

**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 2, 2022. Those present were:

Rob Roberts, Chairman	Shane Krull, County Administrator
Tyler Vaughan, Pro-Tem	Janet White, County Clerk
Danny Gallagher, Commissioner	Wendy Newton, Office Specialist
Phil Dixon, Commissioner	

Absent: Shelley Woodard, County Counselor ~ attended via phone

Press: Jennifer McDaniel, Miami County Communications

Visitors: Trevor Patton, Doyle Patton

CALL TO ORDER

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

CONSENT AGENDA

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

- Approval of minutes of the county commission meeting on January 26, 2022
- Approval of AP payment vouchers and payroll
- Approval of a Resolution allocating funds received under the American Rescue Plan Act of 2021 (R22-02-007)
- Approval of a Resolution reallocating ARPA funds received to the general fund expense (R22-02-008)
- Bid Solicitation 2022-005 Road Oil for 2022 Construction Season
- Bid Solicitation 2022-006 Magnesium Chloride for 2022 Dust Control
- Bid Solicitation 2022-007 Tandem Axle 6x4 Truck Tractor
- Resolution authorizing \$404,210 be transferred from the general fund of Miami County Fire District #1 for FY2021 and placed into a special fund for the replacement of firefighting equipment, apparatus, or machinery. (R22-02-005)
- Resolution authorizing the credit of excess money to a special equipment reserve fund for Fire District No. 1. (R22-02-006)
- Consider the approval of a temporary, part-time grant position for the Miami County Health Department.

Commissioner Gallagher seconded; the vote was unanimous.

UNFINISHED BUSINESS

Theresa Reeves, Planning Director, revisited the 21004-CUP for Patton Structural Solutions. Chairman Roberts stated this item was sent back to the Planning Commission for some review and advice on 3 different items: A survey, full review of storm water plan and fencing around the storage areas. Ms. Reeves confirmed to the Chairman that the property was zoned Commercial by the City of Paola. Chairman Roberts says it is going from a low-use property to a high-use property and wants the county to get it right now to prevent any complaints. Ms. Reeves says the Planning Commission reviewed and came to an agreement on adding Condition #9, a requirement for a survey, and revised Condition #6, a storm water plan is needed prior to issuing a building permit. They were unable to come to a decision on the fencing as it was getting late, and the weather was turning bad. Ms. Reeves explained that this property is unique as it is 2 acres, and the legal description has a lot of exceptions which is why there is need for a new survey and the storm water plan is based on that survey. After some back and forth between the Commissioners, Ms. Reeves, Trevor Patton, and Doyle Patton it was agreed upon that the Patton's could use the existing KDOT (Kansas Department of Transportation) 4-foot fence and combine it with something living like trees, bushes or shrubs on the northern part of the property and that along with the topography of the ground would be adequate screening and meet the requirements of the CUP except on the south side which would need to be a 6-foot fence. Chairman Roberts motioned to accept the recommendation of the Planning Commission to amend Condition #6, add Condition #9, amend Condition 2b to require a 6-foot wood/vinyl fence along the south side of the property and allow landscaping and/or fencing at heights necessary to adequately screen the open storage areas and parking areas based upon the topography of the property. Commissioner Pretz seconded the motion; the vote was unanimous.

NEW BUSINESS

Matt Oehlert, Project Manager, requested the Commissioners to consider authorizing Project 22-01-CO (690) 2022 Asphalt Program. There are two parts to the project: an In-House overlay and a Contracted Mill and overlay. The In-House overlay program will all be 3in overlays for \$1,451,201.84 and the Contract Mill & Overlay he suggests should be a CIP Authorized project by the Commission for \$1,876,173.00. The total project would be around \$3,327,375. Commissioner Vaughan asked if there was a built-in cushion for any increase in prices. Mr. Oehlert said he did add a contingency. Commissioner Pretz moved to approve as presented. Commissioner Dixon seconded. The vote was unanimous.

