.m.
Gregg Webster	Zoning Administrator	Present 11:00 a.m.

**2.0 ROUTINE ITEMS:**

**2.1** Riat moved to approve the agenda adding a third executive session. Weixelman seconded, motion carried 3-0.

**2.2** McKee moved to approve February 13, 2023 minutes adding verbiage to better explain 4.7 County Counselor. Riat seconded, motion carried 3-0.

**3.0 COMMENTS FROM THE PUBLIC:** Steve Minton mentioned last week in the house, agricultural and natural resources budget committee made an amendment to the Kansas Department Health & Environment budget for an increase of \$400,000 to do an independent third-party study of the adverse effects of alternate energy of certain counties. Michelle Campbell would encourage commissioners to consider the 3<sup>rd</sup> girder option for the Belvue Bridge repair.

#### **4.0 DEPARTMENT UPDATES & ACTION ITEMS**

**4.1 Health Director:** Leslie Campbell updated on legislative session, presented a grant application and 2023 poverty guidelines, and asked commissioners to participate in the Public Health Associate Program.

**Motion:** Weixelman moved to convene as County Board of Health. McKee seconded, motion carried 3-0.

**Motion:** Weixelman moved to approve the grant application and 2023 poverty guidelines. Riat seconded, motion carried 3-0.

**Motion:** McKee moved to apply for the Public Health Associate Program. Riat seconded, motion carried 3-0.

**Motion:** Weixelman moved to adjourn Board of Health. Riat seconded, motion carried 3-0.

#### **Reconvene as Board of County Commissioners.**

**4.2 Noxious Weed Director:** Mark Jack presented a hay contract renewal with George Ebert & Brayden Ebert for the Solid Waste Disposal Site and stated he is in favor of moving forward with Health Department's sign but the generator is not going to happen under that particular grant.

**Motion:** Weixelman moved to approve the hay contract. Riat seconded, motion carried 3-0.

**4.3 Public Works:** Janell Ralph presented a 2023 County Dust Control Program for approval. Steve Roggenkamp and Tim Eisenbarth presented an agreement with BG Consultants for the rehabilitation of bridges FAS 30 and 560. Eisenbarth updated on road projects.

**Motion:** Riat moved to approve the 2023 County Dust Control Program. McKee seconded, motion carried 3-0.

**Motion:** McKee moved to go ahead with the agreement with BG Consultants for the rehabilitation of bridges FAS 30 and 560. Riat seconded, motion carried 3-0.

**4.4 Commissioners:** Commissioners updated on phone calls received, meetings attended or attending, and roads they drove (Economic Development, Planning Commission, chili feed, KWORCC, Flint Hills Regional, Kansas Association of Counties, radio).

**4.5 Administration Office:** Chad Kinsley stated the Kansas Silver Hair legislature is asking for \$150 contribution because state pulled their funding and they are wanting local government to pitch in. Kinsley recommends to pay their mileage and/or lunch; decision will be made later. Kinsley updated on a Browns Field Study, top ten taxpayers, a planning and zoning member acting as a representative of the county at the Inter-Governmental luncheon meeting, and asked commissioners if they want to send letters to city's if they want \$500 for their Park's & Rec. Commissioners stated Robert Busby does not represent the county as an official representative of the county because he has not been appointed to do so and they will discuss this at a later date. Kinsley also presented a letter from Wabaunsee County in favor of the cheaper \$10 million Belvue Bridge repair. Commissioners agreed with Wabaunsee County Commission to move forward with the cheaper \$10 million Belvue Bridge repair.

**4.6 County Counselor:** John Watt stated he attended the planning commission meeting.

#### **5.0 NEW BUSINESS:**

**5.1 City of Wamego – Cat Creek Bridge:** Stacie EicheM wanted to start a discussion with the county about partnering with the county on funding to replace Cat Creek Bridge. It was stated that particular bridge is

not on the list to be replaced right now and the city will be taking over as soon as they reach a population of 5000.

**5.2 Joint Wastewater Treatment System 9451 & 9425 Moylan Rd Hearing:** Chair declared hearing open at 9:30 a.m. Scott Schwinn gave information about the situation and per county policy, he had to deny the request. Commissioners can override and approve the request which has happened in the past.

**Motion:** McKee moved to table a decision. Riat seconded, motion carried 3-0.

**5.3 Powers Ln & Farmers Ln Rd Hearing:** Chair declared hearing open at 10:02 a.m. Steve Roggenkamp gave information to officially open three roads: Edgewood Dr, Farmers Ln, and Powers Ln. Public comment was called once, twice and three times. Comments were made by Steve Minton. Chair closed hearing at 10:04 a.m.

**Motion:** McKee moved to approve Resolution 2023-15 opening Edgewood Road. Weixelman seconded, motion carried 3-0.

**Motion:** McKee moved to approve Resolution 2023-16 opening Farmers Lane. Weixelman seconded, motion carried 3-0.

**Motion:** McKee moved to approve Resolution 2023-17 opening Powers Lane. Weixelman seconded, motion carried 3-0.

**6.0 CONSENT ITEMS:**

**6.1 Tax Corrections**

GOLD0016	179.84
GOLD0016	-264.04
MILLO044	-12.00
REES0002	82.04
STUT0004	-381.32

**6.2 Ledger Transactions totaling \$1,065,500.10 & \$173.39**

**Motion:** Riat moved to approve consent items. McKee seconded, motion carried 3-0.

**7.0 EXECUTIVE SESSION:**

**7.1 Attorney Client Privilege – Potential Litigation**

Commissioner Weixelman moved to recess to executive session to begin at 1:15 p.m. for up to 15 minutes under: Attorney-Client Privilege Exception (K.S.A. 75-4319 (b)(2) subject to be discussed during session potential litigation. Commissioner McKee seconded, motion carried 3-0. Others in attendance were Chad Kinsley, John Watt, Tim Eisenbarth, Nathan Bergman, Lance Forgy, and Scott Schwinn. Regular meeting resumed at 1:30 p.m. no action was taken as a result of the session.

**7.2 Attorney Client Privilege – Potential Litigation**

Commissioner Weixelman moved to recess to executive session to begin at 1:30 p.m. for up to 10 minutes under: Attorney-Client Privilege Exception (K.S.A. 75-4319 (b)(2) subject to be discussed during session potential litigation. Commissioner Riat seconded, motion carried 3-0. Others in attendance were Chad Kinsley and John Watt. Regular meeting resumed at 1:40 p.m. no action was taken as a result of the session.

**7.3 Non-Elected Personnel – Performance**

Commissioner Weixelman moved to recess to executive session to begin at 1:40 p.m. for up to 15 minutes under: personnel matters of individual non-elected personnel (*K.S.A. 75-4319 (b)(1)*) subject to be discussed during session performance. Commissioner McKee seconded, motion carried 3-0. Others in attendance were Chad Kinsley, Whitney Phebus and John Watt. Regular meeting resumed at 1:55 p.m. no action was taken as a result of the session.

**8.0 ADJOURNMENT:** Chair declared regular meeting adjourned at 1:58 p.m.

**9.0 Work Session – Solar Farms**

Paused Regular Commission Meeting at 10:55 a.m. for work session.

**Motion:** Weixelman moved to go back into regular county commissioner session at 12:40 p.m. Riat seconded, motion carried 3-0.

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Chair, Dennis Weixelman

seal

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Vice Chair, Deloyce McKee

*Attest:*

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County Clerk, Dawn Henry

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Member, Greg Riat