

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the December 31, 2009 meeting.

Commissioners discussed who should be considered for the Allen County Hospital Facility Commission. They would like a good variety of individuals. Commissioner Francis moved to contact 9 individuals to see if they would serve on this commission. Commissioner McIntosh seconded, motion passed 3-0-0. They are David Toland, Robin Betts, Mark Boyd, Mary Ann Arnott, Don Copley, Mary Kay Heard, Dr. Myers, Barbara Culbertson, and Deb Tynon. Terry Sparks will be the alternate if one of these individuals declines to serve.

Bill King, Public Works Director, reported his crews are hauling off snow from the courthouse sidewalks because we are due to get more snow later this week.

Bill discussed calls from an individual whose drive way was blocked when snow was plowed. Discussion followed on trying to clean the roads and not block driveways or knock over mailboxes. Bill stated it is really the landowners to be responsible for replacing mailboxes if they are knocked over or damaged.

Bill reported some roads received damage due to the snow and ice received already.

Bill reported on the solid waste committee meeting last evening. Discussion followed. Commissioners review Resolution 201001 A Resolution Certifying the Review and Revision of the Allen County Solid Waste Management plan:

ALLEN COUNTY, KANSAS  
RESOLUTION #201001

A RESOLUTION CERTIFYING THE REVIEW AND REVISION OF THE  
ALLEN COUNTY SOLID WASTE MANAGEMENT PLAN.

WHEREAS, The Southeast Kansas Solid Waste Authority (SEKSWA) Solid Waste Management Plan and the Solid Waste Management Plans of Allen, Bourbon, Cherokee, Crawford, Labette, Neosho, Wilson and Woodson Counties contained therein, were approved by the Kansas Department of Health and Environment on March 28, 1996 and;

WHEREAS, K.A.R. 28-29-82 requires that Solid Waste Management Plans must be reviewed one year after their approval, or one year after the completion and distribution of the Kansas Solid Waste Management Plan, whichever is later, and;

WHEREAS, The State Plan was completed on December 2, 1996, the SEKSWA Solid Waste Management Plan, and the Solid Waste Management Plans of Allen, Bourbon, Cherokee, Crawford, Labette, Neosho, Wilson and Woodson Counties contained therein, must be reviewed no later than December 2, 1997 and annually thereafter, and;

WHEREAS, The Governing Board of the Southeast Kansas Solid Waste Operating Authority (SEKSWOA) has previously submitted to the Secretary of the Kansas Department of Health and Environment (KDHE) a

NOTICE OF REVIEW AND REVISION OF SOLID WASTE MANAGEMENT PLANS, as adopted by the Governing Board of Allen, Bourbon, Cherokee, Crawford, Labette, Neosho, Wilson and Woodson Counties, in compliance with the Solid Waste Management Plan review requirements of K.A.R. 28-29-82 to be effective December 2, 1997, and;

WHEREAS, Allen County has subsequently reviewed the Solid Waste Management Plan that was in effect for the county and SSEKSWOA on December 2, 1997 and submits the following revisions:

NONE

NOW, THEREFORE, BE IT RESOLVED THAT: the Governing Body of Allen County is in compliance with the Solid Waste Management Plan review requirements of K.A.R. 28-29-82 until October 2010.

ADOPTED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS THIS 5th DAY OF January 2010.  
THE BOARD OF COUNTY COMMISSIONERS  
OF ALLEN COUNTY, KANSAS

Commissioner Francis moved to approve Resolution 201001. Commissioner McIntosh seconded, motion passed 3-0-0.

Bill mentioned he would be looking for an older style truck to be used for a blade truck. His fleet needs to be looked at to replace the older vehicle because the repairs are costing more than a new vehicle.

Jason Nelson, Allen County EMS Director, publicly thanked TJ's Towing for pulling out the ambulance and removing snow from the ambulance station apron. They had also pulled out sheriff vehicles as well.

Jason reported Bourbon County has cut hours in their ambulance department. Jason asked about visiting with Bourbon County to see if Allen County Ambulance would be covering the area since the Moran ambulance station is closer to Bronson than Fort Scott. Discussion followed. Commissioners asked Jason to visit with Bourbon County to see what they would expect as long as it doesn't compromise Allen County services.

Keene Schaaf, Osage Ambulance Representative, reported his company has a demonstrator ambulance he would like to sell Allen County. The cost for a new 2009 ambulance would be \$122,895.00; this is the demo cost without a trade in amount. Discussion followed on changes in the ambulances and companies that build the ambulances. Commissioner Francis moved to purchase the ambulance from Osage Ambulance. Commissioner McIntosh seconded, motion passed 3-0-0. Keene will send the county a letter of acceptance. The ambulance will be available in June 2010.

Jason reported he has applied for an 80/20 KRAF grant for four cardiac monitors for Allen County ambulances. The grant would be for \$112,000 total.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Angie Murphy, Allen County 911 Communications Director, thanked the Public Works Department for cleaning the parking lot at the Allen County Critical Response Center.

Angie presented bids for signage at the Allen County Critical Response Center; 9" tall, 1" thick, painted, mounting stud & stencil for \$1,510.15 plus shipping or 9" tall, 1.5" thick, painted, mounting stud & stencil for \$1,590.50 plus shipping from Hawk Business. Discussion followed on 9" or 6". Discussion followed on plastic or High Density Urethane. Commissioner Francis moved to purchase 33 9" letters from Hawk Business. Commissioner McIntosh seconded, motion passed 3-0-0.

Angie requested commissioners accept the bid for shirts for the 911 department. Hawk Business presented bids for digitizing cost at \$75.00 and the stitch count is 6,000 at 13-24 @\$3.50 plus shirt cost, 25-72 @ \$2.40 each plus the cost of the shirt, and 73-144 @ \$2.30 each plus the cost of the shirt. Commissioner Francis moved to purchase shirts from Hawk Business. Commissioner McIntosh seconded, motion passed 3-0-0.

Angie discussed the differences on narrow band radio requirements compared to the wide band radio. She reported where Allen County is on being prepared for the legislative changes.

Angie has received her certification from the State of Kansas for 911 at the new location on State Street.

Sheriff Williams discussed the open house for the Allen County Critical Response Center. He feels it should be a secure open house for invited guests only. There is vital equipment in the building that should not be exposed to the public. Discussion followed.

Angie presented some Mission Statement posters for approval. Discussion followed. Commissioners approved the one with the map.

Alan Weber, Allen County Counselor, reported he has received some consultant applications. Alan will be accepting applications for hospital consultants until January 15, 2010. Alan had contacted some and also published a notice. Discussion followed.

Alan discussed the 2007 Flood buyout. There are still a couple residents Allen County needs to settle with. Alan is hoping all is settled by February so the county can start tearing down houses. Discussion followed.

Commissioners discussed the Allen County Hospital Facility Commission with Alan. Discussion followed on a time line and what would be expected of the commission.

Commissioner McIntosh moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman Works, Commissioner McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:32 a.m. Commissioners reconvened at 11:42 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$241,876.71
- b) Payroll Changes
- c) Journal Entries # 112 for 2009
- d) Journal Entries #1-2 for 2010
- e) Abatements – Real Estate Tax Year 2009 - 11,619; \$2096.04  
Personal Property Tax Year 2009 – 213; \$29.78  
Trucks Tax Year 2009 – 705; \$84.26  
Oil Tax Year 2009 – 16,437; \$2465.32  
Gas Tax Year 2009 – 611,055; \$88,223.64

With no further business to come before the board, the meeting was adjourned until January 12, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Dick Works, Chairperson

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Gary G. McIntosh, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      January 12, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Robert A. Francis, Commissioner Gary G. McIntosh and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the January 5, 2010 meeting.

Sherrie reported Debra Tynon declined to serve on the Allen County Hospital Facility Commission. A letter will be sent to Terry Sparks, alternate, to serve on this commission.

Chairman Works moved to appoint Commissioner McIntosh as chairman for 2010. Commissioner Francis seconded, motion passed 3-0-0.

Bill King, Public Works Director, stated the roads would get worse as all this snow melts. Discussion followed. Allen County has 8-foot drifts in some areas.

Bill reported one of the snowplows is getting a new transmission. He stated he has equipment that is frozen up because of the frigid temperatures and snow. Bill discussed parking equipment out of the weather.

Bill gave his employees praise for the response and work they did during these last couple of blizzards over Christmas and New Years.

Bill discussed the new steer loader and parts. He is waiting on parts for the new machine; he expressed his discouragement.

Zachery D. Perez, JMZ Corporation and John V. Vogel, JMZ Corporation, representatives of KwiKom, Angie Murphy, 911 Communications Director, Thomas R. Williams, Allen County Sheriff, Daniel Onnen, City of Humboldt Police Chief, Jason Nelson, EMS Director, and Alan Weber, Allen County Counselor, were present for discussion. John explained his part of KwiKom; he has joined his company Vogel Enterprise with KwiKom. John discussed removing some of the equipment on the 911 tower. The height was at 90', 75', and 45'. Currently some of the antennas are higher. Zach stated they are moving the higher antennas lower. John would like to have the county accept the current 3 antennas as one until the current contract is up on February 6, 2010. Discussion followed with all involved. Sheriff Williams stated he would need to contact his professionals to see if they would interfere with the 911 communications, which would be out at State Street starting January 28, 2010. Alan, Angie and KwiKom will visit with each other and work something out.

Angie Murphy, 911 Director, reported they are close to finishing the building remodel. Angie requested a support letter to provide with a grant she is applying for. Commissioner Francis moved to approve Chairman McIntosh sign the support letter. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed.

Jason Nelson, EMS Director, reported the call volume is up this year.

Jason presented a thank you sent to him for reporting a house fire in Coffey County.

Jason discussed the ambulance trade with Kiowa County. Allen County's is a 2003 Ford traded for a 2003 International from Kiowa County. Discussion followed. Jason will be sending this ambulance to Chanute for safety review and then get it licensed by the State of Kansas.

Jason reported there was a very bad accident in LaHarpe on Saturday. A helicopter picked someone up at the scene and one at the hospital

Jason stated the EMT class would be starting next Tuesday. He has 15 individuals signed up to take the class.

Chairman McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County

EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:02 a.m. Commissioners reconvened at 10:07 a.m. No action was taken.

Chairman McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:07 a.m. Commissioners reconvened at 10:12 a.m. No action was taken.

Chairman McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:14 a.m. Commissioners reconvened at 10:19 a.m. No action was taken.

Alan reported he has had some response for proposals to assess the Allen County Hospital Facility and work with the commission appointed. Discussion followed. The deadline is January 15, 2010 at 10:00 a.m.

Alan discussed flood properties. He will be getting asbestos releases on the buildings.

Sherrie requested to go into executive session to discuss land acquisition. Commissioner Works moved to go into executive session for 3 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:31 a.m. Commissioners reconvened at 10:34 a.m. No action was taken.

Commissioners reviewed contracts with Schlotterbeck and Burns, LLC for services to perform 2009 audit (\$13,600.00) and budget preparation (\$1,200.00) for 2011. Commissioner Works moved to authorize Chairman McIntosh's signature on both contracts with Schlotterbeck and Burns for auditing of 2009 and 2011 budget preparation. Commissioner Francis seconded, motion passed 3-0-0.

Sheriff Williams and Undersheriff Bryan Murphy presented Terry McDonald with a plaque of appreciation for TJ's Towing during the current bad weather. Terry pulled out deputies and ambulances during these storms.

Chairman McIntosh opened the hearing for Scott Fleming's Grievance procedure. Commissioner Works moved to go into executive session for 15 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bob Farmer, Attorney, Scott Fleming, and Jason Nelson, Allen County EMS Director. The time is now 10:56 a.m. Commissioners reconvened at 11:11 a.m. No action was taken.

Chairman McIntosh opened the hearing for Scott Fleming's Grievance procedure. Commissioner Works moved to go into executive session for 15 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bob Farmer, Attorney, Scott Fleming, and Jason Nelson, Allen County EMS Director. The time is now 11:11 a.m. Commissioners reconvened at 11:26 a.m. No action was taken.

Chairman McIntosh opened the hearing for Scott Fleming's Grievance procedure. Commissioner Works moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, and Jason Nelson, Allen County EMS Director. The time is now 11:26 a.m. Commissioners reconvened at 11:36 a.m. No action was taken.

Commissioners reviewed the Kansas Department of Transportation application for Elderly Transportation Assistance Project. Commissioner Works moved to authorize Chairman McIntosh's signature on the Kansas Department of Transportation Grant for operating expenses for Services to the Elderly van. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners will not be meeting on January 19, 2010 so they may attend County Government Day in Topeka.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$148,505.49 and \$178,35.75 P.B.C.
- b) Payroll Changes
- c) Journal Entries # 3-4
- d) Abatements –PP Value 151, \$22.88, Year 2009
- e) Abatements – TK Value 100, \$12.00, Year 2009

With no further business to come before the board, the meeting was adjourned until January 26, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the January 12, 2010 meeting.

Joyce Heismeyer, ACH Executive Director, discussed some information with the exception of financial information concerning Allen County Hospital. Discussion followed. Joyce offered to help with the research performed by the Hospital Facilities Commission to the extent that her company would allow. Commissioners asked for demographics of the hospital. Joyce reported she has tri-folds with some current information now.

Bill King, Public Works Director, mentioned there are holes in some of the roads. He was referring to the public complaining on the roads after the snow and ice. He stated it is still too early to repair if the repair is to stay.

Bill mentioned he had a request for deer crossing signs on Arizona Road between 3000 and 3200 Street. Discussion followed. Commissioners declined to put up the signs.

Bill will be taking bids for a skid steer to bring to the commission.

Bill discussed a meeting with Sean Linn, Kansas National Guard, for space at the airport to help out with the storage of National Guard equipment. Discussion followed on storage space and costs. Commissioners would have to waive the fee due to contracts for airport use. Commissioners discussed other options the National Guard could use. Discussion followed. No action taken.

Bill reported they are having issues at the quarry to crush rock.

Bill discussed the little subdivisions within the county on cleaning the roads. He stated Scott Reeder suggested using the current noxious weed truck with a blade on it for cleaning these roads and get a new bigger truck for noxious weed to carry the larger tanks. Discussion followed. Commissioners approved Bill to explore the possibilities.

Sharon Utley, Allen County Treasurer, presented information on how taxes are coming in for 2009. Currently Allen County has collected 57.1% of the \$14,261,193.98 tax roll.

Sharon Utley, Allen County Treasurer, Bill King, Public Works Director, Cara Barkdoll, Allen County Register, Sandy Drake, Allen County Appraiser, Angie Murphy, Allen County 911 Dispatch Director, Alan Weber, Allen County Counselor, Jason Nelson, EMS Director, Sherrie L. Riebel, Allen County Clerk, discussed raises for the county employees. They requested 2%



merit raises. Commissioners requested the department heads to gather wages from private businesses around the area to compare to.

