

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 Commission Chambers, Miami County Administration Building, Paola, Kansas, on June 9, 2021. Those present were:

Rob Roberts, Chairman

Shane Krull, County Administrator

Tyler Vaughan, Pro-Tem

Janet White, County Clerk

Danny Gallagher, Commissioner

Casey d'Augereau, Executive Secretary

Phil Dixon, Commissioner

Absent: George Pretz, Commissioner

News: Doug Carder, Republic Miami News

Visitors: Randy Fruit, Stacy Smith, Tom Bach, Bob Swanson, Sara Gamblin, Shay Hanyak, Sam Moon, Phillipp Harold

CALL TO ORDER

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

PUBLIC COMMENTS

Tom Bach, 32010 W 231st St, Spring Hill, stated he believes there have been some incorrect statements made by Jennifer Williams regarding the position of the Commissioners and Department Heads. Mr. Bach found a Facebook post by Jennifer Williams stating the Sheriff plans to continue services if the petition is granted and the City of Golden is developed with no extra fees or costs. Another statement of Ms. Williams indicates she has spoken with JR McMahon, Road & Bridge Director, and he has stated there will be no additional cost for Road & Bridge to continue maintenance of the roads in the proposed City of Golden's area. Mr. Bach inquired who controls the purse strings and if Department Heads have erroneously provided information?

Chairman Roberts responded to Tom Bach's public comments. Chairman Roberts "Tom, uh between now and the day that this Commission makes a decision on Golden, which is several months away. There's going to be what I will say a host of rumors, comments, innuendos, promises, commitments, made by those who support it and those who oppose it. Most of those times those comments will be what I will classify as erroneous. I think you have been here enough times that you have heard me say, when and if this Commission comes to that conclusion, we will make the decisions on what happens with Golden; should it become a city, should it not, and then subsequently should it become a city how the county will interact with that city, um, in regards to uh road, road maintenance, as well as other services that will happen. It's ironically that you would ask that question today because both Sheriff Kelly and uh Road and Bridge Director McMahon is here and I had heard some of these comments and so I asked both of them, subsequently, and I think they will validate my response to you. And I say this only from the standpoint of making sure that the public understands this Commission has made no commitments and no, no department head has made any commitments in regards to what will and will not happen. And I'll speak for Sheriff Kelly only in the context of the question I asked him. What are the services you currently provide to any rural county resident? Got a couple road patrol officers out there and he responds to 911 calls and should there be an incident he responds to them. He indicated to me that whether Golden becomes a city or not, if it did, the day after it becomes a city he'll continue to respond in that fashion. However, should there be a need for expanded services Sheriff Kelly will, at a future date, present to the Commission and to the City of Golden what those costs might look like. There are patterns out there that when Sheriff's departments are asked to expand their level of services beyond what it is currently today, that there is a cost that will be associated with that; and that will be a decision made by that governing body during that, their normal governing business, should they become a city. Is that accurate Sheriff Kelly?" Sheriff Kelly responded "Correct". Chairman Roberts continued "and nothing, nothing short of that. To ask, ask, suggest, or imply that Sheriff Kelly will do anything beyond what he is doing today, would be a misrepresentation of both his department and his character. He is not going to lower the responsibility the Sheriff's office has to its citizens. But in addition to uh, suggest that any policing of that uh newly potential formed city; that would be an unfortunate misrepresentation of I think what Sheriff Kelly has indicated both to me and apparently through his conversation with whoever. Am I accurate Sheriff Kelly?" Sheriff Kelly responded "Yes." Chairman Roberts continued "Ok. So, no promises have been made and let's face it Sheriff Kelly and his staff have done an outstanding job of uh providing the law enforcement this county has needed. He's not going to stop that, just because there is a city. We may not realize it, but Sheriff Kelly and his deputized officers have a right to pull over anybody, anywhere, within the county. Whether you are in the city or you are not. Now, certainly he cooperates with local PD's, but he is not going to stop doing his job just because there is a city called Golden that's created. But he is also, if he needs to expand those services, that's a function of a budget. And he is going to have to figure out what that might cost, whether that entity is willing to pay it,

and whether these 5 Commissioners are willing to put up the money to make that happen. Does that help understand that?" Tom Bach responded "Exactly, I appreciate that." Chairman Roberts continued "Now, second thing is Road and Bridge. But let me clarify something else. The EMS services is countywide services. If you call 911 and you ask for an ambulance that ambulance is going to show up; I don't care where you are at or what city you are in. Right David?" David Ediger, EMS Director responded "yes". Chairman Roberts continued "Nothing will change. Now come to Road and Bridge. Whether you realize it or not. But you and I if we own a home in Miami County, we pay 8.66 mills in taxes for road services correct?" JR McMahon, Road and Bridge Director responded "9.66". Chairman Roberts continued "9.66. Now, I live in the City of Paola, guess how much of those taxes come to the City of Paola to fix the streets in front of my house? JR how much?" JR McMahon responded "none". Chairman "Zero, you hear? zero. So, those taxes are collected by the county to provide county services for road and bridge activity that are the counties responsibility. Now should it become a city, there is going to be some, uh, serious conversation between the newly elected City management er counsel group and the County Commission to determine what level of services they may want. And then we will figure out how that gets paid for. But, right now, I pay 9.62 mills to the County for county roads. Okay. Well those, if, If you have day 1 of the City of Golden, did anything change with Golden? Not yet. There are still roads there, there are still bridges there, you need accessibility. That's a whole process that has to play out. But I talked to Mr. McMahon and he made no promises to the individual at all regarding any maintenance or activity; he said that's a decision that has to be handled by the 5 people elected up here. Now, will uh there be some discussions about what roads or arterial collectors and local roads. Absolutely, we will have those conversations. And there will be a lot of other conversations happening like, okay if you don't want intermodal traffic through your area. Sheriff Kelly at some future time will address that. How will that happen? If it can happen. But, you know, anybody out there making statements that reflect poorly upon the county staff, is unfortunate. Because Mr. Krull has not been authorized to make any policy decisions and neither has Mr. McMahon. But this Commission will, at a day and a time when it's appropriate. We will have this room full of people with a host of expert witnesses talking about if you make a city, here what it will look like and here's maybe the cost associated with the services should they need them. But, once you become an organized incorporated city, it's your job to provide those services, not the County. So, we have not made any statements. Have I misrepresented anything gentleman?" Each of the Commissioners responded in the negative and Commissioner Vaughan wanted to remind the public to attend the June 23rd hearing at 3 o'clock at the Paola Middle School. Chairman Roberts continued "that is a listening time. Don't expect County Commissioners to make policy statements that day because guess what? We got questions too, right? Just a lot of the similar ones that you have. And we will have our lawyers there and we'll have; we want to hear from you the public present your petition for or against and talk to us about why it's a good idea or a bad idea and help us, help us make a, a decision that is good for Miami County and not just good for one group of people. So, did that help Tom?" Mr. Bach responded in the affirmative and stated that there was a lot of confusion out there and a lot of misinformation. Chairman Roberts stated "We appreciate you bringing it to our attention but, we've been, we've been consistent about not responding to rumors and innuendos and comments and so forth, but because your respect this Commission has I feel it necessary to fill in the blank that what we have not done and uh, you have served our County well in a lot of capacity and I respect that and appreciate you bringing it to our attention."

