

## 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 October 27, 2021. Those present were:

|                               |                                    |
|-------------------------------|------------------------------------|
| Rob Roberts, Chairman         | Shane Krull, County Administrator  |
| Tyler Vaughan, Pro-Tem        | Shelley Woodard, County Counselor  |
| Danny Gallagher, Commissioner | Stacey Weaver, Deputy County Clerk |
| Phil Dixon, Commissioner      | Wendy Newton, Office Specialist    |
| George Pretz, Commissioner    |                                    |

**Visitors:** Tom Bach, Jim Hewlett, Charlie Koch, Dennis Koch, Mary Koch, Jacklyn Paletta, John DeGrande, Shelley DeGrande, Jennifer Williams, Ann Campbell, Beau Campbell, Jennifer Whitlow, Herb Tressler, Tiffany Ellison, and Michael Miller.

### CALL TO ORDER

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

### PUBLIC COMMENTS

Herb Tressler, 28435 Lone Star Road, Paola, wanted to thank the Commissioners on paving his road. He says everyone is happy and appreciates them getting it done.

Charlie Koch 27449 W 215<sup>th</sup> St, Spring Hill, wanted to talk about where we go from here. He said the vote was a big disappointment to a lot of people. He spoke with several of his neighbors who feel following that vote like they had just been kicked in the gut. They felt like this was the last chance they had for somebody that was supposed to represent them politically to look out for our interest and our properties and not having our neighborhood enveloped by warehouse development. He stated last year his dad spoke with Commissioner Gallagher and kind of highlighted our concerns and like we were told by Johnson County and Kansas State Representatives we would like to help you but there is nothing we can do to help you influence the development decisions of Edgerton. Golden was that. We put it together and served it up on a silver platter; all that the Commissioners had to do was vote yes and it gave us the political representation that we were asking for. It preserved the county's comprehensive plan and all the input that citizens put into that saying it was a priority to have the rural character of the county preserved and they wanted development focused around the cities. During the study sessions the county's own attorneys said that without the incorporation of Golden there is nothing stopping Edgerton and NorthPoint from pushing as deep as they want to into Miami County, developing as many warehouses as they want to. Hilldale Watershed, we heard from Leslie, that would be very bad for the lake; turn the streams into "dead streams" as she called it. That being the case my question to you all now having turned down our solution. What is your solution? Because all the problems are still there. Edgerton could still come into the county and build warehouse next to our homes. The citizens of Miami county, my neighbors that I spoke with deserve to hear what you plan to do to give them the representation that they deserve.

Tom Bach, 32010 W 231st St, Spring Hill, wanted to thank the Chairman, Commissioner Dixon, and Commissioner Pretz for their vote on the City of Golden. And to Commissioner Vaughan he wanted to thank him for doing his duty to his oath of office. Although I didn't agree with your vote, personally I respect you and your service to the county. You all honored your oath of office to defend and uphold the Constitution of the United States and the state of Kansas. The law regarding the proposed incorporation of a city, KSA 15-121 among others, dictated 14 factors that you shall apply to your decision and you added 3 additional areas to your decision. Over six long months you spent hour after hour after hour of personal time analyzing, listening, reading, and pondering the effects of the proposed city on the area, the entire community, and the whole county. You fulfilled your fiduciary responsibility to your job as County Commissioners. You weren't persuaded by the loudest bully in the room or the intimidation of a few. You did your job in a professional and considerate manner in accordance with the law. I was appalled, ashamed, and sorry to read the assaults you endured by a few in their letters to the editor to the Miami County Republic and especially in the October 20<sup>th</sup> edition. Which contained personal assaults on your character, ethics, integrity, and professionalism as well as inaccuracies. I know I speak for the vast silent majority that say thank you on your vote on Golden. As one of your constituents replied to me, I quote "sometimes we need government to protect us from ourselves." You did that.