Cara Barkdoll, Allen County Register of Deeds, presented bids for microfilming records. She presented bids for US Imaging for a total of \$4,280.88; Fidlar Technologies for \$5,655.17; Kellpro for \$6,116.00 Scanning America for \$2,788.86; and DSS Corporation for \$2,051.39. Discussion followed on what all was figured in the costs. Cara stated she prefers the local company, Scanning America, which is out of Lawrence, Kansas. If she has issues she can drive to Lawrence. Commissioners accepted her recommendation and gave their blessing.

Jason Nelson, Allen County EMS Director, discussed his meeting with Bourbon County concerning runs. He said they are in the process of a mutual aid agreement with Bourbon County to cover as far as 95<sup>th</sup> Street into Uniontown but Allen County would be required to cover the rest. This will not hinder any services to Allen County residents. Discussion followed.

Jason reported 11 persons have shown up to take the EMT Classes. He explained plans for this class. They will be graduating in May.

Jason will be attending a crisis class in Salina for training on dealing with mental patients. This would qualify him for grants.

Jason will be attending an EMS conference the last of next week.

Jason reported the new truck traded with Kiowa County would be in service today.

Jason discussed adding radios frequency for Allen County EMS to include Allen and Bourbon. No problems, they change once they hit the county line. Discussion followed.

Jason stated he will be purchasing laptops and printers in the ambulances for run forms, discussion on \$350-\$400 for netbook laptop and printer. He figured it would cost approximately \$1,200 for three ambulances to have on hand. Jason explained the benefits.

Angie Murphy, 911 Dispatch Director, updated the commission on the progress of the building. The transfer takes place on Thursday, January 28, 2010. Discussion followed.

Angie discussed contracts on the tower at 410 State Street building. Alan will send a letter to the contractors.

Angie discussed monies from the City of Iola for excess 911 funds. She has made two requests with no response. She has not made a written request.

Angie reported what the new 911 communications center will be capable of doing. Discussion followed on what calls should be taken for the City of Iola.

Alan discussed a lease with Accel Corporation (Lorenzo J. Jensen) for use of the Allen County Airport. Discussion followed. Commissioners reviewed the lease:

LEASE AGREEMENT  
Allen County & Accel Aviation

This agreement is made and entered into on the 26th day of January, 2010, by Allen County, Kansas herein referred to as lessor, and Accel Aviation herein referred to as lessee. In order to continue to improve services and operations at the Allen County Airport, lessor hereby leases to lessee certain property owned by lessor and located at the Allen County Airport and makes certain other agreements all as set out below.

SECTION ONE  
PURPOSE

The parties enter into this agreement in order that lessee may operate its aviation businesses of flight instruction, aircraft rental, Charter flights and aircraft maintenance at the Allen county Airport.

SECTION TWO  
RENTAL & TERM OF LEASE

This lease will commence on January 1<sup>st</sup>, 2010 and end on December 31<sup>st</sup>, 2012. If lessee has established and is operating all aspects of its aviation business as described in Section Three below this lease will automatically renew for an additional 3 year term on the same terms and conditions set out herein except that lessee will be obligated to pay rental to lessor in the amount of \$100.00 per month during the renewal period.

Thereafter, this lease will renew from year to year on terms and conditions mutually agreeable to the parties unless terminated by one of the parties hereto. The parties agree that this lease may be terminated after both of the initial 3 year terms have expired by either party giving sixty (60) days written notice to the other party of its intent to terminate. During the initial terms, this lease may only be terminated for cause as hereinafter set out. No rent will be due from lessee to lessor during the initial term of this lease as it is agreed that the development of lessee's business as hereinafter set out will be to the mutual benefit of the parties. Failure of lessee to develop its business as promised may be deemed a default in the terms of this lease and give grounds for termination.

SECTION THREE  
USE OF PREMISES

The lessee will be occupying a portion of the Allen County Airport grounds as more fully set out below in order to provide aviation services as follows:

- |   |                               |
|---|-------------------------------|
| a. Primary and advanced flight instruction through the use of experienced FAA | certified flight instructors; |
| b. Aircraft for individual rental and for flight training;                    |                               |
| c. Providing charter flights;   |                               |
| d. Maintenance services to aircraft owners and operators by FAA certified     | airframe and power plant      |
| mechanics will be provided as qualified personnel                             | become available.             |

In order to fulfill the foregoing purposes, lessee agrees to maintain one Single Engine Piper Cherokee 140 and one Twin Piper Twin Comanche aircraft (or reasonable equivalents) at the Allen County Airport. The parties agree that lessee will also house a twin engine Beech Duke airplane not specifically used in the flight school business in the large hanger.

Except as otherwise provided herein, the demised premises shall be used and occupied by lessee exclusively for its aviation business. Lessee shall comply with all the sanitary laws, ordinances, rules, and orders of appropriate governmental authorities affecting the cleanliness, occupancy and preservation of the demised premises. Lessor shall not be liable to lessee for any interruptions to lessee's business caused by maintenance, repair and upgrade activities conducted by lessor.

So long as lessee has fully developed and is operating its business in accord with the provisions of this lease, lessor shall not lease any portion of the Airport premises to any other person or entity for the purpose of conducting a flight school or providing maintenance services by FAA certified airframe and power plant mechanics during the initial three-year term. After the initial three-year term no such right to exclusive use shall apply.

SECTION FOUR  
LEASED PREMISES

The parties agree that lessee shall have the exclusive occupancy of the large hanger building and the improvements set out in schedule "A".

SECTION FIVE  
ASSIGNMENT AND SUBLETTING

Lessee shall not assign this lease or sublet or grant any concession or license to use the premises or any part thereof without the prior written consent of lessor. Consent by lessor to one assignment, subletting, concession or license shall not be deemed to be consent to any subsequent assignment, subletting, concession or license. Any assignment, subletting, concession or license without the prior written consent of lessor shall be void and shall, at lessor's option, be grounds to terminate this lease.

SECTION SIX  
ALTERATIONS AND IMPROVEMENTS

Lessee shall not make alterations to the buildings on the demised premises or construct any building or make other improvements on the demised premises other than set out in this lease agreement without the prior written consent of lessor. All alterations, changes and improvements built, constructed, or placed on the demised premises by lessee, with the exception of the mobile homes referred to in Schedule "A" attached hereto and any movable personal property, shall, unless otherwise provided by written agreement between lessor and lessee, be the property of lessor and remain on the demised premises at the expiration or sooner termination of this lease.

SECTION SEVEN  
DANGEROUS MATERIALS

Lessee shall not keep or have on the leased premises any article or thing of a dangerous, inflammable or explosive character that might unreasonably increase the danger of fire on the leased premises.

SECTION EIGHT  
UTILITIES

Utilities shall be paid as follows:

- a. Airport natural gas bills shall be paid by lessee so long as lessee is the sole user of gas;
- b. Airport electric and water bills shall be split 50-50 for a period of 2 years. If, after 2 years, either party is dissatisfied with this division, the parties shall share the cost of installing separate meters for the county and lessee and each party will thereafter pay their respective share.
- c. During the first 6 months of this lease, all aviation fuel purchased by lessee from lessor for use in lessee's flight school business shall be sold at lessor's cost. Any other fuel purchases by lessee or lessee's customers will be at the regular rate. At the end of 6 months, lessee shall pay the same rate for fuel which lessor charges its regular customers unless otherwise agreed.

SECTION NINE  
INSURANCE AND LIABILITY

Before commencing operations or making any of the improvements provided herein, lessee shall obtain liability and casualty insurance in an amount not less than one million dollars (\$1,000,000) in connection with its activities on the demised premises and shall provide proof thereof to lessor. Lessee further agrees to obtain and provide proof of insurance on the mobile homes and any other buildings placed by lessee on the premises. Lessor shall have no responsibility to maintain insurance on any fixtures or personal property owned by lessee and kept on the demised premises. Lessee agrees to indemnify and hold lessor harmless from any and all claims, demands, costs or judgments arising out of lessee's operations at the demised premises.

SECTION TEN  
MAINTENANCE AND REPAIR

Lessee will keep and maintain the leased premises and appurtenances in good and sanitary condition and repair during the term of this lease and any renewal thereof.

SECTION ELEVEN  
RIGHT OF INSPECTION

Lessor and lessor's agents shall have the right at all reasonable times during the term of this lease and any renewal thereof to enter the demised premises for the purpose of inspecting the premises and all buildings and improvements thereon.

SECTION TWELVE  
SURRENDER OF PREMISES

At the expiration of the lease term and any renewals thereof, lessee shall quit and surrender the premises hereby demised in as good a state and condition as they were at the commencement of this lease, reasonable use, wear and tear and damages by the elements excepted. The manufactured homes and any other removable buildings placed by lessee with the consent of lessor shall be promptly removed.

SECTION THIRTEEN  
NOTICES

Any notices required hereunder may be mailed by regular first class mail or certified mail addressed to the parties as follows:

LESSOR: Allen County, Kansas  
1 N. Washington  
Iola, KS 66749

LESSEE: Accel Aviation  
Attn: Lorenzo J. Jensen  
P.O. Box 646  
Iola, KS 66749

SECTION FOURTEEN  
DEFAULT

If any default is made by lessee or lessor in the performance of or compliance with any term or condition hereof, then this lease may be terminated at the option of the non-defaulting party. Before this lease is terminated hereunder, the defaulting party shall be given 30 days written notice of the nature of any default or breach alleged. Termination of this lease shall not occur if, within 30 days after receipt of said notice, the defaulting party has corrected the default.

SECTION FIFTEEN  
ABANDONMENT

If at any time during the term of this lease lessee abandons the demised premises or any part thereof or ceases to do business thereon in accord with this lease, lessor may enter the demised premises by any means without being liable for any prosecution therefor, and without becoming liable to lessee for damages of any kind whatsoever. Upon such entry, lessor may relet the demised premises or any part thereof for the whole or any part of the then unexpired term of this lease and may receive and collect all rent payable by virtue of such reletting. If lessor's right of reentry is exercised hereunder, then lessor may consider any personal property belonging to lessee and left on the premises to have been abandoned as well. In such case, lessor may dispose of all such personal property in any manner lessor shall deem proper and is hereby relieved of all liability for doing so.

SECTION SIXTEEN  
BINDING EFFECT

The covenants and conditions herein contained shall apply to the parties hereto and shall bind their heirs, legal representatives and assigns.

IN WITNESS WHEREOF, the parties have executed this lease in Allen County, Kansas the day and year first above written.

Schedule "A"  
Allen County Airport Improvements

Lessee's predecessor has placed a 28' x 76' manufactured home to be used as a student dormitory and a 16' x 80' manufactured home to be used as an office and as classrooms. Both facilities are located to the east of the large hanger and along the airport access road. Lessee will provide all maintenance, upkeep and repair for said buildings and will be responsible for all taxes assessed thereon. Lessee may remove said property upon termination.

Commissioner Francis moved to approve the lease and authorize Chairman McIntosh to sign. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed.

Bob Johnson stated he felt employees deserve a raise but there is probably not a worse time to do it with jobs being lost throughout the area. Discussion followed.

Sherrie presented an annual retainer with Advantage Computers for 2010 for network and PC labor at \$70.00 per hour effective dates of April 1, 2010 to March 31, 2011 for \$1,200.00. Discussion followed. Commissioner Works motioned to approve the annual retainer with Advantage Computer. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners received a letter from Valerie McNutt, Fire District #3 secretary, reporting Kevin Covey has resigned from Fire District #3 board, John Fewins was voted off the board due to lack of attendance. She stated Fire District #3 board nominated Chad Starliper and Jay Jackman to fill the open positions. Discussion followed. Commissioner Francis moved to appoint Chad Starliper and Jay Jackman to the Fire District #3 Board. Commissioner Works seconded, motion passed 3-0-0. Alan will send a letter.

Commissioners reviewed Resolution #201002:

**RESOLUTION NUMBER 201002**

**A RESOLUTION EXEMPTING ALLEN COUNTY, KANSAS FROM THE PROVISIONS OF K.S.A. 75-1117 (SUPP. 1978), 75-1120 (SUPP. 1982), 75-1121 (SUPP. 1988), AND 75-122 (SUPP. 1983) SO AS NOT TO REQUIRE ALLEN COUNTY, KANSAS TO MAINTAIN FIXED ASSET RECORDS AND OBSERVE FIXED ASSET ACCOUNTING PRACTICES.**

**BE IT RESOLVED BY THE GOVERNING BODY OF ALLEN COUNTY, KANSAS:**

**WHEREAS**, Allen County, Kansas has determined that the financial statements and financial reports for the year ending December 31, 2010, to be prepared in conformity with the requirements of K.S.A. 75-1120(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to Allen County, Kansas or the members of the general public of Allen County, Kansas; and

**WHEREAS**, there are no revenue bond ordinances or other ordinances or resolution of said municipality which require financial statements and financial reports to be prepared in conformity with said act for the year ending December 31, 2010;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Allen County, Kansas, in regular meeting duly assembled this 26th day of January, 2010, that the said Board of County Commissioners requests the Director of Accounts and Reports to waive the requirements of said law as they apply to Allen County, Kansas for the year ending December 31, 2010.

**BE IT FURTHER RESOLVED** that the said Board of County Commissioners shall cause its financial statements and financial reports of the said municipality to be prepared on the bases of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this state.

Commissioner Works moved to approve Resolution 201002. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners reviewed a request for a 2010 cereal malt beverage license for Humboldt Speedway Inc. Discussion followed. Commissioner Works moved to approve Humboldt Speedway Inc. a cereal malt beverage license for 2010. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Works moved to reappoint Loren Korte to serve on the Public Building Commission for another three-year term. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners reviewed the annual reports for Carlyle Township, Elm Township, Humboldt Township, Osage Township, Salem Township, and Fire District #2 Allen County Rural Fire.

Sherrie discussed Timecenter, which would track employee hours worked and away with pay hours. Discussion followed. No action was taken at this time.

Commissioners advised counsel to notify the ex-employee and his attorney of the Allen County Board of Commissioners decision on the grievance hearing.

Jim Gilpin, Community National Bank & Trust, presented the commission with information on services Community National Bank & Trust offers in trust services. He stated Allen County has a trust fund for solid waste closure that he would be interested in having back in Iola. Discussion followed. Jim will provide information from Community National Bank & Trust for comparison with the current First Option Bank out of Paola to Alan for review. No action was taken at this time.

Rhonda Fernandez, PIC (Professional Insurance Consultants), presented renewal preparation for Allen County. She covered several items for consideration as well as what is continuing. Rhonda presented an aggregate report for Plan Year April 1, 2009 to March 31, 2010.

Discussion followed on customer service, plan flexibility, claim management and administration, network/provider choices.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$124,386.70
- b) Payroll Changes
- c) Journal Entries #5-9
- d) Abatements PP- Value 257, \$32.80, Year 2009
- e) Abatements TKs – Value 420, \$50.22, Year 2009
- f) Abatements Gas- Value 29264, \$12144.40, Year 2009
- g) Abatements RE- Value, \$6150.90, Year 2009

With no further business to come before the board, the meeting was adjourned until February 2, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      February 2, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the January 26, 2010 meeting.

