

**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 April 5, 2023. Those present were:

Tyler Vaughan, Chairman	Shane Krull, County Administrator
George Pretz, Pro-Tem	Shelley Woodard, County Counselor
Keith Diediker, Commissioner	Janet White, County Clerk
Rob Roberts, Commissioner	Shannon Gaboni, Operation Specialist
W. Jene Vickrey, Commissioner	

Visitors: Jeff Oliver, Dan Creason

CALL TO ORDER

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

CONSENT AGENDA

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

- Approval of minutes of the county commission meeting on March 29, 2023
- Approval of AP payment vouchers
- Right-of-Way Purchase Contract-Franklin C. Sweet Revocable Trust **(A23-04-009)**
- Right-of-Way Purchase Contract-Jonathan and Carol Newkirk **(A23-04-010)**
- Right-of-Way Purchase Contract-William and Frances Sobek **(A23-04-011)**
- Right-of-Way Purchase Contract-James and Jacqueline Martley **(A23-04-012)**
- Right-of-Way Purchase Contract-Bonnie F. Raley **(A23-04-013)**
- Right-of-Way Purchase Contract-Juan Carlos Osorio, Jr. and Janine Soledad Osorio **(A23-04-014)**
- Add-On: Order of Correction of Irregularities

Commissioner Roberts seconded; the vote was unanimous.

PRESENTATIONS AND AWARDS AND PROCLAMATION

Proclamation - National County Government Month, April 2023 "Counties Rise". Commissioner Pretz moved to approve as presented, Commissioner Roberts seconded; the vote was unanimous.

NEW BUSINESS

Angie Eads, Director of Community Corrections, requested the Commissioners to approve the Chairman to sign the KDOC FY24 Adult Comprehensive Plan Grant Signatory Page. Ms. Eads is requesting an allocation of \$543,547.42. This total includes behavioral health money in the amount of \$151,411.63. Community Corrections is only allowed to request the same amount of money as last year but there is a section for funding considerations that Ms. Eads put some items in, in hopes of receiving additional funding. Commissioner Pretz moved to approve as presented, Commissioner Vickrey seconded; the vote was unanimous. **(A23-04-015)**

Angie Eads, Director of Community Corrections, requested the Commissioners to approve the Chairman to sign the KDOC FY24 Juvenile Comprehensive Plan Grant Signatory Page. Community Corrections is requesting an allocation of \$579,491, same as last year with additional items requests added into the funding considerations section. Commissioner Pretz moved to approve as presented, Commissioner Roberts seconded; the vote was unanimous. **(A23-04-016)**

Angie Eads, Director of Community Corrections, requested the Commissioners to approve the Chairman to sign the KDOC FY24-25 Reinvestment Grant Signatory Page. Community Corrections is requesting an allocation of \$180,304, same amount as last year, but this is a 2-year grant so \$90,152 for 2024 and \$90,152 for 2025. This grant funds the Juvenile Care Coordinator Position who provides services to juveniles and

their families. Commissioner Roberts moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous. **(A23-04-017)**

Angie Eads, Director of Community Corrections, requested the Commissioners to approve the Chairman to sign the KDOC-Adult Services Amendment for FY22 2nd Quarter Budget Adjustment. In the 2nd Quarter on the Adult Comprehensive Plan Grant a total of \$10,000 was moved from one line item to another due to a vacancy savings Community Corrections had and was moved to Drug Testing and Supplies. Due to the amount being over \$5,000 approval is needed. Commissioner Diediker moved to approve as presented, Commissioner Pretz seconded; the vote was unanimous. **(A23-04-018)**

Angie Eads, Director of Community Corrections, requested the Commissioners to approve the Chairman to sign the KDOC-Adult Services Amendment for FY22 4th Quarter Budget Adjustment. In the 4th Quarter on the Adult Comprehensive Plan Grant a total of \$5,917.34 was moved due to a vacancy savings. These monies were moved to help with office supplies, drug testing and drug testing supplies. Some money was also moved to Behavioral Health to purchase workbooks used for their Cognitive Program. Commissioner Roberts moved to approve as presented, Commissioner Pretz seconded; the vote was unanimous. **(A23-04-019)**

Angie Eads, Director of Community Corrections, requested the Commissioners to approve the Chairman to sign the KDOC-Juvenile Services Amendment for FY22 4th Quarter Budget Adjustment. A total of \$7,664.15 was moved due to a vacancy saving in the Juvenile Intake and Assessment Program and the Immediate Intervention Program. The money was utilized to cover the higher cost of utilities, internet and personnel benefits. Some of the money was also used to purchase Cognitive Skills workbooks. Commissioner Roberts moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous. **(A23-04-020)**

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to authorize the Notice of Award (RFB 2023-004) Old Kansas City Road Rehab/2023 Asphalt Overlays. Mr. Oehlert stated that Superior Asphalt was the lowest bid at \$3,911,410. Commissioner Vickrey wanted to know if this price is locked in. Mr. Oehlert stated that the bid follows the KDOT Asphalt Indexing and so if asphalt prices increase, so will the bid and that a lot of consideration was given by the Commission to making sure there was ample contingencies in the budget to cover that potential increase. Commissioner Pretz moved to approve RFB 2023-004 as presented, Commissioner Diediker seconded; the vote was unanimous.

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to execute the CE Agreement with Baldrige Engineering for the Old Kansas City Road Rehab/2023 Asphalt Overlay Project. Baldrige Engineering was the only bidder at \$65,550. Mr. Oehlert reached out to other companies and their response was that they did not believe they could be competitive with Baldrige's pricing. Also, due to it being a busy construction season and nature of the work the other companies weren't as interested. Commissioner Roberts moved to approve as presented, Commissioner Diediker seconded; the vote was unanimous.

