

**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 February 14, 2024. Those present were:

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

News: Brian McCauley, Miami Republic News

Visitors: Jeff Oliver, Stacie Gamerl, Michael Gamerl, Khris Rogers, Melisa Rogers, Betty Kern, Dino Motta, Robin Motta

CALL TO ORDER

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

PUBLIC COMMENTS

Stacie Gamerl, 32744 W. 243rd Street, have lived in Paola for about 19 years. They have a neighbor that shoots off a 1 lb. of Tannerite which is against manufacturers recommendations for use. Recommendations also state that it should be shot off 200 yards away from structures and people. The neighbors are shooting it off approximately 273 feet from Ms. Gamerl's home. Ms. Gamerl has gone to her Commissioner and was told to contact law enforcement, which is what she did but nothing came out of it. This issue has affected one of their friends, causing hearing loss, her husband was in the military and suffers from PTSD and all they are trying to do is enjoy the quiet and tranquility of their property. Ms. Gamerl would like to see county regulations put in place for Tannerite use. Chairman Vaughan said as unfortunate as it may be there is not a lot that the County Commission can do to regulate the use of the product and the biggest thing that can be done is deal with law enforcement. Commissioner Roberts said about 3-4 years ago they took a deep dive into the Tannerite issue. It is a legal explosive that any citizen can purchase, and the State and Federal Government do not have regulations against it. It would greatly please Commissioner Roberts to limit the use so that citizens like Ms. Gamerl feel like they have some protection. He also sent the information to Commissioner Vickrey, formerly Representative Vickrey to discuss at the State level. Commissioner Vickrey said that there really isn't any state statute that regulates the use of Tannerite. Ms. Gamerl is asking for guidelines to be put in place like the one for fireworks. Commissioner Roberts said that if the State and Federal Government have no regulations in place then the County does not have jurisdiction as it can turn into a 2nd Amendment issue. Commissioner Roberts knows this is not the answer Ms. Gamerl is looking for nor is it the answer he wants to provide her.

CONSENT AGENDA

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

- Approval of minutes of the county commission meeting on February 07, 2024
- Approval of AP payment vouchers and payroll
- 23004-SUB: LeBon Acres
- AO-01: Order of Corrections of Irregularities
- AO-02: Agreement with Elizabeth Layton Center, LLC for Mental Health Services

Commissioner Diediker seconded; the vote was unanimous.

PRESENTATIONS AND AWARDS AND PROCLAMATION

Presentation to Alex Freund, Economic Development. Alex has been selected as December Employee of the Month.

NEW BUSINESS

Laura Epp, Procurement and Alex Freund, Economic Development, requested the Commissioners to consider approving a resolution to adopt an official logo for Miami County, Kansas, and establish procedures for the implementation of said logo in support of the Branding Standards and Templates guide for internal users. The updated guide will include the new logo for Miami County, Kansas, and provide better strategies for using the seal, logo, icons, and templates in today's environment. Commissioner Pretz moved to approve as presented, Commissioner Roberts seconded; the vote was unanimous. **(R24-02-001)**

Laura Epp, Procurement and Alex Freund, Economic Development, requested the Commissioners to consider approving a resolution for a Social Media Policy for both internal and external users. Commissioner Diediker moved to approve as presented, Commissioner Vickrey seconded; the vote was unanimous. **(R24-02-002)**

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to consider executing the Agreement for Federal-Aid Construction Engineering Inspection Services by Consultant (Cost Plus Net Fee CE Agreement) for Project 21-05-ST (680)/KDOT 61 C-2123-01 Old KC Road Rehabilitation with Baldrige Engineering. Commissioner Roberts moved to approve as presented, Commissioner Pretz seconded; the vote was unanimous. **(A24-02-004)**

Shane Krull, County Administrator, requested the Commissioners to consider approving a resolution between Miami County, KS and Elizabeth Layton Center, LLC (ELC) for community mental health services. The agreement renews on a yearly basis and Miami County will provide payment for services in the amount of \$223,650.00 for 2024 that will be paid in four installments of \$55,912.50. In addition, Miami County will designate ELC as the recipient of the revenues received in 2024 from taxes on alcoholic beverages designated specifically by state statutes for alcohol-related programs. Commissioner Pretz moved to approve as presented, Commissioner Vickrey seconded; the vote was unanimous. **(A24-02-005)**

STAFF COMMENTS

Mark Whelan, Emergency Management Coordinator, came to give the Commissioners an update on a fire that happened on February 09, 2024. Firefighters from Miami County Fire District 1 stations in Fontana, Osawatomie and Paola were dispatched and a tender from Linn County Fire District 1 also responded. Miami County EMS and Miami County Sheriff's Office also responded to the scene. Unfortunately, once the fire was contained crews searched the structure and found a deceased victim. The fire is currently under investigation by the Miami County Sheriff's Office and Kansas State Fire Marshal's Office. The house and contents were a total loss with estimated damages of \$250,000.00.

Janet White, County Clerk, first wanted to thank everybody for their support during her medical leave of absence as well as thank the Clerk's office staff for doing a great job during that time. Second, Ms. White said that it has been her pleasure and honor to serve for the past 15 years as the Miami County Clerk and Election Officer and looks forward to completing her commitment for 2024 but she has decided to not seek reelection. Ms. White appreciates the continued support for the Clerk's office.

COMMISSIONERS COMMENTS

Commissioner Vickrey said he had a chance to catch up with friends in Topeka about property tax reduction through the Local Ad Valorem Tax Reduction (LAVTR) and that the bill has stalled in places. It would be good for the public to reach out to legislators if they really want to see property tax reduction and now would be timely.

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EXECUTIVE SESSION

Commissioner Vaughan moved to have a Land Acquisition Exception Executive Session to discuss a potential land acquisition for 10 minutes beginning at 1:35 p.m. to include the Commissioners and County Administrator. Commissioner Roberts seconded; the vote was unanimous. No action was taken at this time. Chairman Vaughan reconvened the regular meeting at 1:45 p.m.

SITTING AS MIFD #1

Commissioner Roberts moved to have a Personnel Exception Executive Session to discuss Fontana Fire personnel for 15 minutes beginning at 1:48 p.m. to include the Commissioners, County Administrator and Emergency Management Coordinator. Commissioner Pretz seconded; the vote was unanimous. No action was taken at this time. Chairman Vaughan reconvened the regular meeting at 2:03 p.m.

EXITING AS MIFD #1**ADJOURNMENT**

The meeting was adjourned at 2:03 p.m.

A blue ink signature of Tyler Vaughan, written in a cursive style, is positioned above a horizontal line.

Tyler Vaughan, Chairman

ATTEST:

A blue ink signature of Janet White, written in a cursive style, is positioned above a horizontal line.

Janet White, County Clerk