Sherrie introduced her new employee Holly Slawkowski. Her first day was February 1, 2010.

Jason Nelson, Allen County EMS Director, presented information on wages from Franklin County.

Jason updated the commission on classes scheduled and ongoing EMT classes.

Jason reported he would be attending meetings for the next two days.

Jason stated the ambulance that was out of service earlier is back out of service. The new ambulance is in service now.

Jason requested, on behalf of a part time employee, for Allen County to pay for an EMT-I class. Discussion followed. \$472.83 would be the county's cost. Commissioners requested Jason to visit with Alan Weber, Allen County Counselor.

Commissioners discussed the move in date for the ambulances into the new station.

Commissioner Francis moved to go into executive session for 2 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner McIntosh, Commissioner Francis and Sherrie L. Riebel, Allen County Clerk. The time is now 8:43 a.m. Commissioners reconvened at 8:45 a.m. No action was taken.

Angie Murphy, Allen County 911 Dispatch Director, was proud to announce the Allen County 911 Communications Center is up and running. There are a couple of items that still need to be taken care of but they are up and running to capacity.

Commissioners discussed Judy Brigham, City of Iola Administrator, having declined to give Allen County half of the remaining 911 funds. She has stated there are no funds left over in that fund. Discussion followed. Angie relayed that the City of Iola Commission has been very supportive of the entire 911 project.

Bill King, Public Works Director, requested signatures on the annual Noxious Weed report. Commissioner Francis moved to approve and sign the report. Commissioner Works seconded, motion passed 3-0-0.

Bill stated they are taking bids for a skid steer loader, which will be presented in a week or two.

Bill updated the commission on other equipment that has been or still is in the shop.

Commissioners adjourned to move their meeting to the assembly room in the courthouse for the next portion of their meeting.

Commissioners reconvened downstairs in the assembly room.

Alan Weber, Allen County Counselor, explained the process of the next three presentations. Allen County Hospital Facilities Commission members present were Don Copley, Mary Kay Heard, David Toland, Terry Sparks, Robin Betts, Mary Ann Arnott, and Barbara Culbertson. Also present were Joyce Heismeyer, Brad Van Ritte and Karen Gilpin.

Whitestone Management, LLC made a presentation for Allen County, Kansas Hospital Study to sell their consulting firm as the consultant on the Allen County Hospital with the Allen County Hospital Facilities Commission. Charles Simons introduced himself and explained their purpose, plan. The team explained their experiences and services offered. They would evaluate the

current hospital, needs assessments, improved patient care and projecting future demands. Ken Duncan, Milton Maebry, Pam Richter, Eric Carlson, HDR, were part of the team presenting. Discussion followed with questions and answers.

Health Facilities Group, LLC made their presentation to the commission. Steve Lewellen, Brent Castillo, Health Facilities Group and Philip A. Schultze, Murray Company, The Health Facilities Group LLC, Buckley Group and Murray Company make up the team. The teams primary services would be Demographic Analysis, Interviews and focus groups, inpatient, and outpatient utilization trends, market demand assessment, medical staff requirements, projected service growth, functional space and capacity needs. Murray Company provides the aligning of the budget with the client's preferences, defines the expectations of the client, architect & engineers, manages the budget process, no cost overruns, and oversees the development schedule. They presented dates of projected completions; starting with February 3, 2010 and ending July 2013. Discussion followed with questions and answers.

Karen Lee, alternate member of the Allen County Hospital Facilities Commission and Darlina Tozzio joined the meeting.

Dr. Daniel Myer joined the meeting.

Woodrum, Inc. made a presentation to the commission's request for proposal to assess opportunities to enhance the long-term viability of Allen County Hospital, Iola, Kansas. David Woodrum, FAAHC, FACHE Woodrum Inc. President, introduced his company and constituents; Mark Tozzio, project site manager, Scott Corbin and Jim Easter, principals with HFR, Inc are considered leading planners, architects and engineer at the local office in Kansas City, Larry Hampton, EEO of Help, Chuck Wolfersberger, CPA, and Pat Kenney, financial lending expert. Each gentleman explained their background and what they bring to the table to help Allen County. They presented 3 options and explained what each service would cover. Option one would get the County Commission to a go/no-go decision and public awareness/support presentation; option 2 will take the process to the funding application process. Discussion followed with questions and answers.

Commissioners met briefly with the Allen County Hospital Facilities Commission. Discussion followed on the presentations from the three groups. Different commission members stated their opinions. Don Copley expressed Health Facilities; David Toland expressed his concerns on the size of counties of the hospitals built by Health Facilities. Karen Gilpin stated she was more impressed with the first and third presentations. Discussion followed on Allen County finding a specialized service. Karen Lee stated she thought Health Facilities was great on their work in Kiowa County. Alan discussed the current lease with HCA. Discussion followed on equipment. The committee expressed their desire to tour the Allen County Hospital.

Commissioners reviewed the 2009 reports for LaHarpe/Elm Cemetery, Geneva Township and Fire District #2 LaHarpe Rural Fire and the Fair Board. Commissioners also approved the 2008 annual report from the Fair Board.



Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries # 10
- c) Clerk's Vouchers Totaling 63,061.05
- d) Abatements RE- Value 1092, \$137.06, Year 2008
- e) Abatements RE- Value 6179, \$890.02, Year 2009

With no further business to come before the board, the meeting was adjourned until February 9, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      February 9, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Jill Allen, Election Deputy.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the February 2, 2010, meeting.

Ron Holman, Building & Grounds Director, discussed the use of the south lawn. A request has been made that the south lawn be used for the Relay of Life on July 23, 2010. Ron wants the heavy trailers to be kept off the lawn. Commissioners approved Ron to contact Jennifer Conway to set up the use of the lawn.

Ron stated the probation office has mentioned needing some work done in their office. Commissioner Works asked Ron to make a list of what needs to be done and they will review it later.

Anita Catron, Iola Senior Center, had made a phone request that cable be installed in the back room of the senior center on N. Jefferson. It would cost an additional \$4.00/month, plus the one time \$50 installation fee. Commissioners approved this request.

Sandra Drake, County Appraiser, joined the meeting to answer some questions about valuation adjustment. Sandra presented a report with a summary of values.

Bill King, Public Works Director, discussed the 5-year plan and a bridge update. Bid letting should be in March on the next bridge project.

Mine safety training for Public Works employees will be next week. Allen County EMS will do the first aid part of the training.

Bill discussed the road situation. Bill stated this is a bad year for the roads, but nothing that's never happened before. Working on a road too soon will do more damage than good.

Jason Nelson, EMS Director, reported on a Board of EMS meeting he attended.

Jason stated an ambulance that was in for repair is running again.

Allen County EMS will be doing CPR, first aid and scenario training for Monarch Cement next week. They will cover possible situations that could occur at the plant.

Jason requested commissioners go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works moved to go into executive session, Commissioner Francis seconded, and the time is now 9:29 a.m.... Those present are Chairman McIntosh, Commissioner Work, Commissioner Francis, Jason Nelson and Jill Allen. Commissioners returned to regular session at 9:34 a.m. with no action taken.

Sheriff Tom Williams reported on the drug investigation expenditures.

Sheriff Williams discussed mapping for the vehicles. He is looking into the costs of such. Sheriff wants location of deputies to be an icon on dispatch screens. This would be for safety purposes as much as anything. A grant was used for equipment and five laptops were purchased most recently.

Sheriff Williams passed out a 2009 summary report. He discussed the numbers with the commissioners. Total calls, arrests, bookings, meals served and fuel expenses were on the report.

Sheriff Williams discussed needing a dry erase board.

GIS mapping was discussed. In the process of switching over to the new 911 center, data issues were discovered on the mapping. Sheriff proposes that someone locally be trained to do the GIS upgrades. A local person would have knowledge of the area and make it easier to catch errors quickly.

Sheriff Williams asked to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis moved to go into executive session, Chairman McIntosh seconded, and the time is now 10:05 a.m. Those present are Chairman McIntosh, Commissioner Works, Commissioner Francis, Angie Murphy and Jill Allen. Commissioners reconvened to regular session at 10:10 a.m. with no action taken.

Sheriff discussed his deputies having to testify and the time spent waiting for such.

Angie Murphy, 911 Director, talked about taking bids for fire extinguishers. Angie presented some quotes.

Angie requested vacation leave be carried over for the following employees: Lee Roberts-21.25 hours, Roberta Ellis-14.25 hours and Scott Stewart-16 hours. She also requested that they be given six months to use such carry over leave. Commissioner Works moved to approve the request to extend the vacation and to give the employees six months to use the vacation, Commissioner Francis seconded, motion 3-0-0.

Alan and Angie requested an executive session to discuss legal issues for 10 minutes. Commissioner Works moved to go into executive session for 10 minutes; seconded by Commissioner McIntosh, the time is now 10:30 a.m. Commissioner Francis moved to go into executive session for an additional 5 minutes; time is now 10:41, seconded by Commissioner Works. Those present are Alan Weber, Angie Murphy, Chairman McIntosh, Commissioner Francis, Commissioner Works and Jill Allen. The commission reconvened to regular session at 10:46 a.m. with no action taken.

Health Facilities representatives: Brent Castillo and Steve Lewallen; The Murry Company representative, Philip Schultze; Scott Buckley of the Buckley Group and Greg Vahrenberg with PiperJaffray, were all present to discuss the hospital analysis. Joyce Heismeyer, Allen County Hospital Administrator and ACH Committee members: Mary Kay Heard, Mary Ann Arnott, Barbara Culbertson, David Toland and Terry Sparks were also present.

Mr. Vahrenberg spoke about PiperJaffray and the financial analysis. He discussed the different financing options.

Mr. Toland asked if there is a specific medical specialty that this part of the state is lacking. This is what the analysis would answer among other things according to the Health Facilities representatives. Discussion followed.

Commissioner Francis asked how much time would be spent in the area during analysis. Discussion followed.

Alan will forward e-mails concerning proposals to the committee members. Commissioners also requested that the committee members share any input they may have to aid in making a decision.

Commissioners reviewed the annual reports of Deer Creek and Iola Townships and Rural Fire District #2 City of Iola.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$271,356.10 on Feb 5, 2010
- b) Payroll Changes
- c) Journal Entries # 11-12
- d) Abatements RE- Value 20,769, \$3253.86, Year 2009

With no further business to come before the board, the meeting was adjourned until February 16, 2010 in the Commission Room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Jill Allen, Election Deputy

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      February 16, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the February 9, 2010 meeting.

Commissioners discussed the three hospital presentations from Whitestone Management, LLC, Health Facilities Group, LLC and Woodrum, Inc. No action was taken at this time.

Bill King, Public Works Director, Scott Reeder, Bridge Foreman, and Robert Storrer, Storrer Implement, were present for bid openings for a skid steer loader. Bids were received from White Star Machinery for a Bobcat S250 for \$34,729.19, 12 month warranty, customer is responsible for travel cost for mechanic and provide written notice of defect, 4 – 6 weeks delivery with guarantee buyback of \$31,355.10 plus \$1,000, must purchase 2 year warranty add \$1,000.00; Storrer for a 2010 Gehl V270 for \$37,737.00, 12 month warranty base machine, 24 month or 2,000 hours on engine, 45 days delivery with guarantee buyback with 1000 hours or less in one year of \$33,837.00; O'Malley Equipment for a John Deere 328D for \$37,012.00 12 month warranty unlimited hours; O'Malley Equipment for a John Deere 326D for \$36,006.00 12 month warranty unlimited hours; J&W Equipment for a CASE 450 for \$42,413.00, 1 year base machine, 2 years or 2,000 hours on engine, delivery date of May 15th and Foley Tractor declined to bid. Discussion followed on the difference of the bids. Robert explained all he does for the county and how he stands behind his equipment sales. Scott stated he doesn't have any issues

with the current equipment while it is not in the shop. Discussion followed. Commissioners will take under consideration.

Jason Nelson, Allen County EMS Director, reported on training at Monarch Cement Company last Thursday. Discussion followed on planned training in the spring.

Jason reported he had taught a CPR Class at Humboldt High School to teachers and aides on Monday, February 15, 2010.

Jason stated all the ambulances are out of the shop currently. He discussed routine maintenance and costs.

Jason mentioned he has 24 students signed up for Emergency Pediatric Care class to be held at the National Guard Armory on February 23 & 24, 2010.

Jason stated KEMTA is holding its conference on March 18<sup>th</sup> through 21<sup>st</sup> in Great Bend. He will be attending.

Commissioners visited with Jason about drawing up plans for remodeling the building on North State Street as soon as Heartland gets moved out. They would like to be ready to work on it and get it ready for the ambulances to move in as soon as possible.

Jason informed the commission April 10 is scheduled to be a multi agency scenario event for the people currently in the EMT Class but will involve everyone.

Chairman McIntosh discussed the Hospital Facility Commission meeting last evening. He discussed what the commission's charges are: Are they an observing and listening board? Should they be gathering public's input? Should they be part of the vision of new or remodel? At what point would they be a part of educating the public? What is the time line? What about Focus Groups? Do they need to keep minutes? Mondays would be a goal to meet. They appointed Mary Ann Arnott as Chairman and Barbara Culbertson will be secretary.

Chairman McIntosh discussed choosing a consultant from the three hospital presentations from Whitestone Management, LLC, Health Facilities Group, LLC, Woodrum, Inc. After much discussion and comparison Commissioner Francis moved to approve Alan to negotiate a contract with Health Facilities Group, LLC. Commissioner Works seconded, motion passed 3-0-0.

Bill and Scott came up to discuss compatible hook ups between a Gehl and John Deere. Discussion followed. No action was taken at this time.

Commissioners discussed City of Iola 911 funds. They asked Sherrie to request open records for 911- fund year to date for 2009.

Rhonda Fernandez, Professional Insurance Consultant (PIC), discussed renewal numbers in comparison to current costs. She recommended renewal funding at \$441.61 per single, spouse for \$402.99, child 313.74 and 818.26 for family. Discussion followed on fixed costs and other

costs; reinsurance and stop loss claims. Rhonda discussed family, spouse and children costs and what to do to make them affordable to the employee.

Rhonda discussed Flexible Spending Accounts, Vision Care Direct and contract with Professional Insurance Consultants. The contract with PIC will go from \$1050 to \$1650. Discussion followed. No action was taken at this time.

Commissioner Works moved to authorize Chairman McIntosh to sign Employer Disclosure Statement. Commissioner Francis seconded, motion passed 3-0-0. Chairman McIntosh signed the disclosure.

Commissioners reviewed the annual reports of Deer Creek, Iola Township, Logan Township, City of Mildred, Fire District 2 (City of Iola) and Fire District 4.

Commissioners approved the following documents:

- a) Journal Entry # 13-14
- b) Clerk's Vouchers Totaling \$62,844.15
- c) Payroll Changes
- d) Abatements – RE Value 2940, \$457.44, Year 2007
- e) Abatements – RE Value 5291, \$815.84, Year 2008
- f) Abatements – RE Value 5367, \$909.82, Year 2009
- g) Abatements – TK Value 335, \$40, Year 2009
- h) Abatements – PP Value 389, \$65.98, Year 2009

With no further business to come before the board, the meeting was adjourned until February 23, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      February 23, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Wayne Barnett, citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the February 16, 2010 meeting.