Jennifer Whitlow, 31700 W 217<sup>th</sup> St, Spring Hill, appreciates the opportunity to address the Commission. She is about to advance vote however unable to vote for Spring Hill Mayor or Council as she is not in the city limits. Who is my representative...it is you all, the Commission; and I do not feel represented. At the June 23<sup>rd</sup> meeting I asked what's to

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keep NorthPoint from crossing this boundary while we have our discover process and second if not Golden than what? Can you as the Miami County Commission protect the residents of unincorporated Northern Miami County from the unwanted expansion and development of giant warehouses surrounding our property. Are you able to give us representation or will Edgerton come in and become in charge of the properties surrounding my home. I know you embarked on a 6-month discovery process, brought in a lot of expert witnesses, and I think it became clear throughout that process the answer to my question was no. Without Golden you can't protect us. So, What now? Did you come up with a way that you will be able to represent us? My property borders Johnson County and I have watched where people are surrounded and don't have representation. Currently if I want to put a garage up, I would have to come through Miami County and get the proper permits and you would control that process because we want safe and measured growth. If my neighbor sells to NorthPoint and they request annexation to Edgerton and then it is rezoned to logistic park I have lost any protection and I find that to be a very vulnerable place. We moved out there 4 years ago as our dream home and feel it is turning into a nightmare. You all said at least Miami County listened and you did go through a long process and I appreciate your time but part of me says "Did you really listen?" Some of your answers on your reasonings say no. Commissioner Dixon you were really concerned about the Hillsdale Watershed, Leslie Rigby is really concerned about it, the aquatic, the streams, I don't want to see it destroyed. Commissioner Roberts you said it was competing with surrounding cities and is repetitive. But Spring Hill and Gardner were quite supportive in their letters and I do have to say as a constituent watching you only invite NorthPoint and Edgerton and not also Gardner and Spring Hill who had quite a stake in it. That was really concerning to me. I really question the reasoning and logic behind that. I'm so disappointed that I feel we need to put our house on the market. I venture that none of you would want to look for a house in Northern Miami County and put yourself in a vulnerable position that we now feel. What do you plan to do to represent your constituents? Not just the large landowners but all of your constituents. Not just your future possibilities. We are your constituents. We have spoken in the comprehensive plan and I don't feel very listened to.

Jennifer Williams, 21993 Moonlight, Spring Hill, stated on June 23<sup>rd</sup> when she came forth, she didn't speak everything. Mr. Kaup had said the written record would be given just as much weight as the oral and I was hoping everything I written would be read that had all of the details, all of those 16 points. She stated she mentioned the 12 mills in there more than once, that we were asking for that interlocal agreement so we could start and grow into our city with 3 mills. We knew what we were doing, we didn't just haphazardly pick a low number and definitely wasn't choosing a number around 50-some mill that was scaring our citizens into being afraid to participate. As I sat here every week and respected your process, stayed quiet and listened as the majority of the facts were true but there were some things being twisted and not conveyed properly. We are not sitting there to develop industrial; we don't want a seat at the industrial table so that we can invite warehouses into our neighborhood. We may have commercial businesses for things that are a fit for the neighborhood. We are not antibusiness, but we also recognize smart growth practices and the infiltration of inappropriate development of a warehouse right next door to a home. They don't match. As we heard that we would be competition – we are a 9 square mile area. Spring Hill is about that size, Gardner is about 12. Edgerton was 4 until NorthPoint started to annexing property and now they own over half the land in that city and have taken them up to 7 square miles. That is not a duplicity of government, that is a lack of representation. We don't have anyone in our voice. It's not that we want a seat at the table – we want representation on how our neighborhood is going to go. As Jennifer (Whitlow) said we don't get to vote for Mayor and City Council, but they get to come into our neighborhood and tell us what to do. Mr. Pretz, we had a plan, we just couldn't modify our petition. The large landowners I talked to quite a few who were on board until they were told they would have to pay 50-some mills. So, they got scared, changed their mind, and signed the opposition. Of that there were only 85 residents out of the 800 who were signing the opposition. There could have been an arrangement made to still have Golden and to allow out those who weren't wanting to be part of that and still come up with something where Miami County could have a trail along some of those key properties, along the 215th boarder who didn't want to participate, so we could protect the area from inappropriate growth so that you could uphold your Constitutional obligation to stick with that comprehensive plan and support your citizens. You are violating our 5<sup>th</sup> and 14<sup>th</sup> amendments which is the protection of our property rights but also a legislative confiscatory taking of our property values. We have proof of property values plummeting after the warehouses have come into the north, but they wouldn't allow that on the record. The 3, 5, 10, 20 acre lots are going to suffer and that is because of this decision that prevented us from protecting our property, so that is a taking of property values. You may not have imminent domain it but if you are going to let intermodal in and choose not to stop it. Does that mean we come after a giant lawsuit in the future that says okay, we tried to stop it, you wouldn't and now you have damaged our property values. These things are very important, and we are going to continue with an appeal. It shouldn't have to get that way; we should all be able to

