

**THE MINUTES OF THE REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF MIAMI COUNTY, KANSAS**

The Board of Miami County Commissioners met in regular session, in the Commissioners' Meeting Room, Miami County Administration Building, Paola, Kansas, on January 8th, 2020. Those present were:

Rob Roberts, Chairman	Shane Krull, County Administrator
Danny Gallagher, Pro-Tem	David Heger, County Counselor
George Pretz, Commissioner	Janet White, County Clerk
Tyler Vaughan, Commissioner	Casey d'Augereau, Executive Secretary
Phil Dixon, Commissioner	

Visitors:

William J Osborn, Spring Hill, KS	Terry Michie, Spring Hill, KS
Randy Loveall, Spring Hill, KS	Mike Hursey, Paola, KS
Jeff Lemise, City of Gardner	Lisa Elmore, City of Gardner
Gonz Garcia, City of Gardner Utility Director	Doug Carder, Republic News
Ryan Denk, City of Gardner Attorney	Charles Eggleston, Paola, KS
Larry Medlin, Spring Hill, KS	Kathy M Eggleston, Paola, KS
John Mitchell, Gardner, KS	

CALL TO ORDER

Chairman Roberts called the meeting to order at 1:00 p.m.

PUBLIC COMMENT

Mike Hursey, 287th St, Paola, KS, handed out a Growing Agritourism in Kansas 2019 Manual which is replacing the 2004 manual. Mr. Hursey said this is a handy item to have on hand as it can answer a lot of questions that might arise about the Kansas Agricultural world. Mr. Hursey stated from what he sees in the manual someone put a lot of time and thought into it. At this point Mr. Hursey extended an invitation to the BOCC to attend a Rotary meeting on January 30th, 2020 at 12:00 in Paola on the Town Square. Sue Stringer with Kansas Agricultural Tourism will be a guest speaker.

CONSENT AGENDA

Commissioner Gallagher moved to approve the Consent Agenda, as follows:

- Minutes of the County Commission meeting of December 27th, 2019
- Approval of payment vouchers and payroll

ADD-ON

- Under Consent Agenda: Orders of Correction of Irregularities
- Under New Business: Authorizing new Bank Signature Cards

Commissioner Pretz seconded; the vote was unanimous.

NEW BUSINESS

Chairman Roberts presented a plaque to Commissioner Dixon for serving as the Chairman of the Board of County Commissioners (BOCC) for the year of 2019. Chairman Roberts said Commissioner Dixon's service was greatly appreciated.

Chairman Roberts spoke about the public hearing on Island Annexation from the BOCC meeting held on December 27th, 2019. He announced the Clerk's Office received additional documents and letters before the deadline of January 8th, 2020 at noon. The additional items received were:

- William Osborn a Miami County Resident
- Gerald Bennett with Rural Water District #2
- Donna Chrisjohn with Water District #7
- Gonzalo Garcia with The City of Gardner, KS
- Jan Pringle a Johnson County Resident
- And the requested information from the Miami County Administrator

Chairman Roberts asked Shane Krull, County Administrator, to confirm the findings of the number of Island Annexations in Miami County. Mr. Krull confirmed there are 20 Island Annexations in Miami County. Commissioner Pretz asked if all the Island Annexations are internal cities of Miami County. Mr. Krull responded by saying that not all of the Island Annexations are cities necessarily but subdivisions and private ownership as well as cities.

Chairman Roberts opened the public hearing at 1:08. William James Osborn, 235th St, Spring Hill, KS, provided a written letter to the Clerk's office. Mr. Osborn said some of the landowners mentioned in the letter are present today and he doesn't want to speak for them so he would like to read the letter. Mr. Osborn stated there was a meeting held on January 6th, 2020 with 12 landowners in the area of the Island Annexation in question. The purpose of this meeting was to discuss the implications of the expansion of the Water Plant and the Island Annexation. Mr. Osborn said that some of them have lived there all their lives. Per Mr. Osborn the group of 12 that attended this meeting does not have an issue with the expansion of the Water Plant, but they stand against the Annexation. It is the group of the 12 landowners' belief that the Annexation will have a negative impact. Commissioner Pretz asked if Mr. Osborn has specifics on the negative impact. Mr. Osborn said he was not able to gather all the information to show the negative impact in the short amount of time provided. Ryan Denk, City Attorney for the City of Gardner, stated he will be addressing some of the points presented at the meeting on December 27th, 2019 and some of the points presented by Mr. Osborn today. Mr. Fraley, from the meeting held in December 2019, was concerned with the traffic increase, the only increase the City of Gardner is seeing will be the additional chemicals to be brought into the Water Plant. Commissioner Pretz questioned if the City of Gardner will have employees working at the Water Plant every day. Gonzalo Garcia, City of Gardner Utility Director, stated there will be 5 employees working there daily. Mr. Denk said they do not plan on hiring additional employees to work at the Water plant. Mr. Denk