Sherrie requested to reopen bids for fire extinguisher services. She reported no bid had been submitted. Discussion followed. Commissioners approved to request bids again.

Sherrie requested on behalf of KWORC/KCAMP to visit with the commission. Commissioners stated they would entertain visiting with them in the fall/early winter since the renewal time is only two weeks away.

Commissioners will be meeting at 8 a.m. on April 9, 2010 for canvassing the City General Election.

Sherrie reported the KAC wage salary submitted was two years old.

Sandra Drake, Allen County Appraiser, presented Commissioner Francis with maps of land along the old railroad leading to the City of Humboldt. He had told someone that he would look into it for Rails to Trails.

Don Mann, Allen County citizen, joined the meeting.

Chairman McIntosh opened the hearing for the 2011-2015 Five-Year Construction Program. Bill King, Public Works Director, Jeremy Hopkins, Public Works Foreman, Scott Reeder, Special Bridge Foreman, Don Mann and Wayne Barnett were present. Bill explained the process of rating the bridges for construction. Discussion followed. Projects C-4206-01 (5.2 miles south of Humboldt), C-3665-01 (1.0 miles west and .5 miles south of Geneva) and C-3942-01 (3.4 miles west of Humboldt) are on the list to be rated. Brad Fagan, Schwab-Eaton engineer, joined the meeting. Bridges over 20 feet are the only ones that fall under KDOT. The bridge south of Humboldt needs replaced first because there are two metal plates on it now. The road will have to be completely closed because there is no way to put a shoofly around it. They estimate it will be closed for at least half a year providing the weather cooperates. Brad explained work and design on the current bridges on the list. Commissioners asked the publics if there were any bridges they felt needed put on that are not currently on the list. None were added. Commissioner Francis moved to adopt the list as written. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh closed the public hearing.

Brad presented a "Proposal for Construction Engineering Services" from Schwab-Eaton, P.A. for the bridge project 1C-4206-01. He explained the costs and charges to the commission. Brad stated they are working with KDOT on some charges that are an unfairly charged to the counties. The net fee amount of \$11,209.67 and the upper limit of compensation, total cost plus net fee, for services detailed in this proposal shall be \$115,850.00. Commissioner Francis moved to accept Schwab-Eaton, P.A.'s proposal. Commissioner Works seconded, motion passed 3-0-0.

Bill introduced Jerrid Clark, Field Sales Representative for KC Bobcat. Jerrid discussed the skid loader and requested the commission consider purchasing the KC Bobcat.

John Gard, O'Malley Implements, was introduced. He asked the commission to consider purchasing the John Deere Skid loader.

Bill discussed the bids from last week. Bids were received from White Star Machinery for a Bobcat S250 for \$34,729.19; Storrer for a 2010 Gehl V270 for \$37,737.00; O'Malley Equipment for a John Deere 328D for \$37,012.00; O'Malley Equipment for a John Deere 326D for \$36,006.00; J&W Equipment for a CASE 450 for \$42,413.00. Scott and Jeremy had both tested the John Deere and Gehl since last week. Commissioner Francis moved to accept the bid from White Star Machinery for a Bobcat S250 for \$34,729.19 and negotiate a buyback. Commissioner Works seconded, motion passed 3-0-0.

Jeremy reported the roads are soft and sloppy, but they are being worked on. Discussion followed. They were putting road rock on the frozen ground in anticipation of thawing and once the roads thaw they have to pull the big trucks off the road because they do more damage than good at that point.

Commissioners discussed short falls from the state that will be hurting the public works department in funding. Bill stated they are running short of workers and he is doing the best he can. Discussion followed on road maintenance.

Bill discussed the stated requirement of replacing signs every five years. He stated it is already hard to keep signs up because people keep knocking them down.

Bill reported he would be presenting bids on dust abatement costs in the next few weeks.

Mary Ann Arnott, Chairman of the Hospital Facility Commission, and Alan Weber, Allen County Counselor, joined the meeting.

Thomas R. Williams, Allen County Sheriff, Dan Onnen, City of Humboldt Police Chief, Donald Leapheart, City of Iola Fire Chief, members of the 911 Advisory Committee, joined the meeting. Sheriff Williams stated the 911 Advisory Board feels it is in the best interest of all Allen County that when a Rescue Vehicle is needed the Rescue Vehicle out of Iola will be the first on call. This is to help the dispatchers make an instant decision. Any unknown accident the Rescue Vehicle rolls, with the first on scene making an assessment of the situation. Discussion followed.

Pam Beasley, Emergency Manager, discussed Mutual Aid Memorandum of Understanding with the Allen County Commission and private industry. Discussion followed on the reasons why the memorandum is important. Commissioners reviewed and Alan approved. Alan stated it doesn't really obligate anyone to anything just getting what equipment is available in the county. Pam stated she has worked on getting available equipment from municipalities and now is working on what is available from private industry. This isn't for costs just inventory at this time. Commissioners approved the plan.

Don Copley, and Barbara Culbertson, members of the Hospital Facility Commission, joined the meeting.



Pam reported the yearly weather service will be coming to Allen County March 10, 2010 at 6:30 p.m. at the Bowlus Fine Arts Center Lecture Hall in Iola.

Alan reported KwiKom has not paid the county and still has an antenna on the 911 tower.

Alan had reviewed BMI's HIPAA Business Associate Agreement. Chairman McIntosh discussed his concerns with self-insurance. Discussion followed. Commissioner Francis moved to approve Chairman McIntosh sign the HIPAA Business Associate Agreement. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed.

Robin Betts, member of the Hospital Facility Commission, joined the meeting.

Alan discussed Health Facilities Group, LLC. He has visited with them to set up a meeting to get a time line and contract. Alan stated the commission will need to review the costs and what all the commission wanted to hire Health Facilities Group, LLC to do. Commissioners discussed financial information what is correct and what has been provided. Alan discussed confidentiality agreements on the revenue and expenses with ACH. Commissioners discussed some expectations from Health Facilities Group, LLC.

Alan discussed what expectations Allen County Commission would have of the Allen County Hospital Facilities Commission as well as Health Facilities Group, LLC:

Are they an observing and listening board? Yes

Should they be gathering public's input? Identifying strengths

Should they be part of the vision of new or remodel? The main goal would be a recommendation of new or remodeled hospital to the Allen County Commission.

At what point would they be a part of educating the public? At the right time, we can provide education to the public but not yeah or nay.

What is the time line? This is limited to the Health Facilities Group, LLC but will be made available once it decided.

What about Focus Groups? The commission will be involved in the groups but not the Focus Group.

Do they need to keep minutes? Not required by law but is a good practice, Commissioners would like that to be done.

How often does the committee meet? They need to meet as often as necessary.

Currently they have scheduled two tours to the Labette Medical Hospital.

Alan will write up a letter for review of the Allen County Commission and Allen County Hospital Facilities Commission on expectations.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:01 a.m. Commissioners reconvened at 11:06 a.m. No action was taken.

Jason Nelson, Allen County EMS Director, reported on classes at the Iola National Guard Armory today.

Commissioner Francis moved to go into executive session for 2 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, and Commissioner Francis. The time is now 11:29 a.m. Commissioners reconvened at 11:31 a.m. No action was taken.

Commissioners reviewed the annual report of Marmaton Township.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$65,962.75
- b) Clerk's Vouchers Totaling \$320,000.00 for 02-23-2010 Special Payout
- c) Payroll Changes
- d) Journal Entries #15
- e) Abatements RE- Value 15321, \$2484.04, Year 2009
- f) Abatements PP- Value 1618, \$271.78, Year 209
- g) Abatements Oil- Value 4581, \$506.12, Year 2009
- h) State Assessed Utilities- Value 2628, \$334.18, Year 2004

With no further business to come before the board, the meeting was adjourned until March 2, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      March 2, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the February 23, 2010 meeting.

Sherrie introduced Whitney Cochran as a new employee.

Sherrie discussed the Time Center program with the commissioners. This would make time-keeping among the departments consistent, save time input and save costs.

Bill reported the crusher went down. Four bearings have gone bad and will cost \$40,000 to \$50,000 dollars to replace them. Discussion followed.

Bill discussed budget cuts he might possibly be able to do for 2010.

Commissioner Works moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:01 a.m. Commissioners reconvened at 9:11 a.m. No action was taken.

Jason Nelson, Allen County EMS Director, reported the call volume is up from last year by about 28 calls.

Jason reported the Emergency Pediatric Care Class had 26 students in attendance last Tuesday.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, Thomas R. Williams, Allen County Sheriff and Sherrie L. Riebel, Allen County Clerk. The time is now 9:24 a.m. Commissioners reconvened at 9:29 a.m. No action was taken.

Commissioner Works moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, Thomas R. Williams, Allen County Sheriff and Sherrie L. Riebel, Allen County Clerk. The time is now 9:29 a.m. Commissioners reconvened at 9:39 a.m. No action was taken.

Sharon K. Utley, Allen County Treasurer, reported Allen County has received \$225,720.31 from Klein Tools for Stewart Manufacturing. They paid all the Real Estate taxes for 2006-2008, and the 1<sup>st</sup> half of 2009, all the Personal Property 2006-2009, and Interest of \$32,530.48. Discussion followed.

Joe Hess, representative Iola Senior Citizens, Inc., discussed some problems the Iola Senior Citizens Inc feels needs to be done at the county building on North State Street. He explained the roof on the shed needs replaced; a drain for the eaves needs to be fastened to a replacement post, the current post has rotted off; they would like to have a four foot sidewalk installed on the north side of the building. Joe discussed building codes from the City of Iola for these things, the Iola Senior Citizens, Inc, will pay for some of the repairs. He discussed fluorescent light bulbs need to be replaced and new lights need to be installed. Commissioners stated they would have someone look at the lights and have them replaced. Joe stated they have changed the thermostat at the center to improve energy costs.

Joe explained what the center does and it's history. He named organizations they have donated to: food pantry, first and second grades of schools, animal society, fire department as a few examples. They have 20 members, all volunteers who work at the center.

Joe presented a bid on a restroom door. The current door is 24" wide and they want to replace it with a 30" door and frame. The bid was received from Kelly's Construction for \$245.00. The Iola Senior Citizens, Inc. will pay the \$245.00; they just need to get permission from the commission. Discussion followed. Commissioners will have Ron Holman, Allen County House and Grounds Director, to review the building and requested changes.

Mary Ann Arnott, Hospital Facilities Commission Chair, joined the meeting.

Angie Murphy, Allen County 911 Dispatch Director, discussed basic training for 911 dispatchers. The cost per attendee would be \$384.00 for lodging, food and training. This cost is for two week time period. Discussion followed on longevity of employees. Angie would like to adopt this Basic Law Enforcement Communications Operator (BLECO) Training into her policy. Commissioners stated they felt it is a worthy training.

Angie discussed liability for the dispatchers. Discussion followed. She requested her staff be allowed to attend some of the training our EMS Department puts on. Commissioner requested her to visit with Jason Nelson, Allen County EMS Director and Allen County Hospital.

Rhonda Fernandez, Professional Insurance Consultant, and Dennis Call, Benefit Management Insurance, discussed "stop loss" and "lasers". Dennis explained the terminologies. He explained the renewal costs at 6% increase. Discussion followed.

Commissioner Works moved to approve option 3 with a goal to accrue reserves equal to 6 months of the cost. Commissioner Francis seconded, motion passed unanimously 3-0-0.

Commissioner Francis moved to approve the annual contract with PIC. Commissioner Works seconded, motion passed 3-0-0.

Alan discussed the Health Facilities contract. Commissioner Francis moved that Chairman McIntosh sign contract with Health Facilities Group. Commissioner Works seconded, motion carried 3-0-0. Chairman McIntosh signed Health Facilities contract. Alan took the signed contracts.

Alan asked commissioners about releasing a lien. Commissioner Works moved Chairman McIntosh sign release of lien on property that had burned so that insurance could be paid. Commissioner Francis seconded, motion carried 3-0-0. Chairman McIntosh signed the lien release.

Commissioners approved to offer the county employees vision care, which they will pay for themselves, and BMI would administer.

Commissioner Works moved to approve the purchase of Time Center. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners reviewed the annual report of West Cottage Grove Cemetery.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$113,469.99
- b) Payroll Changes
- c) Journal Entries #16
- d) Abatements PP- Value 11, \$1.68, Year 2009
- e) Abatements RE- Value 10393, \$1568.54, Year 2009
- f) Abatements TK- Value 201, \$24.00, Year 2009

With no further business to come before the board, the meeting was adjourned until March 9, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      March 9, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the March 2, 2010 meeting.

Ron Holman, Allen County House and Grounds Director, visited with the commissioners concerning the building on State Street used by Iola Senior Citizens, Inc. Discussion followed on lighting, windows and doorways. Commissioners requested Ron get estimates on replacing the door to the restroom.

Sherrie requested for use of the bandstand for March 27, 2010 at 8:30 p.m. for a "Turn Out The Lights" ceremony and April 3, 2010 at 11:30 a.m. for an Easter Egg Story Time. Commissioners approved both uses of the bandstand.

Sherrie presented bids for fire extinguisher services. Bids were received from Fire X Inc at \$4.00 for annual inspection-stored pressure, \$15.75 for 5# recharge, \$19.50 for 10# recharge, \$7.50 for valve stem and O-ring, and \$29.50 for 20# recharge plus \$69.50 for 1-3 gallon kitchen system and \$79.50 for 3-6 gallon kitchen system; and CINTAS at \$4.00 for annual inspection-stored pressure, \$12.00 for 5# recharge, \$19.00 for 10# recharge, \$11.25 for valve stem and O-ring, and \$35.00 for 20# recharge. After much discussion Commissioner Francis moved to accept the bid from Fire X, Inc for fire extinguisher services. Commissioner Works seconded, motion passed 3-0-0.

Bill King, Public Works Director, requested signatures for the Cost Plus Net Fee Agreement for construction engineering services for project 1C-4206-01. Commissioner Francis moved to approve Chairman McIntosh and commissioner sign. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh and commissioners signed.

Bill discussed the conditions of the roads after such a wet winter and now the rain.

Thomas R. Williams, Allen County Sheriff, Bill King, Public Works Director, Sharon K. Utley, Allen County Treasurer, Jason Nelson, Allen County EMS Director, Angie Murphy, 911 Dispatch Director, Sandra Drake, Allen County Appraiser, Cara Barkdoll, Register of Deeds, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk, discussed 2010 wages. Commissioner McIntosh stated he felt that now is not the time to give raises. Discussion followed. Commissioners stated they really do appreciate their employees and will revisit the issue again in August.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:28 a.m. Commissioners reconvened at 9:33 a.m. No action was taken.

Jason is finishing up state inspections. One of the ambulances has been in the shop. Discussion followed.