work together where everyone wins. We are not trying to hurt anyone and even Mr. Kaup said we have over an 80% approval rating. If you ignore over 80%, I feel that is no different than our last election. When are the people going to be listened to? When are the people we elected really going to represent our voice. I don't feel like we were really heard. I feel like had we been given the opportunity for you to read through everything we put on file, everything you learned I knew about it, I told you about it, but I couldn't tell you that day as it would have just blasted you with too much information. You were still trying to get up to speed. It's all in the written, it's there for you. Miami County is better than this. You can still have the intermodal along I-35 from the Sunflower exit to Wellsville. Where the infrastructure is there to support it with the highway. This would be a win-win for everyone if we could come to the table and work something out that works for everyone. They just wouldn't let us modify the petition once it was put in for the property lines.

John DeGrande, representing his business DeGrande Farms as well as my mother, 27523 W 215th, Spring Hill. We are neighbors to both the Koch's and Jennifer (Williams). We have been opposed to the city of Golden. I want to thank the Commissioners for their vote and I truly believe you examined all the data and tried to make the best decision you thought for the whole of Miami County. I would like to especially say it to Mr. Pretz when the crowd said, "Acre's don't vote" and you said "But, they do have rights". That was a major thing in my mind. You all read the stuff I submitted, and I wanted to step up and say thank you. Thank you for the process and thank you for your vote. Thank you.

Jacklyn Paletta, 31764 W 271st St, Paola, stated several weeks ago I came to you as a concerned parent as to why we are to test our children daily for Covid 19 when the only place that will test the children daily is the school. At that time, you with the aid of Ms. Beer, told me to speak with the school district as The Miami County Health Department (MCHD) does not and has not issued any directives only recommendations. What I didn't explain then is that I had already been to the school board and they said the directives came from the MCHD via email. I obtained the emails through the Kansas Open Records Act (KORA). I also obtained information concerning how my own son was identified as a close contact and learned it was merely based on seating charts. The redacted seating charts even contained language --? Again, depending on distance. On 10/6/21 this Commission sat as the board of health reiterating that MCHD does not and has not issued any health directives and only recommendations and has only issued 6 formal quarantines. This Commission went on to conclude the quasi-quarantine letters are unenforceable and only meant to notify. On Thursday, September 14<sup>th</sup>, Karen Gallagher of MCHD wrote to Nurse Glenda of USD 368 "playing with a mask is not an option." She went on to say, "they may either test to play or not play." This was in response to Glenda writing "based on what Matt said our protocol is athletes could choose to play and wear a mask or consent to test or not play." 3 options. On September 16<sup>th</sup> Mrs. Beer wrote to Matt Meek and others "a mask worn by the student athlete undergoing modified quarantine will not be accepted in lieu of a negative antigen test in order to participate in activities." "Ultimately you will still have parents upset about the testing and the masking etc. A lot of parents have asked for "parental choice" this is a choice. Either they test and participate, or they don't test and don't participate. They don't have to participate and whichever choice the parent chooses, although disappointing to the student, doesn't fall back on your shoulder." This tone is incredibly condescending and disrespectful to parent constituents of this community. These emails cannot be described as recommendations where the school is free to choose. In fact, the school communicated what the protocol was and was told that was not acceptable. Not only was there governmental overreach in contradiction to what was stated on 10/6/21. The MCHD took it a step further to aid the school in handling the parents. The athletic director for Paola Highschool attended the KDHE (Kansas Department of Health and Environment) meeting and he stated KDHE made it clear they make recommendation only not directives. Louisburg did not receive the grant money so that is not a reason for this mandatory testing to play. I originally wanted information so I can make informed decisions, voting decisions, on whether I was to vote for this Commission or school board and the information I received verbally was conflicting, so I explored other means to acquire the truth. 3 school board meetings, 2 in person and 1 remote county commission meeting, \$300 later for 4 KORA requests finally I have the information. To the extent a confirmed close contact with subject to additional protection maybe reasonable but since we are simply notifying in bulk the onerous risky testing the school is doing; one parent said they are testing in bulk, about 100 students a day and distributing results in a way that everyone knows what is happening to the other students. They are not protecting the privacy rights of these students. Should the school boards take what was stated at the 10/6/2021 Commission meeting or the emails distributed by the MCHD.