Tricia Lee, County Treasurer, requested the Commissioners to consider approving a request to authorize the County Treasurer to execute a Positive Pay Agreement with Security Bank of Kansas City. Miami County utilizes the services of Security Bank of Kansas City for payroll processing and bill payments associated with payroll. The Positive Pay Agreement with Security Bank offers additional check fraud protection to the county, free of charge. By entering / uploading check data to the bank's online portal, an additional layer of protection is provided by verifying checks being cashed against fraud attempts. Commissioner Gallagher moved to approve as presented, Commissioner Dixon seconded; the vote was unanimous. (A22-02-005)

Matt Oehlert, Project Manager, requested the Commissioners to consider approving a Resolution establishing a maximum speed limit of 45 MPH on 287th Street between Plum Creek Road and 1,500 feet East of Osawatomie Road. The Speed reduction would address two issues: it would set the design speed for the upcoming reconstruction of the intersection at 287th St and Osawatomie Rd and would also show we are addressing the issue of the intersection not currently meeting the maximum sight distance. Commissioner Gallagher moved to approve as presented, Commissioner Vaughan seconded; the vote was unanimous.

JR McMahon, Road & Bridge Director, requested the Commissioners to consider a material surcharge of \$32,725.60 on the 2021 purchase of 2 tandem dump trucks (with sanders and snowplows) from Rush Truck Center. This increases the total price from \$340,840.00 to \$373,590.60 which is still currently below the second quote received. The Commissioners voiced their concern about another surcharge being added to this contract at a later date. Mr. McMahon agreed with their concern. Commissioner Vaughan moved to approve with the caveat that another increase would not be accepted, Commissioner Gallagher seconded; the vote was unanimous.

STAFF COMMENTS

Tricia Lee, Treasurer, was asked by Commissioner Pretz if any changes have been made to the queuing system. Ms. Lee responded that she has not made any changes at this time as she would like to become fully staffed and then make the changes to the hours, the appointments she would like to set, and the changes to the queuing system. She said right now she is needing 3 more people.

Mark Whelan, Emergency Management Coordinator gave the following update on COVID-19:

- Miami County COVID update:
 - 273 new cases since Wednesday 01/26/2022, a decrease of 226 from the previous week
 - 27.5% positivity rate from last 2 weeks, down from 30.79%
 - There have been no new hospitalization and deaths for the past week
 - Still holding at 3 clusters
 - 51% Vaccine rate for Miami County
- Mr. Whelan mentioned that the State of Kansas has resumed partnerships with our Pharmacies for Covid -19 testing. Auburn, Vohs, and Rockers are now getting test kits from the state. This will take some pressure off the Miami County Health Department for testing.

Commissioner Vaughan asked if it changes from a pandemic to an endemic classification would that change our Health Department's requirements or process at all? Mr. Whelan said he did not think it changed anything. Commissioner Vaughan then asked if that was a decision that the Health Department makes? Shelley Woodard, County Attorney, answered the question saying the State would determine when we go from a pandemic to endemic which would change the legal requirements in regards to contract tracing, testing, et cetera that have to go on during the pandemic that will change when it becomes endemic but we at the County level would not make that distinction. Commissioner Vaughan then asked if we would do Status Quo when we move from pandemic to endemic to which Ms. Woodard said she would have to get

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with Ms. Beer to answer that. Commissioner Vaughan asked Shane Krull, County Administrator, if he would have Health Department Director Christena Beer talk about this at her next monthly meeting in February. He would like to be prepared for that instead of just reacting when it becomes an endemic.

Matt Oehlert, Project Manager, stated there was a Preconstruction meeting with KDOT (Kansas Department of Transportation) for the K68 improvements which he plans on attending. Then there is a Mid-American Regional Council (MARC) call for projects worth 25-28 million dollars which he plans on having discussions in the future with the Commissioners and wanted to make them aware. Chairman Roberts stated he would encourage the Commission to be willing to hire a professional who knows how the MARC processes work and put together a presentation to help us win the contracts and bring more revenue into Miami County.

COMMISSION COMMENTS

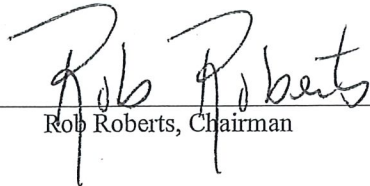
Commissioner Dixon wanted to let everyone know that the Legislative meetings will be starting on the Saturday morning on the 5th in Spring Hill and being held the following 3 Saturdays in Paola, Osawatomie, and Louisburg. More than 1 Commissioner might attend these meetings.

ADJOURNMENT

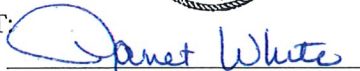
The meeting was adjourned at 2:15 p.m.

(Seal)




Rob Roberts, Chairman

ATTEST:


Janet White, County Clerk