Jason reported call volume is up from 2009 ambulance runs.

Commissioner McIntosh discussed the ambulance department furnishing first aid kits for the county. Jason will set it up and take care of it.

Angie reported KwiKom has removed their antennas from the tower on State Street.

Angie discussed a meeting she had attended yesterday. She discussed 911 markings for all Allen County residents. She reported the FFA Chapters are interested in hanging the signs, and signs would be available for \$12.00 for house sign and \$15.00 for a mailbox sign from Farm Bureau. Any expense over and above the original cost will go towards Farmers Market to put the monies back into the community. Discussion followed on educating the public, advertisement and

promotions. Terry Call, employee, discussed 911 addressing in GIS. Angie stated she is not asking for monies at this time, but will take any donations towards the project.

Angela Henry, Safe Base Director, discussed the dental problems with children in school. Wanda Kneen, Safe Base USD #257 was also present for discussion concerning the health fair for the school districts. Angela presented pictures of children's teeth. Angela explained the turn out for the health fair and what was covered in the Health Readiness Clinic for Year 1, 2005-2006 463 children were screened, 21 children received follow-up dental treatment, \$45,700 REACH Grant dollars secured for a total project budget \$45,700, Year 2, 2006-2007 951 children were screened, 121 children received follow-up dental treatment, \$169,285 REACH Grant dollars secured for a total project budget \$208,290, Year 3, 2007-2008 964 children were screened, 271 children received follow-up dental treatment, \$125,000 REACH Grant dollars secured for a total project budget \$157,238, Year 4, 2008-2009 1,045 children were screened, 169 children received follow-up dental treatment, \$120,013 REACH Grant dollars secured for a total project budget \$191,740 and Year 5, 2009-2010 1,100 children were screened, 92 children received follow-up dental treatment. She covered the number of students screened at the health fair, number of students receiving dental vouchers, number of students receiving follow-up dental treatment, number of students to be seen by Pedodontist and the number of students submitted to SMILES Program. Angela covered number of students receiving free physicals, number of cases of head lice caught and number of immunization vouchers given to each school district. Angela requested \$7,000 for Year 5, 2009-2010 that is 10% of the \$70,000 grant she is requesting from the State of Kansas. She stated she would need a letter of support for the application to the Health Care Foundation of Greater Kansas City. Commissioners asked about the school districts contributions.

Harvey Buckley, Monarch Cement Company, updated the commission on the conveyor belt project. He stated they are working with BP Pipelines for land lease. Discussion followed. Commissioners thanked Mr. Buckley for his consideration on the update.

Alan Weber, Allen County Counselor, discussed recovery bonds \$139,000 for public building and \$209,000 for private building with the commission. Alan reported Allen County needs to waive the bonds available to Allen County or use them. Commissioners discussed they have no plans for using the bonds, but will take under consideration for next weeks meeting.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:25 a.m. Commissioners reconvened at 11:35 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$91,060.57
- b) Payroll Changes
- c) Journal Entries # 17
- d) Abatements PP- Value 48, \$8.14, Year 2009

With no further business to come before the board, the meeting was adjourned until March 16, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      March 11, 2010**

The Allen County Board of Commissioners met in special session at 3:00 p.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, and Alan Weber, Allen County Counselor. Commissioner Robert A. Francis was absent.

All members of the Hospital Facilities Commission and Bob Johnson, Iola Register representative, were present for the meeting.

No official action was taken.

With no further business to come before the board, the meeting was adjourned until March 16, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Alan Weber, Allen County Counselor

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Absent  
Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      March 16, 2010**



The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk. Commissioner Dick Works was absent.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the March 9, 2010 meeting.

Mileage rates were discussed. The IRS mileage rate for 2010 is 50 cents per mile. Commissioner Francis moved to lower Allen County's mileage rate to .50 cents per mile. Chairman McIntosh seconded, motion passed 2-0-0.

Commissioners discussed Angela Henry's Safe Base request. Commissioner Francis moved to approve \$7,000 towards dental health for Allen County children provided Safe Base gets the proper grant monies. Chairman McIntosh seconded, motion passed 2-0-0.

Bill King, Public Works Director, presented bids for Mag Chloride Proposals. Scotwood Industries, Inc was the only bid received. Their bid for Mag Chloride cost is \$0.828 gallons delivered and applied, Calcium Chloride cost is \$1.04 per hour delivered and applied. This bid includes 2 hours of spraying time with demurrage rate of \$65.00 per hour. Commissioner Francis moved to accept the bid from Scotwood Industries, Inc. Chairman McIntosh seconded, motion passed 2-0-0.

Bill presented bids for asphalt oil proposals. He received bids from ERGON for RS1H cost of \$1.89 per gallon, AEP cost of \$2.40, RS-1M cost of \$2.13, MC800 cost of \$2.80 per gallon, demurrage at \$70.00 per hour after 2 free hours, pump charge \$70.00, moving charge \$40.00; Wright Asphalt for RS1H cost of \$2.77 per gallon, AEP cost of \$0.00, RS-1M cost of \$0.00, MC800 cost of \$0.00 per gallon, demurrage at \$70.00 per hour after 1 free hours, pump charge \$75.00, moving charge \$1,533.00; Vance Bros bid was delivered after the deadline. Discussion followed on last year costs. Commissioner Francis moved to accept the bids from ERGON. Chairman McIntosh seconded motion passed 2-0-0.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Bill presented bids for a new truck bed that a 1997 Ford truck requires. Bids were received from Davis Trailer & Truck for \$7,765 plus freight; Hil Bilt for \$7,025 plus freight; and Heil Truck Bed for \$8,895 no freight. Discussion followed on freight cost and cost for reworking the bed to fit the less expensive beds. Commissioner Francis moved to approve the bid from Heil Truck Bed. Chairman McIntosh seconded, motion passed 2-0-0.

Jason Nelson, Allen County EMS Director, discussed the plans and designs for remodeling the building on North State for ambulances. Discussion followed. Jason stated the current plans are what need to be done to move in. There are several designs for future use of the building.

Jason and Angie discussed asphaltting the driveway and lawn care at the Allen County Critical Response Center. Discussion followed. Chairman McIntosh will go with Jason and Angie to view the land and bring back options for commissioners review next week.

Jason thanked Bob Johnson for his article in the Iola Register.

Jason stated ambulance runs are up as well as transfers.

Angie Murphy, 911 Dispatch Director, discussed security cameras for the outside of Allen County Critical Response Center. Angie is concerned for ambulance drivers pulling out onto State Street.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Chairman McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:31 a.m. Commissioners reconvened at 9:36 a.m. No action was taken.

Chairman McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Francis, Angie Murphy, 911 Dispatch Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:38 a.m. Commissioners reconvened at 9:43 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Chairman McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Francis, Angie Murphy, 911 Dispatch Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:43 a.m. Commissioners reconvened at 9:48 a.m. No action was taken.

Commissioner Francis moved to bring all county dispatch employees up to county policy. Chairman McIntosh seconded, motion passed 2-0-0.

Alan discussed the Recovery Zone Bond. Commissioner Francis moved to decline the bond and let it go back to state. Chairman McIntosh seconded, motion passed 2-0-0.

Alan reported the entire 2007 Flood would be wrapped up on all the FEMA requirements by the end of the month. Discussion followed.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 66,414.57
- b) Payroll Changes
- c) Journal Entries # 18-20
- d) Abatements RE- Value 1754, \$243.76, Year 2009
- e) Abatements PP- Value 284, \$48.16, Year 2009
- f) Abatements TK- Value 0, \$123.04, Year 2009
- g) Abatements Gas- Value 3873, \$1310.88, Year 2009
- h) Abatements Oil- Value 4914, \$74.64, Year 2009

With no further business to come before the board, the meeting was adjourned until March 23, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Absent  
Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      March 23, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Chuck Richey, citizen were present to observe the meeting.

Commissioners corrected and approved the minutes of the March 11, 2010 Special Meeting & March 16, 2010 meeting.

Aimee Daniels, CASA Director, Ken McGuffin, CASA Board President, Cindy Adams, CASA Board member, Janice Parker (Moran), Karen Lee (Iola), Don Sewell (Fredonia), Michelle Thompson and Katy Miller, SRS employees, were also present as advocates. Aimee requested the Allen County Commission sign a proclamation recognizing April 2010 as Child Abuse Prevention Month.

**Child Abuse Prevention Month - April 2010**  
**PROCLAMATION**

Whereas, April 2010 will be recognized throughout the United States as **National Child Abuse Prevention Month**;

Whereas, preventing child abuse and neglect is a community problem that depends on cooperation among people throughout the community;

Whereas, 66 children were found by the court in Allen County last year to be children in need of care and removed from their homes, but many other children continue to suffer abuse and neglect that has not yet been reported;

Whereas, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope;

Whereas, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community;

Whereas, child abuse and neglect can be reduced by making sure each family has the support they need to raise their children in a healthy environment;

Whereas, child abuse and neglect not only directly harms children, but also increases the likelihood of criminal behavior, risky behaviors, substance abuse and health problems such as heart disease and obesity;

Whereas, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment;

Whereas, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community;

Whereas, together we can strengthen families and prevent child abuse right from the start and at the grassroots level;

NOW, THEREFORE WE COMMISSIONERS, Gary McIntosh, Dick Works and Rob Francis, on behalf of Allen County, Kansas, do hereby proclaim April 2010 as **Child Abuse Prevention Month** in Allen County and call upon all citizens, community agencies, religious organizations, educational facilities, medical facilities, and businesses to increase their partnership in our efforts to prevent child abuse, thereby strengthening the communities in which we live.

Commissioner Francis moved to sign the proclamation. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed the proclamation.

Aimee discussed CASA purpose and their success stories.

Chuck Richey, citizen, reported the clock on the courtyard is currently working but still having issues.

Chuck discussed raises for county employees. Discussion followed.

Bill King, Public Works Director, and Mike Hough, Noxious Weed Director, presented bids for Noxious Weed chemicals for 2010. Bids were received from Vegetation Management Supply for Glyphosate for \$11.95 per gallon, Tordon 22K no bid, Escort for \$5.93 ounces, Plateau for \$129.90, Remedy no bid, Sahara DG for \$9.85 pound, 2,4-D LVEster for \$13.55 per gallon and 2,4-d Amine for \$10.44 per gallon; Van Diest Supply Company for Glyphosate for \$10.64 per gallon, Tordon 22K for \$47.08 per gallon, Escort for \$5.97 ounces, Plateau for \$134.79 per gallon, Remedy for \$56.79 per gallon, Sahara DG for \$9.27 pound, 2,4-D LVEster for \$13.89 per gallon and 2,4-d Amine for \$10.73 per gallon. Discussion followed. Commissioner Francis

moved to accept the bid from Van Diest Supply Company. Commissioner Works seconded, motion passed 3-0-0.

Bill presented bids for pipe. He received only one bid from JR Crow & Company for 12 pieces of 14 inch inside diameter, 38' to 40' lengths, wall thickness of pipe .250 no bid; for 12 pieces of 20 inch inside diameter, 38' to 40' lengths, wall thickness of pipe .250 at \$25.00 per foot; for 12 pieces of 22 inch inside diameter, 38' to 40' lengths, wall thickness of pipe .250 at \$27.50 per foot; for 12 pieces of 24 inch inside diameter, 38' to 40' lengths, wall thickness of pipe .250 at \$28.50 per foot. Discussion followed on availability. Commissioner Francis moved to accept the bids from JR Crow & Company. Commissioner Works seconded, motion passed 3-0-0.

Bill reported the skid steer loader is being delivered today. He mentioned the crusher was broken but is now is up and working. Discussion followed.

Bill mentioned they are using the new cell at the landfill. The flare has been out and is getting fixed. Discussion followed.

Bill will be meeting with FEMA next Friday for the snow last Christmas. Discussion followed.

Jason Nelson, Allen County EMS Director, proposed a diagram of the ambulance station on State Street. Discussion followed on bids versus estimate bids. Commissioners requested Jason to get three bids for the different projects...i.e.: heat / cooling, cable, phone and etc.

Alan Weber, Allen County Counselor, joined the meeting.

Angie Murphy, 911 Communications Director, would like to participate in a program on 911 along with the DARE Program. Discussion followed on how it would work. Commissioners supported her in this program.

Angie discussed mowing the yard at the Allen County Critical Response Center. Commissioners stated they would add it to the bid process for the courthouse. She requested this be paid out of the General Fund. Discussion followed on employees mowing on down time.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Angie discussed salaries for her staff. She discussed shift differential the dispatchers had at the City of Iola and increasing the salary for those employees who have lost that expense. Angie discussed budget for 10 people plus herself. Angie stated she has figured they could run the department with 9 people plus herself and use the extra wages to compensate for shift differential plus her budget. Discussion followed on wages. Her commitment would be to always be full staffed. Commissioners requested this be tabled for now.

Sheriff Williams discussed calls he received during the inclement weather. Discussion followed.

Loren Korte, Personal Service Insurance President, reviewed property and casualty insurance for March 18, 2010 to March 17, 2011. He covered auto, general liability, crime, umbrella, inland marine, law enforcement liability, commercial property, and worker compensation.

Rhonda Fernandez, Personnel Insurance Consultant President, requested signatures for April 2010 to April 2011 contract with Benefit Management Insurance (BMI). She explained other insurance items associated with employer regulations. Discussion followed. Commissioner Works moved to authorize Chairman McIntosh sign the contract with BMI. Commissioner Francis seconded, motion passed 3-0-0. Chairman McIntosh signed the contract with BMI.

Ron Holman, Allen County House and Grounds Director, presented bids for a new gas stove at the Iola Senior Center on N. Jefferson. Bids were received from Western Auto/Advantage Electronics for a \$449.00; Westco for \$466.39 and Flynn Appliance Center LLC for \$470.00. Commissioner Works moved to accept the bid from Western Auto/Advantage Electronics. Commissioner Francis seconded, motion passed 3-0-0.

Alan requested signatures on the Notice of Waiver of Recovery Zone Bond Allocation. Commissioner Francis moved to authorize Chairman McIntosh's signature to waiver the bond allocation. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$296,392.31
- b) Payroll Changes
- c) Payroll Vouchers
- d) Journal Entries #21
- e) Abatements PP- Value 225, \$31.86, Year 2009
- f) Abatements Oil- Value 15795, \$2125.38, Year 2009
- g) Abatements State Assess Utilities –Value 373, \$55.30, Year 2009

With no further business to come before the board, the meeting was adjourned until March 30, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Jill Allen, Election Deputy.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved minutes of the March 23, 2010.

Commissioner Works moved to approve use of the bandstand for Iola Middle School's spring band and choir concert and ice-cream social on May 13, 2010 at 6:30 p.m. and, per the request of Vella Lower, for National Day of Prayer on May 6, 2010 at 12:00 noon. Commissioner Francis seconded, motion carried unanimously.