Tiffany Ellison, 1206 N 1<sup>st</sup> St, Louisburg, wanted to follow up on what Jacklyn (Paletta) pulled with the KORA requests. I'm just trying to determine where the breakdown is happening. After talking with all of you, I believe you are interested in finding a solution, an answer. We are all wanting to know what is best for kids. What Jacklyn is

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exposing here is that these are more than recommendations. These are directives that are given out. These are directives that are directly tied to the quarantine orders that are not enforceable and yet we have school districts enforcing them. I have an email from Christena Beer at MCHD to a private school in our area thanking them for making masks a requirement in the school. If they are not directives and requirements, why are we sending thank you notes to schools thanking them for masking our kids. This is insane. I want to draw this parallel conclusion before I'm done. My boys are here on a civics' fieldtrip since we now home school, which is phenomenal, thank you for showing my kids how adults do business, it is wonderful. My kids have played football for a private organization for the last 2 years. Not in conjunction with a government entity. No requirements for testing, no mask requirements, no threat of shutdown. 2 seasons, thousands of kids, no shutdown. My kids have been on the fields every single day except for last year when we were sick, and we stayed home because that was prudent on our part. No team shutdowns, no loss of games, no threat of it. What's the difference? The only difference is we don't have the Health Department sticking their hand in it. And we don't have the Health Department asking a school district to be the long arm of their pseudo law. To enforce unenforceable quarantine orders. That is the difference. We need to ask ourselves how we have gotten here.

### CONSENT AGENDA

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

- Approval of minutes of the County Commission meeting on October 13, 2021
- Approval of AP payment vouchers and payroll
- Temporary Construction Easement – Christ Our Savior Lutheran Church (C21-10-020)
- Temporary Construction Easement – The Roman Catholic Archdiocese of Kansas City in Kansas (C21-10-021)
- Temporary Construction Easement – Joseph T and Jane A Batten (C21-10-022)
- Temporary Construction Easement – Willard Lee Bishop and Lois I Bishop (C21-10-023)
- Temporary Construction Easement – Robert E Bollinger and Deborah A Bollinger (C21-10-024)
- Temporary Construction Easement – Rands Inc (C21-10-025)
- Temporary Construction Easement – Hopkins Enterprises, LLC (C21-10-026)
- Temporary Construction Easement – Christopher A Dennis Revocable Trust & Keith Dennis Revocable Trust (C21-10-027)
- Temporary Construction Easement – James A Kettler and Jennie L Cook (C21-10-028)
- Temporary Construction Easement – Samantha K Bollinger (C21-10-029)
- Temporary Construction Easement – Louisburg Attic Storage, LLC (C21-10-030)
- Temporary Construction Easement – Cullinan Living Trust (C21-10-031)
- Temporary Construction Easement – Kansas City Power & Light (C21-10-032)
- Temporary Construction Easement – Douglas Dwight Furnell (C21-10-033)
- Temporary Construction Easement – Weers Properties, LLC (C21-10-034)
- Temporary Construction Easement – Bradley L and Linda M Winston (C21-10-035)
- Temporary Construction Easement – Louisburg Area Senior Citizen Center, Inc. (C21-10-036)
- Temporary Construction Easement – N & S Properties, LLC (C21-10-037)
- Temporary Construction Easement – (Tract 1) The City of Louisburg (C21-10-038)
- Temporary Construction Easement – (Tract 16) The City of Louisburg (C21-10-039)
- Temporary Construction Easement – (Tract 17) The City of Louisburg (C21-10-040)
- Temporary Construction Easement – (Tract 18) The City of Louisburg (C21-10-041)
- Temporary Construction Easement – Osawatomie Community Senior Service Center Letter of Support
- Temporary Construction Easement – Louisburg Area Senior Citizens Center Letter of Support
- Temporary Construction Easement – Paola Senior Center Letter of Support
- Add-On: Letter of Support to the House of Representatives in support of Senate Bill 3011