then addressed the negative comments made at the last meeting and again today by Mr. Osborn. He looked at the history of how Hillsdale Lake was created. Hillsdale Lake was created as a regional water source not to be used solely by Miami County. This regional water source was developed for use by Miami County, Johnson County, Douglas County and Franklin County. Commissioner Vaughan stated he doesn't see anything in the documents provided that address the issue of the Island Annexation. He doesn't see any additional information about the City of Gardner starting the work without permits or an Island Annexation. He said there are 2 separate issues here: the water plant is one issue and the Island Annexation is the second issue. Commissioner Vaughan is concerned that the City of Gardner is blurring the 2 issues together and he would like for the issues to be kept separate. Mr. Denk said he is only hearing negative comments from the residents about the water plant. Commissioner Vaughan said he disagrees with that statement, the residents are voicing their concerns about the Island Annexation. Commissioner Vaughan said he doesn't see setting precedent for this Island Annexation with a city outside Miami County. Mr. Denk said he doesn't believe the City of Gardner should be treated any differently than any of the other Island Annexations that Miami County approved in the past. Mr. Denk continued to talk about the great need of the water plant expansion for the City of Gardner. Commissioner Gallagher asked that Mr. Denk please stop blurring the 2 subjects together. Mr. Denk said that there is concerns about the cost and delays without the annexation but there is another path they can take if the annexation does not go through. The City of Gardner believes the cost and delays will be great if the alternate path is taken. Commissioner Vaughan asked that the City of Gardner understand that he agrees the need for the water expansion is needed but the Island Annexation issue should have been approached by the City of Gardner with Miami County 6 – 8 months ago so that Miami County could work with the City of Gardner to help prevent the delays that the City of Gardner is now fearing. Chairman Roberts said he does agree with Commissioner Vaughan that the documentation presented does not address the Island Annexation but does show how the annexation would be helpful to the City of Gardner for the water plant expansion. Chairman Gallagher asked if there have been any issues in dealing with Miami County Codes in the past 20 years. Mr. Garcia said to his knowledge there have not been any issues with Miami County Codes. Larry Medlen, 231st Street, says there are a lot of Medlens in Miami County, he believes no one in Miami County has sacrificed more property to Miami County than the Medlens. Mr. Medlen would like to know the benefits of the City of Gardner getting an Island Annexation. He believes there is a lot more going on here than meets the eye and questions why this was not addressed by the City of Gardner with Miami County 6 – 8 months ago. Mr. Medlen believes the citizens of Miami County should have a say so in what happens to this property. Mr. Osborn asked to clarify one thing. Mr. Osborn said the group of landowners met and discussed 2 subjects: one, the expansion of the plant and the second was on the annexation itself. The group is against the annexation not the expansion of the plant. Chairman Roberts closed the public hearing at 1:44 and thanked everyone for their participation in the public hearing. Chairman Roberts said the decision will be on next week's County Commissioners' Agenda (January 15th, 2020). There must be a 2/3 majority vote in order for the annexation to be approved.

Frank Burrow, requested the Board of County Commissioners to consider authorizing the remounting of the patient compartment (box) from the 2015 chassis to a 2020 Ford E450 chassis. This will include the removal of cabinets, rewiring of the box and replacing the

cabinets. Commissioner Pretz moved to authorize remounting the patient compartment from the 2015 chassis to a 2020 Ford E450 chassis. Commissioner Gallagher seconded, the vote was unanimous.

Jenny Fyock, Miami County Treasurer, requested authorization for new bank signature cards for staff changes. Commissioner Gallagher moved to authorize the Treasurer's Office to obtain new bank signature cards. Commissioner Vaughan seconded, the vote was unanimous.

REPORTS FROM STAFF

JR McMahon, Road and Bridge Director, said that he recently did a review of the Snow Removal Policy. It appeared to Mr. McMahon that it was out dated. He updated the Snow Removal Policy condensing it to 4 pages from 15 pages, the last update was made in 2006. Mr. McMahon said he would like to "test drive" this policy for a couple of snow storms to see how it works out. Mr. McMahon then spoke about the amount of rock Miami County Road & Bridge used in 2019 and passed out a graph showing the total amount of rock used in 2019 was 89,249 tons.

Shane Krull, Administrator, said on January 22nd, 2020 the Security Committee will bring in recommendations and follow-up from Homeland Security's recommendations for the Admin Building and the Court House. Some of the members of the committee asked if they would be allowed to be in the Executive meeting when it takes place. If allowed it will be 6-8 members of the Security Committee and we would need to move the Executive meeting to another location due to the size of the room normally used.

COMMISSON COMMENTS

Chairman Roberts announced there are several Appointments to be made today and would like each Commissioner to state the appointments they have then make the motion after all Commissioners have announced their appointments.

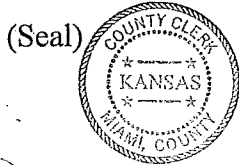
- Chairman Roberts would like to appoint Chairman Roberts and Commissioner Vaughan to the Economic Development Committee. And would like to appoint Joseph E Flake as the Paola Township Clerk.
- Commissioner Vaughan would like to appoint Charlene Weiss to the Miami County Lake Region Solid Waste Authority.
- Commissioner Gallagher would like to appoint; Charlie Eggleston as the Stanton Township Clerk, Jim Meinig as the Stanton Township Treasurer, and Dennis P Fenoughy as the Stanton Township Trustee.
- Commissioner Dixon would like to appoint Kelli Broers to the Planning Commission to replace Mr. Guetterman.
- Commissioner Pretz would like to appoint Ken Patrick and Chris Brown to the Board of Zoning Appeals.

Commissioner Pretz moved to approve the appointments made by the Commissioners. Commissioner Gallagher seconded, the vote was unanimous.

Commissioner Roberts moved to recess for an executive session for Attorney/Client Privilege Exception. This meeting is to include the Commissioners, Administrator and County Counselor. Chairman Roberts stated the executive session will begin at 2:00 p.m. and last for 30 minutes no action is anticipated in this session. The Commissioners rejoined the normal meeting at 2:30 p.m. and Chairman Roberts moved to extend the executive session by 15 minutes. Commissioner Pretz seconded, the vote was unanimous. The executive session ended at 2:45 p.m.

ADJOURNMENT

The meeting was adjourned at 2:45 p.m.



Rob Roberts

Rob Roberts, Chairman

ATTEST: *Janet White*

Janet White, County Clerk