David Toland advised commissioners that Thrive & Allen County Crimestoppers are sponsoring the Charlie Melvin Mad Bomber run on July 10 and requested use of the courthouse square for the carnival that will coincide with the event. Commissioner Francis moved to approve the use of the courthouse square for the carnival, setup will be on Friday, July 9, take down July 10, Commissioner Works seconded, motion carried unanimously.

Mr. Toland discussed the Thrive annual meeting to be held in September in a large tent, capacity 500 people. He asked for use of the southeast corner of the square for such. Commissioner McIntosh asked about a secondary plan in case of inclement weather. Alcoholic beverages were discussed for the event. Commissioners are not keen on the use of alcohol on county property. Mr. Toland pointed out the sale of alcoholic beverages is part of the how they raise money for the event. However, this seems to be the main stumbling block for most venues. No action was taken.

Bill King, Public Works Director, reported on bridge project 1 C-4206-01, at the county line. Commissioner Works moved to approve the Chairman's signature on the contract with Beachner Construction for the bridge project 1 C-4206-01, Commissioner Francis seconded, motion carried unanimously. Construction will likely begin the first of June.

Bill reported that Allgeir Martin would be here April 27<sup>th</sup> to visit with the commissioners.

Bill met with FEMA last Friday. They requested that Bill prove he was on a 911 call for all the work done during the snowstorm. However, there may be reimbursement for cross drain replacements.

Jason Nelson, EMS Director, reported Heartland would be out of their building the end of April. In the meantime Jason is gathering information on updating the space for EMS use. Ambulance rates were discussed, no action taken.

Sharon Utley, County Treasurer, joined the commissioners. Commissioner Works moved to go into executive session for 5 minutes concerning non-elected personnel. Commissioner McIntosh

seconded, motion passed unanimously. The time is 9:29 a.m. Those present are the commissioners, Sharon Utley and Jill Allen. Commissioners returned to regular session at 9:31 a.m., no action taken.

Darrell Catron, Gas City Mayor, talked about neighborhood revitalization. He said Gas's plan is identical to what Iola and LaHarpe have done with their neighborhoods. He feels the City of Gas should get in on this and encourage development. Copies of the plan were distributed to the commissioners. Commissioners will wait to get Alan Weber's input, as he is working with Mr. Catron on this plan.

Angie Murphy, 911 Director, and Sheriff Tom Williams joined the commissioner meeting. Angie passed out salary reports for her employees to commissioners. Angie recommends that all her full-time staff get a .20 raise across the board. This is primarily due to the change from city to county and the shift differential. Commissioner Works moved to approve a .15 raise, effective April 1, 2010, for all full-time 911 dispatchers, Commissioner McIntosh seconded, motion carried unanimously.

Commissioner McIntosh discussed his thoughts on grants with Angie.

Sheriff reported on a residence that has caused a disturbance on several occasions. Alan Weber, County Counselor, will produce a letter that the Sheriff's department will deliver.

Sandra Drake, County Appraiser, told commissioners that valuation notices would go out on April 1. Sandra stated that different areas have different values; most residential went up, while some agricultural land went down.

Alan reported on the zoning hearing that was held last Thursday, March 25 for Fireworks Leasing, LLC. It was requested that the owner of said property be allowed to construct a mini storage building on his land. This would require a change in zoning, as it is still zoned ag and would need to be changed to commercial. Alan stated that all surrounding landowners were notified. The Zoning board was unanimous in favor of this change. Commissioner Francis moved to uphold the recommendation of the Zoning Board and allow the zoning change from ag to commercial, Commissioner Works seconded, motion passed unanimously. Alan will notify the applicant that the request has been approved and they can move forward with their construction.

Alan discussed Gas City's neighborhood revitalization plan. Commissioner McIntosh moved to approve the neighborhood revitalization plan for Gas, conditional on the approval of Alan Weber. Commissioner Works seconded, motion carried unanimously. Mr. Catron stated Gas City Clerk, Rhonda Hill, would make any final corrections per Alan.

Fred Works, attorney, asked if the commissioners would release a small lien of \$136.00 on some property in order to clear the title. This is on lots that the city is trying to purchase. Fred is going to get paperwork to Alan Weber about this and then it will be presented for the commission approval.



Commissioners approved the following documents:

- a) Clerk's Vouchers totaling \$93,854.05
- b) Journal Entry #22
- c) Abatements – RE 2,149 Value, \$246.68, Year 2009
- d) Abatements – State Assessed Utilities 60,037 Value, \$8954.44, Year 2009

With no further business to come before the board, the meeting was adjourned until April 6, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Jill Allen, Election Deputy

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      April 6, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the March 30, 2010 meeting.

Ron Holman, Allen County House and Grounds Director, presented bids for mowing county facilities yards within City of Iola limits. Bids were received from Slife Lawn Service for \$300 per mow; J & J Lawn Care for a total of \$305 per mow; and Michael Burnett for \$310.00 per mow. Discussion followed. Commissioner Francis moved to approve Slife Lawn Service to mow. Commissioner Works seconded, motion passed 3-0-0.

Ron discussed replacing tile in the district court area vault. Commissioners approved for Ron to get bids on replacing the floor and lights.

Sharon Utley, Allen County Treasurer, introduced her new employee Patricia Dover.

Sandra Drake, Allen County Appraiser, reported the county's real estate valuation is down 17% from last year. Discussion followed on what constitutes values.

Bill King, Public Works Director, reported water standing in ditches is not a concern as long as it is not damaging homes or being a hazard to someone. Commissioners allowed they thought that was what ditches were for was to keep water off the roads.

Bill discussed mowing would be limited again this year due to financial cuts. The primary roads will be kept mowed, that is it. He is eliminating any on demand calls; they are too expensive. Discussion followed on other ways to save since monies are limited for this year and possibly next.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor, Jason Nelson, Allen County EMS Director, Michael Hueston, EMT-ID and Sherrie L. Riebel, Allen County Clerk. The time is now 9:28 a.m. Commissioners reconvened at 9:33 a.m. No action was taken.

Jason Nelson, Allen County EMS Director, discussed a mock disaster exercise this Saturday, back to back at the City of Elsmore, then at Allen County Airport.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:36 a.m. Commissioners reconvened at 9:41 a.m. No action was taken.

Angie Murphy, Allen County 911 Dispatch Director, discussed the total cost of relocation of 911 dispatch. The total expense was \$558,358.01, which includes building and expenses. 911 had been approved for \$143,202.00 and have a pending grant for \$63,223.90, so figuring the grants in will be a total of \$351,932.11.

Angie discussed her having a county cell phone as opposed to her own. Commissioners approved \$25 a month towards her personal cell phone.

Thomas R. Williams, Allen County Sheriff, discussed the storm that came through last Friday.

Commissioner Francis moved to reappoint Mike Luttrell to serve another term on the 31<sup>st</sup> Judicial District Community and Juvenile Corrections Advisory Board. Commissioner Works seconded, motion passed 3-0-0.

Alan Weber, Allen County Counselor, wanted to publicly thank Bill King, Public Works Director, Kim Riebel, Public Works Office Manager and Jeff Bauer, City of Iola Building Codes, for their work on the FEMA completion for the Flood of 2007.

Alan discussed rewriting the no smoking policy for Allen County to be in compliance with the new laws passed at the State level.

Alan discussed county policy for grant procedures and violations of policies.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be

Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:27 a.m. Commissioners reconvened at 10:33 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$239,405.22
- b) Payroll Changes
- c) Journal Entries #23-27
- d) Abatements: RE- Value 6066, \$804.24, Year 2009

With no further business to come before the board, the meeting was adjourned until April 9, 2010, at 8:00 a.m. for the purpose of canvassing in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      April 9, 2010**

The Allen County Board of Commissioners met in a special session at 8:00 a.m. with Chairperson Gary McIntosh, Commissioner Dick Works, and Sherrie L. Riebel, Allen County Clerk for the purpose of canvassing the April 6, 2010 Cities of Iola & Moran General Election. Commissioner Robert A. Francis was absent.

Commissioners reviewed the election and found no discrepancies. Therefore, results were finalized.

With no further business to come before the board, the meeting was adjourned until April 13, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Absent  
Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the April 6, 2010 regular meeting and April 9, 2010 Canvass.

Joseph Hurla, 360 energy solutions CEM Business Development Manager, company provides guaranteed energy savings. He stated the State is providing a 40/60 grant for energy savings on public buildings (County 40%, State 60%). Discussion on what his company would provide and what the grant covers. They would do the design work up front and their 10% cost would come out of the grant. Joseph stated they would have to publish for the energy savings auditor. Then contracts would come after an auditor is chosen.

Sharon K. Utley, Allen County Treasurer, presented some money facts for the commission. She had comparisons of taxes paid in 2008 to 2009 showing a decrease of 2%. Sales taxes collections are down about \$110,000. She discussed CD invested and maturity dates. Sharon presented a composition of cash balances and investments. Discussion followed on interest income. Sharon reported that she would be transferring \$22,010.25 from Auto Funds to County General and requested that \$5,000.00 of that amount be transferred to Equipment Reserve. Discussion followed on the new auto program.

Bill King, Public Works Director, discussed the roadside cemetery along the old US 169. David Allen made 9 crosses; Dan Arbuckle has offered to mow the cemetery. A local resident using a “witching” technique identified 38 bodies, of which 10 were female.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:09 a.m. Commissioners reconvened at 9:14 a.m. No action was taken.

Sherrie requested approval for Isabell Plier and Lee Cline, Services to the Elderly Van drivers, to attend class June 10, 2010 in Independence, Kansas. Commissioners approved.

Sherrie reported on behalf of Virginia Macha that there will be a Tea Party on the bandstand on Thursday, April 15, 2010 at 6 p.m.

Sandy Hilldinger, Humboldt Senior Center Manager, requested to purchase tablecloths for the center. Commissioners approved to purchase tablecloths but to stay under \$500.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor, Jason Nelson, Allen County EMS Director and Sherrie L. Riebel, Allen County Clerk. The time is now 9:24 a.m. Commissioners reconvened at 9:34 a.m. No action was taken.

Jason Nelson, Allen County EMS Director, received only one bid for general contractor; it was from Superior Builders, LLC. They bid \$46,058.00. Discussion followed on what would be covered by this.

Jason received three bids for plumbing. Bids were received from Anderson Plumbing, LLC for \$9,685.00; D & R Plumbing & Electric Inc for \$9,845.00; and Paul Sinclair Plumbing & Heating for \$8,685.00.

Jason received only one bid for 2 heat pump systems and all the necessary ductwork and labor at 412 N. State, Iola, KS it was from Tholen's Heating & Cooling, Inc for \$18,711.50.

Jason received only one bid for HVAC system. The bid, from Tholen's Heating & Cooling, Inc. presented two options. Option 1 for \$9,465.25 would be to install a new 3-ton Trane unit and remove the existing heat pump system. Option 2 is to run new ductwork off the existing 2-ton system. The cost for option 2 would be \$3,285.00.

Jason received one verbal bid for electric work for \$4,185.00 from Hoffmeier Electric.

Jason received one bid for Network Cabling Termination Equipment from Advantage Computer for \$2,873.22.

Commissioners reviewed all the bids received and details. Commissioner Francis moved to accept Superior Builders as general contractor; Tholen's Heating & Cooling for heat pump system and HVAC; Hoffmeier Electric for electric and Anderson Plumbing for plumbing to be done within 6 weeks of Allen County taking possession of the building. Motion died from lack of second.

Jason requested for him and another employee to attend a Scenario Day in Hutchison. Commissioners approved.

Jason presented a wage schedule for his EMT's.

Rhonda Fernandez, PIC, called for a phone conference. She explained mandated changes in Allen County Health Care. Discussion followed. Commissioner Works moved to authorize Chairman McIntosh's signature. Commissioner Francis seconded, motion passed 3-0-0. Chairman McIntosh signed the Mental/Nervous and Substance Abuse Amendment.

Commissioner Francis moved to adjourn to 412 N. State to tour the building. Commissioner Works seconded, motion passed 3-0-0.

Commissioner's reconvened at 412 N. State. They reviewed the building for remodeling specs.

Commissioner Francis moved to accept Superior Builders as general contractor; Tholen's Heating & Cooling for heat pump system and HVAC; Hoffmeier Electric for electric and Anderson Plumbing for plumbing to be done within 6 weeks of Allen County taking possession of the building with Alan drawing up contracts. Commissioner McIntosh seconded, motion passed 3-0-0.

Jason reported on the incident scenarios on Saturday with Savonburg Fire, EMS, Sheriff Deputies, and Dispatch.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:20 a.m. Commissioners reconvened at 11:25 a.m. No action was taken.

Alan Weber, Allen County Counselor, discussed changing trustees for the Landfill Trust Fund. Discussion followed. Commissioner Francis moved to authorize Chairman McIntosh sign the Addendum to Solid Waste Financial Assurance Document Trust Agreement with Community National Bank. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed.

Alan discussed the Cell Phone Policy and Internet Policy:

**ARTICLE U. CELL PHONES**

**U-1. POLICY STATEMENT.** County cell phones are provided to employees who, by the nature of their jobs, have a routine and continuing business need for cell phone use on official county business. The county expects appropriate and responsible use of county phones. Elected officials and department head are expected to ensure that: (1) the need for each phone is clearly justified for county business purposes; (2) that alternative solutions for work production and communication have been considered; (3) that employees are advised of this cell phone policy; (4) that employees reimburse the county for non-business use; and (5) that the use of county-owned cellular equipment is terminated when no longer justified by job requirements or when the employee has demonstrated a disregard for this policy or has terminated employment with the county.

**U-2. PHONE USAGE.** County cell phones are provided for official county business. The county expects appropriate and responsible use. Employees are responsible for understanding and following this policy. All county cell phone records, statements, invoices and payment documents are public record and may be subject to disclosure and review. Cell phones are intended for special applications involving safety and security or to aid in the completion of an assigned task. Phones are not intended to be used for personal convenience. Employees shall have their work phone charged and ready for use during normal working hours and at all times when work communication is anticipated or required.

**U-3. UNAUTHORIZED USAGE.** The following are unauthorized uses of county cell phones:

- (a) calls made in relation to an employee's personal business other than in an emergency or minimal usage;
- (b) calls for the purpose of personal entertainment such as 900 numbers or movie links;
- (c) any call of unreasonable duration.

Employees shall reimburse the county for the reasonable cost of unauthorized calls.

**U-4. PERSONAL CELL PHONE.** In lieu of accepting a county cell phone and with the approval of the department head, an employee may use his or her personal cell phone for county business and receive a monthly stipend from the county. Employee shall be responsible for all of the costs associated with any personal cell phone and county shall not be required to contribute anything toward the cell phone expense other than the monthly stipend determined by the County Commission. The employee's cell phone number must be provided to the department head and must carry a local area code and prefix (620).

**U-5. CELL PHONE SAFETY.** When at all possible, employees shall refrain from placing cell calls or using a cell phone while driving a county vehicle or while on county business. If a cell phone is to be use while driving the following safety rules shall be followed:

- (a) Immediately determine if the vehicle can be safely driven to the side of the road and parked in an appropriate location for the remainder of the conversation.
- (b) Never take notes, look up phone numbers, look away from traffic or be distracted in any way.