Commissioner Gallagher seconded; the vote was unanimous.

### NEW BUSINESS

Shane Krull, County Administrator, requested the Commissioners to consider signing and authorizing the resolution to change the administrator for the county's flexible benefits plan. He said this was to move to products with lower costs. Commissioner Pretz moved to approve as presented, Commissioner Dixon seconded; the vote was unanimous.

(R21-10-041)

Rob Roberts, Chairman, requested the Commissioners to consider continuing KCAMP Insurance coverage. Commissioner Pretz moved to approve as presented, Commissioner Vaughan seconded; the vote was unanimous. (A21-10-060)

Matt Oehlert, Road & Bridge Project Manager, requested the Commissioners to consider approving the Design Agreement with BG Consultants for Project 21-05-ST (680) which is for the road rehabilitation project of Old KC Road, part of our ¼ cent sale tax which follows Old KC north from US 169 to the city limits of Paola. He says there were 3 bids and BG Consultants came in the lowest at \$95,000. Chairman Roberts stated that for the public this is to rehabilitate Old KC Road from Bull Creek Bridge out to the Chevrolet Dealership, the intent is to mill and widen it? Mr. Oehlert stated the roadway will be milled, widened to 12 feet, and the drainage cleaned up. Commissioner Pretz asked who is responsible for the road under the overpass at 169? Mr. Oehlert answered that KDOT (Kansas Department of Transportation) has right-of-way for any area above/below their overpasses. Chairman Roberts stated that the county was awarded \$739,000 from KDOT to do this project. Mr. Oehlert stated we have the \$739,000 from KDOT and \$140,000 of our own money to get us to the budgeted amount. Commissioner Pretz asked if there would be a citizen meeting on this project where Mr. Oehlert answered he would meet with everyone personally on site and then have a public meeting. Commissioner Gallagher moved to approve as presented, Commissioner Pretz seconded; the vote was unanimous. (A21-10-061)

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) administered through KDOT with Baldrige Engineering. The \$42,568 CE fee is part of the \$123,000 Committal of County Funds that was approved at the Board of County Commissioners (BOCC) meeting on October 6, 2021. Mr. Oehlert stated that the intent of Baldrige Engineering is to start around the 1<sup>st</sup> of November. Commissioner Gallagher moved to approve as presented, Commissioner Dixon seconded; the vote was unanimous. (C21-10-043)

Teresa Reeves, Planning Director, requested the Commissioners to consider the request for a conditional use permit for an Equine Boarding Facility, per Section 6-2.02-15 of the Miami County Kansas Zoning Regulations. The subject property of approximately 100 acres, which is addressed as 32461 Block Rd, is located on the east side of Block Rd, approximately ½ mile south of 319th in the Southwest Quarter of Section 30, Township 17S, Range 24E, Valley Twp. Submitted by Shane and Hannah Rockers, property owners of record. Ms. Reeves stated the public hearing was held October 5<sup>th</sup> by the Planning Commission with no opposition and recommend the BOCC approve with the exemption of no need for a storm water plan. Commissioner Dixon moved to approve as presented, Commissioner Gallagher seconded; the vote was unanimous. (R21-10-042)