Mark Whelan, Emergency Management Coordinator, requested the Commissioners to consider approving \$17,818.18 for structural repairs on the Freeman Radio Tower. Commissioner Vickrey moved to approve as presented, Commissioner Roberts seconded; the vote was unanimous.

STAFF COMMENTS

Holly Ray, HR Director, spoke about the Miami County Supervisor Training scheduled for April 6, 2023. There will be approximately 41 people attending. Ms. Ray said they are looking at it as a strategic partner helping the supervisors get tools to meet the strategic missions.

Mark Whelan, Emergency Management Coordinator, updated the Commission on how busy the volunteers have been serving Miami County the past 9 days. Since Monday, March 27, 2023, to midnight April 4, 2023, volunteers, EMS and Fire Departments responded to around 50 incidents in Miami County.

April 5, 2023

Page 3

Matt Oehlert, Road & Bridge Project Manager, spoke on Metcalf 2.0 and how the original scope of the project stops at 2nd Street in Louisburg. Mr. Oehlert proposed an additional mill and overlay bid/change order of 12,000 lineal feet from Miles Excavating, Inc in the amount of \$49,626 for Metcalf Road which would tie into Amity/K68. Mr. Oehlert wanted to know if the Commission had an interest in doing the additional work while the crew is performing the work on the original bid. Chairman Vaughan asked how the City of Louisburg felt about it and if they were going to help with the cost. Mr. Oehlert said that they are in support of it but do not want to pay for it. There is \$115,000 of unencumbered funds available for the project and no change orders have been submitted to date. If change orders were needed, then that amount would be taken out of the unencumbered funds reducing the amount available should additional work need to be completed or material prices go up. Commissioner Roberts suggested going to the City of Louisburg and asking to split the cost of the additional amount and if the City approves an additional sales tax then \$25,000 of that tax would be committed to Miami County for half the cost of this part of the project. Commissioner Vickrey moved to approve the additional bid, with a commitment from the City of Louisburg that \$25,000 from any future sales tax would be paid to Miami County, Commissioner Roberts seconded; the vote was 4 yay, 1 nay (Commissioner Diediker)

COMMISSIONERS COMMENTS

Commissioner Roberts said he had a conversation with Judge Harth regarding the court system. One of the things the court system would like the Commission to re-entertain the security in the Court Clerk's office. The contractor's original bid, dated July 2021, was held off on to potentially pursue other improvements to the building. The District Judge would like to revisit that bid and Commissioner Roberts felt it best to bring Mr. Zingre in so he can get an updated scope of work and updated bids can be pursued. In addition, Commissioner Roberts feels there are security concerns in the County building that should be looked at and he would like Mr. Zingre's input on that as well. The last thing Commissioner Roberts would like the Commission to consider is to Mr. Zingre investigate concepts for a court annex to see what it would cost to get some renditions or scope of service costs. Commissioner Roberts moved to allow Shane Krull, County Administrator, to engage Mr. Zingre to evaluate the July 2021 bid for security improvement at the District Court, evaluate any security concerns in the County building and evaluate a potential courthouse annex layout, Commissioner Diediker seconded; the vote was unanimous.

Commissioner Pretz moved to appoint Janet McRae as Committee Member with Eric Sandberg as her alternate to the Total Transportation Policy Committee at MARC, Commissioner Roberts seconded; the vote was unanimous.

Commissioner Pretz said there is a possibility that more than two Commissioner may be present at the robing of Elizabeth Sweeney-Reeder on April 14, 2023, at 2 p.m. This will take place at the Bourbon County District Court, 201 S. National Avenue, Ft. Scott, KS.

Commissioner Pretz said there is a possibility that more than two Commissioner may be present at Supervisory Training on April 6, 2023, at 10 a.m. here in the Board of County Commissioners Chambers.

Commissioner Roberts then invited Eric Sandberg, Road & Bridge Director to the podium to discuss the possibility of an outside contractor performing dust control on county roads if a citizen wanted to hire that company. Mr. Sandberg said he does have that information but after discussing it with Shelley Woodard, County Counselor, they felt it would be a liability to allow an outside contractor to perform that type of service on county roads. Ms. Woodward asked if the Commission would be proposing that a contractor be allowed to spray the Magnesium Chloride, without any supervision from the County with the potential of damage to the road and damage to a citizen's property. Commissioner Roberts would like to hear from the company on what they propose, other jurisdictions that utilize the company for those services and issues they have come across. Mr. Sandberg said he would bring that information to them next week. Commissioner Vickrey agreed with Commissioner Roberts that the citizens should have an option to be able to do dust

control.

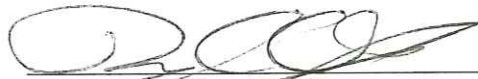
EXECUTIVE SESSION

Commissioner Pretz moved to have an Attorney-Client Privilege Exception Session to discuss a potential litigation matter for 15 minutes beginning at 2:08 to include the Commissioners, County Administrator, County Counselor and Director of Planning and Zoning. Commissioner Roberts seconded; the vote was unanimous. No action was taken at this time. Chairman Vaughan reconvened the regular meeting at 2:23.

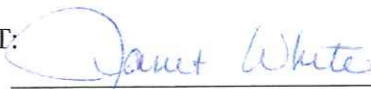
ADJOURNMENT

The meeting was adjourned at 2:23 p.m.




Tyler Vaughan, Chairman

ATTEST:


Janet White, County Clerk