(c) Immediately suspend any call if driving in heavy traffic or hazardous weather conditions.

**U-6. CELL PHONE BENEFIT.** The reasonable value of an employee's personal use of an employer-provided cell phone and the amount of any employer-provided cell phone stipend are considered taxable income. In order to comply with current tax rules and regulations without imposing an undue burden on the county and its employees, it is the policy of Allen County that all of the stipend paid to employees for cell phone usage shall be reported on the employees W-2 as income. It is also the policy of Allen County that 25% of the value of county-provided cell phones (as determined by the Allen County Commission) will be reported on the employee's W-2 as income. The county reserves the right to terminate the cell phone stipend or county-issued phone at any time.

#### **ARTICLE T. COMPUTER SYSTEM, FAX & INTERNET USAGE**

**T-1 Computer System & Fax Usage.** Use of the county's computer system and fax capabilities for personal purposes during off duty hours, with permission from the employee's supervisor is permissible within reasonable limits. Employees should not consider as their own any files stored or maintained on county computers. All records stored on any county computer or on any part of the county computer system are county property. As a condition of initial and continued employment, all employees consent to Allen County's review and disclosure of e-mail and fax messages, internet records and all documents stored on their computer and the county computer system. There is no right to privacy in such files and messages and they may be accessed, read, downloaded or deleted in the county's regular course of business. Allen County reserves the right to disclose employee e-mail and fax messages, internet records and computer files to law enforcement personnel, government officials or to any other parties without notification to or permission from any employee. However, such information should not be disclosed without prior review by the department head or county counselor to assure that privileged information is not disclosed in violation of law.

Use of county computers and the computer system must be consistent with county policies concerning professional conduct, harassment, discrimination and other work conduct policies. At no time may county resources be used to convey or communicate obscene, threatening, harassing or abusive messages to others either inside or outside the county. Failure to abide by these e-mail, fax or computer system policies through excessive personal use or use in violation of law or county policy will result in disciplinary action, up to an including termination of employment.

**T-2 Internet Postings Policy.** This policy applies to the use of multimedia and social network websites such as MySpace, Facebook, Yahoo! Groups and YouTube; Blogs; Wikis and any other site where text can be posted. While such sites generally provide a positive medium for self expression and increased opportunities for communication, they also create new responsibilities for county employees, particularly those working in safety sensitive areas and those having access to confidential information. As a condition of employment, Allen County requires that employees observe the following policies when referring to Allen County, its programs or activities and to its employees on any internet posting site. Common sense is the best guide in deciding what to post. If you are unsure about any particular posting contact your department head or the county counselor.

- (a) In all communications and postings related to or referencing Allen County or its employees, employees must be respectful and refrain from obscenities, profanity, vulgar or disparaging remarks;
- (b) Employees must not use these sites to harass or intimidate Allen county employees or any other persons whether residing inside or outside of Allen county. Behaviors that constitute harassment and intimidation include but are not limited to comments that are derogatory with respect to race, religion, gender, sexual orientation, color or disability; sexually suggestive, humiliating or demeaning comments; and threats to stalk, haze or physically injure another person;
- (c) Pictures of any safety sensitive or secured area or office may not be posted without the permission of the department head;
- (d) Private, privileged or confidential information may not be posted without the permission of the department head.

No action was taken on adopting policy.

Alan discussed selling three properties Allen County has the authority to sell because they didn't sell at the Tax Foreclosure Sale. Commissioners tabled this until next week.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:38 a.m. Commissioners reconvened at 11:48 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers \$192,211.20
- b) Payroll Changes
- c) Journal Entries #28 & 29

With no further business to come before the board, the meeting was adjourned until April 20, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      April 20, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Anne Kazmierczak, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the April 13, 2010 meeting.

Sandra Drake, Allen County Appraiser, presented a new R & S Digital contract. Discussion followed. Commissioners will have Alan review.

Ron Holman, Allen County House and Grounds, reported to the commission on condition of the cooling tower located on the roof. The tower is rusting and the top is caving in. The current tower was installed in April 1963; the life expectancy is 25 years. The proposed cost is \$47,000.00. Commissioners will take under consideration for 2011 Budget.

Ron discussed planting flowers outside at the 410 N. State Street building. Commissioners approved.

Ron discussed a request from Angela Henry for improvement around the courtyard. She had received requests from several of the Safe Base kids. 15 to 20 kids will be helping plant trees and/or flowers. Commissioners approved Ron to work with Angela to set up this project.

Gloria Gill requested to continue to mow at the Moran Senior/Community Center for \$15.00 per mow. Commissioners approved providing she uses the string trimmer around the building.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be



Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:53 a.m. Commissioners reconvened at 8:58 a.m. No action was taken.

Bill reported Mike Hough has passed all the requirements to serve as Noxious Weed Director for Allen County. Commissioner Francis moved to approve Mike Hough for the nomination for county weed supervisor appointment to Kansas Department of Agriculture, Plant Protection and Weed Control Section. Commissioner Works seconded, motion passed 3-0-0.

Bill informed the commission of the Association of County Commissioners & Highway Officials of Southeast Kansas meeting scheduled for Thursday, May 13, 2010 at 8:30 at the KDOT Office Complex in Chanute.

Bill reported MSHA has been at the quarry yesterday and today. Discussion followed.

Bill discussed projects pending at the Allen County Regional Airport.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:15 a.m. Commissioners reconvened at 9:20 a.m. No action was taken.

Sharon K. Utley, Allen County Treasurer, presented a comparison of interest earned from 2007 to current year. Discussion followed.

Jason Nelson, Allen County EMS Director, reported the ambulance in Humboldt has a rear seal going out and will be in the shop for a week and another ambulance has a broken windshield.

Jason stated a contract has been prepared and delivered to Superior Builders LLC.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:28 a.m. Commissioners reconvened at 9:33 a.m. No action was taken.

Jason reported that Governor Parkinson signed Senate Bill 262. This has to do with the scope of practice, which will include more training over the next few years. The training can be provided by Jason once he attends the original class. This will allow current EMT's to provide a higher level of care.

Commissioners discussed the north building located at 412 N. State Street and the options available to them. Jason and Alan will visit with Heartland to see how much longer they will occupy the building.

Angie Murphy, 911 Communications Director, discussed the roof on the 410 N. State Building. She reported there is damage to the electrical outlets. Commissioners requested her to call Boren's Roofing since they had done work on it before.

Angie mentioned Design Mechanical would be serving the center for heating and air.

Angie discussed the Governor's Grant program for the 911 Center for Phase II. The AT&T installation bill was \$181,939 and grants will take care of all but \$12,200, which will be the county's portion.

Angie reported Allen County was approved for \$25,890 for monthly tower fees for 2010. Angie asked about a voice recorder, they run around \$30,000. The state will pay for 64% if the county pays the remaining costs if ordered during 2010. Discussion followed. Commissioners will take under consideration.

Ruth St. Clair, Thrive Allen County Sustainability & Outreach Director, discussed obtaining a Health Care Grant to establish a Drug Court within Allen County. Daniel Creitz, 31<sup>st</sup> Judicial Judge, was present for discussion. She requested the commission's blessing to do this; she stated it does require matching funds. In time there would not be any out of pocket costs because they can claim in-kind work as matching funds. Judge Creitz stated he would be doing this in the big courtroom and he would be the one to work it. They would be strictly Allen County cases not any of the 31<sup>st</sup> Judicial District counties. Discussion followed. Allen County Thrive is requesting a total of \$22,000 from Health Care Foundation to research the feasibility of developing a Drug Court in Allen County. The major expense for this grant is the cost to hire a consultant, likely a paralegal to conduct the necessary research on what will be required to implement a Drug Court in Allen County. They estimate a consultant hired at \$16.00/hour for approximately 20 hours a week over a 50-week period will be sufficient to secure the needed information. Additional expenses for a project total of \$47,000 would be for travel, supplies, and administrative expense, a portion of which will be secured from partnering agencies and in-kind contributions. Discussion followed on need. The development of a Drug Court in Allen County has the potential to ease an over-burdened legal system, save the county significant taxpayer dollars and provide citizens battling drug addictions with a method for recovery. Commissioners stated if Ruth has visited with the departments involved and they are in support of the system, they would give their blessings to continue with the feasibility study.

Alan Weber, Allen County Counselor, discussed releasing a lien on a piece of real estate in Davis First Addition to the City of Iola that has personal property of \$136.26. Commissioner Francis moved to authorize Chairman McIntosh signature on the Release of Lien. Commissioner Works seconded, motion passed 3-0-0.

Alan discussed the contract with Superior Builder as well as with all the sub-contractors. Discussion followed on performance bonds.

Commissioner Francis moved to approve the R & S Digital Services Inc contract for 2010 based on approval from Alan's review. Commissioner Works seconded, motion passed 3-0-0.

Commissioners reviewed Elsmore Township 2009 annual report.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries 30-36
- c) Clerk's Vouchers \$176,650.84
- d) Abatements Real Estate- Value 26322, \$3784.08, Year 2009

With no further business to come before the board, the meeting was adjourned until April 27, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      April 27, 2010**

The Allen County Board of Commissioners met in regular session at 8:00 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis, and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the April 20, 2010 meeting.

Ron Boren, Boren Roofing, discussed roof issues at 410 N. State. Discussion followed.

Angela Henry, Safe Base Director, thanked the commissioners and Ron for letting the kids work in the courtyard. They planted flowers and a new tree and put mulch around the shrubs.

Angela requested the commissioners still let Safe Base have \$7,000 the county pledged for the grant even though Safe Base did not get the grant requested. The \$7,000 would cover school supplies, by none going to administration costs. Discussion followed on the benefits to children. Commissioners received a letter of support from Dr. Sean McReynolds, dentist in Humboldt. Commissioner Francis moved to approve giving Safe Base \$7,000. Motion died for lack of a second. Commissioners stated they support what Angela is doing, but need more information before taking action.

Angela reported on the Health Foundation meeting held yesterday.

Angela reported the Sunderland Foundation provides health grants. Commissioners will review the information.

Ron Holman, Allen County House and Grounds Director, discussed the flooring in district court. He presented bids for court back room, hallways and bath for tile flooring; Home Detail for \$2,114.84; Decorator Supply, Inc for \$2,827.50. Bids for the front office for vinyl tile from Home Detail for \$2,054.84; Decorator Supply, Inc. for \$3,004.25. Commissioner Works moved to accept the bid from Home Detail for the court back room, hallways and bath for \$2,114.84. Commissioner Francis seconded, motion passed 3-0-0. No action was taken at this time for the front office.

Bill King, Public Works Director, Glen R. Davidson, Senior Vice President of Allgeier, Martin and Associates, Inc. and Brandon Freeman, Civil Engineer, were present to present a tabulation of bids for the Apron Improvements at the Allen County Regional Airport. Project AIP 3-20-0037-11. Bids were presented from Crossland Heavy for \$373,920.00; Emery Sapp & Sons, Inc. for \$392,932.78; Tribal Construction Co., for \$394,230.70; Beachner Const. Co., Inc. for \$410,276.00; LaForge & Budd Const. Co., Inc. for \$414,821.00; Contech, LLC for \$436,649.47; and J & J Contractors, Inc. for \$498,918.90. The bids will be good for 120 days. Glen explained what is included in the bid in detail. Brandon explained other jobs Crossland Heavy has done for them on other projects. Glen stated Allgeier Martin and Associates recommend Allen County accept the qualifications and seek FAA concurrence to award a contract to Crossland Heavy Contractors, Inc. in the amount of \$373,920 and forward these to Federal Aviation Administration. Commissioner Francis moved to authorize Bill King, Public Works Director to sign the grant forms needed to set up Crossland Heavy. Commissioner Works seconded, motion passed 3-0-0.

Commissioners discussed with Glen and Brandon other long-range projects (20 year) that would be needed to complete the Allen County Regional Airport.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Angie Murphy, 911 Communications Director, discussed the cost of the final project for the 911 center. She will give a detail accounting to the commission.

Angie discussed patching the roof at 410 N. State. They will be delaying replacing the roof for the next couple of years. Discussion followed.

Angie reported on information she researched concerning the 911 system in preparation of a speech at the Rotary Club, Humboldt. She reported they had taken 15,000 phone calls in 85 days. Discussion followed. Sheriff Williams stated the 911 Advisory Board has met three times since they have been up and going. The board represents all of Allen County.

Sheriff Williams discussed House Bill 2226 which is legislation that would allow for Kansas Criminal Justice Information System (KCJIS) Circuit to upgrade to the newer technology provided by DISC for 2011. He would like the commission support concerning updating the

State of Kansas emergency equipment. Discussion followed. KCJIS maintains and supports the state's central message switch and other core KCJIS hardware, software and interfaces.

Steve Roling, Health Care Foundation of Greater Kansas City President and CEO, Mamie C. Hughes, Health Care Foundation Board Member, Jennifer Sikes, HCF Director of Communications, Adriana M. Pecina, HCF Program officer, David Toland, Thrive Director, and Sunny Shreeve, Thrive Administrative Assistant, visited with the commission. Steve explained the background of Health Care Foundation of Greater Kansas City and the REACH Foundation and the reasons for the foundations. \$445,000,000 had been received to set up the foundations.

Steve acknowledged David and Sunny as being a great asset to Allen County on working with grant opportunities.

Don Hillbrant joined the meeting.

Jennifer explained they are doing a Health Award this afternoon to Joe Works. Steve gave detail on grants awarded in Allen County.

Gina Clouch, Allen County representative on HCF Community Advisory Committee, joined the meeting.

Adriana discussed some of the HCF projects she has been involved in.

Steve discussed ethic policy for who is on the board. He explained some of the projects HCF has helped fund. He commented money does not solve problems, but the support of the community does. Discussion followed. Mamie explained the foundation was set up for the poor, uninsured and underinsured.

Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor, Gary Hoffmeier, Hoffmeier Electric, Danny Ware, Superior Builders, Dan Ware, Superior Builders LLC, and Jeff Bauer, City of Iola Zoning Administrator, discussed the remodeling project at the ambulance building.

Alan explained the project in short order. Each subcontractor discussed their points and concerns with the 45-day completion date and codes. Jeff reviewed the City of Iola codes for this project. He stated if the county had a design professional sign off on the wrapping of the sleeping room, he would sign off on the project. Discussion followed.

Jason announced Allen County has received a grant to purchase a LifePak 15, which would allow for sending vitals from the field to the hospital. The grant funds are through the "KBEMS Revolving and Assistance Fund (KRAF) Grant Program". Allen County received KRAF Funding of \$23,533.22 with Allen County's local fund match of \$5,883.30. Commissioner Francis moved to authorize accepting the grant and provide the matching funding. Commissioner Works seconded, motion passed 3-0-0.

Alan discussed the concerns with the commission and will redo the contracts with each contractor. Jason will contact an architect.