Rob Roberts, Chairman, requested the Commissioners to consider accepting the Wilson Group's bid of \$41,514 to convert an open office area in the Administrative Suite to three private offices. Commissioner Pretz moved to approve the Wilson's Group bid of \$41,514, Commissioner Vaughan seconded; the vote was unanimous.

Mark Whelan, Emergency Management Coordinator, requested the Commissioners to consider the Wildland Fire Gear Order (sitting as the Miami County Fire District 1). Mr. Whelan stated they are requesting 63 sets for Fontana, Louisburg, and Osawatomie for their staff. He stated by purchasing this year it saves \$9,400 as there will be a 15% price increase at the beginning of next year. He stated total cost per firefighter is \$994.76 whereas structural gear is around \$3,500 per fighter. The total cost would be \$62,669.88 with 12 sets going to Fontana, 25 sets to Louisburg, and 26 sets to Osawatomie. He says the gear should be received after the first of the year just in time for grass fire season. Commissioner Pretz wanted to know how many sets Paola had, and Mr. Whelan answered 25 sets which are a complete match to what is being done today. Commissioner Pretz moved to approve as presented, Commissioner Dixon seconded; the vote was unanimous.

Cathy Cooper, Director of Community Corrections, requested the Commissioners to consider approving the Sixth Judicial District Community Corrections – Adult Services FY2022 Carryover Reimbursement Budget in the amount of \$168,996.94. The carryover was from offender supervisor fees and savings of an un-paid position due to deployment who should return at the beginning of next year. She states that this money can be spent as needed for items not covered by a grant from the State of Kansas. Commissioner Pretz moved to approve as presented, Commissioner Dixon seconded; the vote was unanimous. (A21-10-062)

Cathy Cooper, Director of Community Corrections, requested the Commissioners to consider approving the Sixth Judicial District Community Corrections – Juvenile Services FY2022 Carryover Reimbursement Budget in the amount of \$51,618.34. She states that this money can be spent as needed for items not covered by a grant from the

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State of Kansas. Commissioner Pretz moved to approve as presented, Commissioner Dixon seconded; the vote was unanimous. (A21-10-063)

**\*\*Commissioner Gallagher stepped away during this portion as he had recused himself earlier from this vote\*\***

Mr. Kaup, Special Counsel for the County, requested the Commissioners to consider accepting an order denying the petition for incorporation of the City of Golden, Kansas. Chairman Roberts stated that this was a recap of the conversation, actions, and deliberations the Commissioners have taken over the months along with a summary of the Commissioners' statements from the minutes on October 13<sup>th</sup>, 2021. Commissioner Vaughan wanted to clarify that his vote of yes on this order is voting what he stated and confirming his Nay vote. Mr. Kaup said that was correct. Commissioner Pretz moved to approve as presented with the correction to Commissioner Vaughan's spelling of his name, Commissioner Dixon seconded; the vote was unanimous. (R21-10-043)

Mr. Kaup, Special Counsel for the County, requested the Commissioners to consider adopting the order denying the incorporation of the City of Golden. Commissioner Vaughan wanted to clarify that his vote of yes on this order is voting what he stated and confirming his Nay vote. Mr. Kaup said that was correct. Chairman Roberts moved to approve as presented, Commissioner Dixon seconded; the vote was unanimous (R21-10-044)

**\*\*Commissioner Gallagher returned to the bench\*\***

#### STAFF COMMENTS

Mark Whelan, Emergency Management Coordinator, wanted to address the Commissioners sitting as the Miami County Fire District #1 Board in regards to the new pickup truck. He stated initially bid a ¾ ton truck and received no responses. In April he hand delivered bids to the 3 dealerships in the county, New Century Dodge returned with a bid for a Ram 2500 4x4 with tow package and ranch hand bumper for \$35,562.00 however with Covid, lack of parts, and workers Chrysler is not allowing dealerships to put in requests for fleet vehicles. New Century Dodge located a Ram 1500 ½ ton with package/bumper for \$43,319. The 2500's are not readily available and the cheapest one he could find was \$51,000. Mr. Whelan is requesting the additional \$7,757 to purchase the RAM 1500. Commissioner Pretz moved to approve the additional financing to purchase the vehicle, Commissioner Dixon seconded; the vote was unanimous.