CONSENT AGENDA

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

- Approval of minutes of the county commission meeting on June 2, 2021
- Approval of AP payment vouchers and payroll
- Add-on: Approve amended minutes from March 18, 2020

Commissioner Gallagher seconded, the vote was unanimous.

PROCLAMATIONS & PRESENTATIONS

Chairman Roberts proclaimed June 15, 2021 as World Elder Abuse Awareness Day. Commissioner Dixon moved to approve June 15, 2021 as World Elder Abuse Awareness Day, Commissioner Gallagher seconded; the vote was unanimous.

Holly Ray, Human Resource Director, announced the following Employee of the Month for the following months:

- January: Deputy Austin Jones, Sheriff's Office
- February: Battalion Chief Gamblin; Logan Woolsey, Paramedic and Jessica Kolich, EMT
 - Stacy Smith, 37960 W 391st St, Lane, KS 66042 presented the Ambulance Service the Employee of the Month.
- March: Amanda Curnutte, Health Department
- April: Deputy Geoffrey Monceret, Sheriff's Office

NEW BUSINESS

Mark Whelan, Emergency Management Coordinator, requested the Commissioners (sitting as Miami County Fire District 1 Board) to consider placing the Osawatimie Fire Department (OFD) Tender 41 into surplus and placed on Purple Wave. Old Tender 41 is a 2004 GMC 8500 with 16,670 miles. Vehicle is in need of \$5,000 in repairs to R&R King Pins and is missing a leaf spring clamp. Vehicle is not suited for use as a fire department response vehicle due to being overweight when tank is full of water. Commissioner Gallagher moved to place OFD Tender 41 in surplus and placed on Purple Wave, Commissioner Vaughan seconded; the vote was unanimous.

Mark Whelan, Emergency Management Coordinator, requested the Commissioners (sitting as Miami County Fire District 1 Board) to consider purchasing 30 Unication 800 Pagers for Osawatimie Fire Department (OFD) for alerting the staff. Currently alerted on the old VHF system which is subject to failure and the active 911 app on staff phones. Purchase will allow call notifications to occur on the new radio system using a dedicated alerting talk group. Commissioner Dixon moved to purchase the 30 Unication 800 pagers for \$37,629.59, Commissioner Gallagher seconded; the vote was unanimous. (A21-06-028)

Shane Krull, County Administrator, requested the Commissioners to consider signing an agreement with Zingre & Associates, P.A. for a renovation project in the administrative offices. The administration suite is needing to add offices to accommodate current staff. The best location is in the northwest area. Commissioner Vaughan moved to approve the agreement in the amount of \$8,855 plus expenses, Commissioner Dixon seconded; the vote was unanimous. (A21-06-029)

STAFF COMMENTS

Shane Krull, County Administrator, thanked Stacy Smith for presenting a powerful presentation today for the Ambulance Service's employee of the month.

Mark Whelan, Emergency Management Coordinator, gave a handout and updated the Commissioners on the current status of COVID-19. There are currently 2,781 cases of COVID-19 as of June 9, 2021: an increase of 2 since last Wednesday. There are less than 5 cases in Miami County, no new clusters, and no new deaths.

EXECUTIVE SESSION

Commissioner Gallagher moved to have a 30-minute Non-elected Personnel Exception Executive Session for evaluations. The Executive Session is to include the Commissioners and Shane Krull, County Administrator to begin at 2:00 p.m., being held in the Administration Training Room. Commissioner Vaughan seconded, the vote was unanimous.

The regular meeting reconvened at 2:30 p.m. Commissioner Vaughan moved to extend the Non-elected Personnel Exception Executive Session for another 30 minutes to begin at 2:30 to continue with evaluations. This meeting is to include Shane Krull and will be held in the Commission Chambers' Kitchen. Commissioner Dixon seconded, the vote was unanimous. Shane Krull came out of the Executive Session at 2:55 and rejoined the meeting at 2:57.

The regular meeting reconvened at 3:00 p.m., no action was taken.

ADJOURNMENT

The meeting was adjourned at 3:00 p.m.




Rob Roberts, Chairman

ATTEST:


Janet White, County Clerk