Mark Whelan, Emergency Management Coordinator, gave a handout showing updates on COVID-19 with the following:

- There are 62 new cases; increase of 15 from the week prior
- 75 active cases; 20 are under the age of 18
- Positivity rate decreased a little bit
- 1 new hospitalization; State shows 2
- 45% of Miami County Residents are fully vaccinated
- 3 active clusters; school settings

Mr. Whelan stated they had cleaned out the warehouse and the PPE has been moved to the old sheriff's building. Chairman Roberts thanked Mr. Whelan and his staff for getting the warehouse cleaned out. He also asked the County Administrator to draft a letter thanking Mr. Debrick for their support with COVID storage over the last year.

#### COMMISSION COMMENTS

Commissioner Pretz wanted to mention that 1 or more Commissioners could attend the Miami County Water Summit on November 3<sup>rd</sup> at 3pm in the Miami County Commission Chambers.

Chairman Roberts wanted to thank Shelia Shultz and Jim Kaup for their counsel over the last 6 months to a year. He also wanted to welcome Shelley Woodard into the county as the new County Counselor during that time frame as well. He thanked them all as to helping the Commissioners understand their obligations and responsibilities. He stated there were no words he could say that would satisfy any and everybody's position on Golden. The Commissioners looked at it through the lens of the law and to contemplate it as what is best for the county as a whole. The decision was accepted by a few and rejected by a few and we cannot express our appreciation any more than how you folks have treated overall and have really presented yourselves well on the position that you took on it. You have definitely articulated your side of it, your position, and concerns. Have you left us with some questions? We had those questions when you came into the door 6 months ago. We have concerns that in the majorities opinion we took the direction we thought was best for the county. Yes, somebody is going to disagree with that, and we respect that. As time permits, we will try to figure out a path forward.

**EXECUTIVE SESSION**

Commissioner Pretz moved to have a Land Acquisition Executive Session, subject to be discussed is potential property acquisition for 15 minutes beginning at 2:23 P.M., Commissioner Vaughan seconded. Chairman Roberts stated the Executive Session is to include: Commissioners; Shane Krull, County Administrator; and Shelley Woodard, County Counselor. The vote was unanimous. Regular meeting reconvened at 2:38, no action to be taken.

Commissioner Pretz moved to have an Attorney/Client Privilege Exception Executive Session, subject to be discussed is Pending Legal Matter for 15 minutes beginning at 2:39 P.M., Commissioner Gallagher seconded. Chairman Roberts stated the Executive Session is to include: Commissioners; Shane Krull, County Administrator; and Shelley Woodard, County Counselor. The vote was unanimous. Regular meeting reconvened at 2:54, no action to be taken.

Commissioner Gallagher moved to have an Attorney/Client Privilege Exception Executive Session, subject to be discussed is Pending Legal Matter for 20 minutes beginning at 2:56 P.M., Commissioner Vaughan seconded. Chairman Roberts stated the Executive Session is to include: Commissioners; Shane Krull, County Administrator; and Shelley Woodard, County Counselor. The vote was unanimous. Regular meeting reconvened at 3:16, no action to be taken.

**ADJOURNMENT**

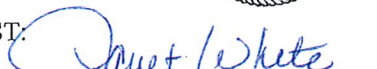
The meeting was adjourned at 3:16 p.m.

(Seal)



  
Rob Roberts, Chairman

ATTEST:

  
Janet White, County Clerk