Don Hillbrant discussed planting trees in the courtyard. Commissioners referred him to Ron Holman, Allen County House and Grounds Director, to set up any purchases.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, and Alan Weber, Allen County Counselor. The time is now 12:04 a.m. Commissioners reconvened at 12:09 a.m. No action was taken.

Commissioners received a letter from Senior Services of SEK, Inc. to renew the use of Humboldt and Iola's senior centers for congregate meals program. Discussion followed. Commissioner Francis moved to authorize Chairman McIntosh sign off on an agreement for the use of Allen County's Senior Center facilities. Commissioner Works seconded, motion passed 3-0-0.

Commissioners reviewed the annual reports of Cottage Grove Township and Rural Fire District #3.

Commissioners will not be meeting next Tuesday, May 4<sup>th</sup> so they may attend Kansas County Commissioner's Association Annual Conference.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$35,088.11
- b) Payroll Changes
- c) Abatements Personal Property Value 72, \$11.10, Year 2008  
Value 72, \$12.22, Year 2009

With no further business to come before the board, the meeting was adjourned until May 11, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**May 11, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary McIntosh, Commissioner Dick Works, Commissioner Robert Francis and Sherrie L. Riebel, Allen County Clerk.

Commissioners corrected and approved the minutes of the April 27, 2010 meeting.

Commissioners discussed the roof at 410 N. State with Terry Call.

Terry advised a GIS grant application has been approved for Allen County to receive a Magellan Mobile Mapper 6 that includes mapping software compatible with ArcGIS. He requested signatures from the commission to participate in the SE Regional GIS Project for the Federal Fiscal Year 2008 grant. Commissioner Francis moved to accept the grant for mobile mapper. Commissioner Works seconded, motion passed 3-0-0.

Bob Johnson, Iola Register, was present to observe the meeting.

Commissioners received an ambulance malpractice insurance cancellation. The coverage has been added to the County's package policy. Commissioner Works moved to approve Chairman McIntosh to sign an ambulance malpractice policy insurance cancellation. Commissioner Francis seconded, motion passed 3-0-0.

Larry Crawford, City of Bassett Mayor, discussed light along State Street in Bassett. He requested consideration to locate lights farther north on State Street linking the City of Iola and the City of Bassett together. Larry presented an estimate of \$4,626.45 for materials, which would be Allen County's costs; the City of Iola would pay \$4,626.45 (estimate) in labor if the county pays for materials. Commissioners will take under consideration for 2011 budget. With money so tight, they will not be approving this year.

Bill King, Public Works Director, discussed areas that are not public lands that individuals are fishing on around the City of Bassett. A discussion followed on trespassers, prosecuting them and danger. Discussion followed. Commissioners advised Bill to post "No Trespassing" signs because it is private property. If it does not stop, trespassers will be prosecuted.

Bill requested signatures on the annual State Noxious Weed Management Plan. Commissioners approved and signed.

Bill reported on a FEMA meeting held yesterday. Discussion followed. Allen County will receive very little money.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:13 a.m. Commissioners reconvened at 9:17 a.m. No action was taken.

Commissioners discussed landfill fees with Bill. No action was taken at this time.

Commissioner Francis moved to go into executive session for 30 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Mark Thompson, Attorney at Law, of the firm Siegfried Bingham Levy Selzer & Gee, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:29 a.m. Commissioners reconvened at 9:59 a.m. No action was taken.

Thomas R. Williams, Allen County Sheriff, discussed the fishing area discussed earlier.

Isabell Piiler, Service to Elderly Van driver, introduced Tonie Vest, new part time Service to Elderly Van driver to the commission.

Jason Nelson, Allen County EMS Director, and Christi A. Keating, Mercy Hospital Emergency Service Director, presented a contract for Mutual Aid Agreement. Christy explained how the coverage would work. Discussion followed on pros and cons. Commissioner Francis moved to approve Chairman McIntosh sign the Mutual Aid Agreement. Commissioner Works seconded, motion passed 3-0-0.

Angie Murphy, 911 Communications Director, discussed a possible training that Allen County may participate in as a pilot agency.

Jason reported he has completed his NIMS training.

Jason mentioned he has filled all the open positions in his department. Discussion followed.

Jason stated Heartland has evacuated the 412 N State building. He discussed changes proposed by Rick Zingre. Discussion followed. Jason reported the contractor is looking at the cost of the changes.

Mary Ann Arnott, Don Copley, Barbara Culbertson, David Toland, Allen County Hospital Facilities Commission representatives, were present. Mary Ann updated the commission on the meetings they have had and what they have done at each meeting and visitation. Activities of the Hospital Facility Commission:

Feb. 3 and 5, 2010 Members of the commission toured Allen County Hospital with Joyce Heismeyer, CEO

Feb. 15, 2010 Our first official meeting as a group. Members voted to add Joyce Heismeyer as a member ex-officio, Mary Ann Arnott as chair and Barbara Culbertson as secretary. Joyce was elected since members felt communication with the hospital was of utmost importance.

Feb. 15, 2010 Several members attended the Thrive Community Meeting in Moran to listen to their comments regarding health care concerns in Allen County.

Feb. 24, 2010 Members toured Labette County Medical Center, Parsons. The tour was recorded by individual members, as well as a write up in the Iola Register. Information from the tour was given to the County Commissions.

March 1, 2010 Alan Weber's statement of the role and responsibility of the Hospital Commission was read and discussed. Members developed a list of 65 questions that would help evaluate whether or not it would be appropriate to make updates in our hospital, and if so, would it be better to remodel or build new.

March 8, 2010 Members toured Wilson County Medical Center, Neodesha and the Fredonia Hospital.

March 11, 2010 The Hospital Commission met with the Hospital Facility Group from Wichita.

A chain of communication was established with Richard Lundstrum to send communications to Mary Ann Arnott, who is to send information on to the County Commissioners and physicians. Members of HFG explained the different roles of the members of the consultant team.



March 12, 2010 Members toured the grand opening of Kiowa County Medical Center in Greensburg, KS. As with all previous tours, observations and information gleaned from the tour was given to the County Commissioners.

March 15, 2010 At our Monday meeting, Joyce Heismeyer explained the process and difficulties involved in physician recruitment. A packet of the Hospital Commission's tours and meeting minutes were mailed to the seven family physicians of Allen County. In addition, timelines and a variety of information from Health Facility Group were included.

March 19, 2010 Received the weekly report #1 from Health Facilities Group. It was forwarded on to members of the Hospital Commission, County Commissioners and the Physicians.

March 22, 2010 Alan Weber explained the guidelines for public meetings and what constitutes executive session. Members discussed and developed a list of criteria that could be considered if land was to be purchased. Property issues were discussed for the current hospital location.

March 26, 2010 Received the weekly report #2 from Health Facilities Group. It was forwarded on to both commission groups and the physicians.

March 29, 2010 Gary Parker and Bob Talkington spoke on the Hospital Foundation, its history and current status. Joyce Heismeyer explained the guidelines for a critical access hospital. David Toland reported on utility guidelines as stated by Health Facilities Group.

April 5, 2010 Health Facilities Group report #3 was passed on to members of both commissions and the physicians.

April 6, 2010 Members of the Hospital Commission toured Neosho Medical Center in Chanute. As with the other tours, Bob Johnson of The Iola Register wrote an article for the newspaper and members of the commission sent a summary to the County Commissioners and the physicians.

April 11, 2010 Information received from Health Facilities Group for report #4 was forwarded to the Hospital Commission, County Commission and the doctors.

April 19, 2010 Information received from Health Facilities Group for report #5 was forwarded to the appropriate recipients. Members of the Hospital Commission attended the Thrive Community Meeting in Mildred, KS to listen to community input regarding hospital and health care needs of the public.

April 23, 2010 Members toured Mercy Hospital in Ft. Scott. Again, there was an article in the Iola Register and a write up by the Hospital Commission was forwarded to the County Commissioners and the physicians.

April 26, 2010 Members of the Hospital Commission met with the seven family physicians of Allen County Hospital and the physician assistants.

May 10, 2010 In a round table discussion, members of the commission discussed what we have heard and what we have observed from the 7 hospital tours and from public comments.

May 11 & 12, 2010 At the request of the consultants, the Hospital Facility Commission has arranged 9 focus groups of 6-8 people per group who will meet with Scott Buckley, the consultant that specializes in demographics and statistics.

We are currently arranging 3 open forum meetings for anyone in the county to have the opportunity to give input regarding the hospital situation. The dates and times will be in the lola Register. These meetings will be in the evening and in three different locations...Moran, Humboldt and lola.

David stated he feels they are half way in their timeline to making recommendations to the Allen County Commission. Commissioners thanked the Hospital Facilities Commission for all their time and work.

Alan Weber, Allen County Counselor, discussed a "Homes for lola" application for Neighborhood Revitalization that was not filed in a timely manner. Discussion followed on setting protocol. This application is on only one piece of property. Commissioners requested Alan to research more before making a decision.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:23 a.m. Commissioners reconvened at 11:33 a.m. No action was taken.

Chairman McIntosh discussed Angela Henry's request for \$7,000 for school supplies and/or dental chair rentals. Commissioners requested Angela to come back to a meeting to discuss necessity for the children.

Commissioners discussed budget information.

Commissioners approved the following documents:

- a) *Payroll Changes*
- b) *Clerk's Vouchers Totaling \$59,504.19*
- c) *Journal Entries #*

With no further business to come before the board, the meeting was adjourned until May 18, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**May 13, 2010**

The Allen County Board of Commissioners met in a special session at 4:00 p.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk, for the purpose of discussing costs for remodeling the building at 412 N. State which will house the Allen County Ambulance Service.

Jason Nelson, Allen County EMS Director and Alan Weber, Allen County Counselor, discussed proposed costs for the remodeling project at 412 N. State Street for the housing of the Allen County Ambulance. Jason reported Superior Builders (Dan Ware) has estimated \$74,375. Jason explained each of the individual charges are plumbing for \$9,000, electric \$5,500, heat and air \$6,000. Superior Builders charge will be \$52,800 which includes sheetrock, cabinets, and labor. Discussion followed on bond and penalty. Commissioner Francis moved to approve this proposal subject to receiving documentation and approval from counsel. Commissioner Works seconded, motion passed 3-0-0.

With no further business to come before the board, the meeting was adjourned until May 18, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**May 18, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the May 11 & 13, 2010 meetings.

Lee Gumfory, Jeff Heinrich, Randall Misenhelter, citizens of Allen County, discussed the fishing area south of Iola along State Street being shut down. Lee stated the decision was made too hastily; people have been fishing there for generations. Commissioners stated they are more concerned for the right of way than the fishing. Jeff stated the area is one of the only places a family can go fishing. Randall stated the landscape is the same as it has always been in erosion and traffic. Discussion followed. Landowner Neil Westervelt has fenced his land and it had been reported that individuals are cutting fence. Lee requested they visit with Thrive and Vision Iola along with Sheriff Williams and Bill King, Public Works Director. Donald Britt, citizen, joined the meeting. Commissioners stated they would review all circumstances before making a final decision.

Rhonda Fernandez, Personal Insurance Consultants, introduced her new partner Jennifer Elliott, Benefit Source. Rhonda presented a report on how Allen County ended their year for April 1, 2009 to April 1, 2010.

Rhonda requested the commission sign an American National Life Insurance Company of Texas Reinsurance Amendment treaty with BMI (Benefit Management Insurance). It is an amendment to the current contract. She explained the change and its process as it affects drug care for Allen County employees. Commissioners reviewed the treaty. Commissioner Francis moved to sign the treaty with BMI. Commissioner Works seconded, motion passed 3-0-0.

Sunny Shreve, Thrive Administrative Assistant, joined the meeting. She requested to put up a banner on the southwest corner of courtyard. Commissioners approved but requested her to call Dig Safe first.

Commissioner Works moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:07 a.m. Commissioners reconvened at 9:17 a.m. No action was taken.

Bill King, Public Works Director, reported they have had a pre-conference on project #1C-4206-01. They will be taking at least 130 working days to complete the project. This bridge is south of Humboldt on 1150 Street south of Alaska Road by the Allen/Neosho County line.

Bill discussed a C130 plane landed at the airport. Discussion followed on fueling issues.

Bill requested to purchase a new computer for Public Works office and send the one currently there to replace the Noxious Weed Departments computer. Commissioners approved Bill to get bids.

Bill mentioned now is the time to raise solid waste dumping charges if they are even considering it. Bill suggested .15 to .25 cents per ton. Commissioner Works moved to raise the tipping charge .20 cents more per ton on the current cost. Commissioner Francis seconded, motion passed 3-0-0.

Bill presented a letter from Daniel C. Michael concerning the fishing along South State at Elm Creek. The letter addressed the free fun of fishing for kids and families. Discussion followed.

Rhonda Hill, City of Gas Clerk, requested signatures for the Neighborhood Revitalization for the City of Gas. Alan discussed reinforcing the time limit and handing out the application with every building permit. Commissioners advised Rhonda to make sure folks were aware to apply in a timely fashion, commissioners do not plan to make exceptions. Commissioner Works moved to authorize Chairman McIntosh to sign the Neighborhood Revitalization for the City of Gas. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners presented Ron Holman with a certificate of appreciation for a great job on the flowerbeds surrounding the courthouse.

Joseph Hurla, 360 Energy Solutions, LLC., was present for the energy audit bid opening for a request of qualifications. His company was the only bid received. The qualifications were as listed:

#### **REQUEST FOR QUALIFICATIONS**

In an effort to hire a firm in accordance with KSA 75-37, 125 to complete energy analysis, engineering, design, construction management, savings verification and other services as part of an energy- and facility-improvement project. Allen County, KS requests qualifications as they relate to the following categories. This specification has been written to allow flexibility for individual firms to showcase their

attributes. All responses should be limited to 10 pages and must be sealed and delivered no later than 2 p.m. on May 13, 2010 to: County Clerk, 1 N Washington, Iola KS 66749.

### **EXECUTIVE SUMMARY**

1. QUALIFICATIONS AND CAPABILITY
  - a. General Firm Information
    - i. Including name, address and other contact information
  - b. Experience of Firm
    - i. General experience in energy-related and services
  - c. Scope of Services
    - i. Comprehensiveness of design, management and monitoring services offered
2. EXPERIENCE AND EXPERTISE
  - a. Project History
    - i. Identify previous relevant projects completed by project team
  - b. Personnel Information
    - i. Qualifications and relevant experience of the staff
3. TECHNICAL APPROACH
  - a. Audit
    - i. Overall approach and philosophy
  - b. Design & Construction
    - i. Overall approach and philosophy
  - c. Engineering Analysis
    - i. Methodologies used to determine the baseline and savings
4. SITE SPECIFIC APPROACH
  - a. Project Scope for this Project
    - i. Outline project components likely to be included
  - b. Relevant Experience to apply to this Site
    - i. Similar projects that provide relevant experience
  - c. Project Management for this Project
    - i. Specific plan for overseeing successful implementation
  - d. Technical Approach
    - i. Specific plan for project development, support, etc
5. COST AND PRICING
  - a. Public Bidding
    - i. Willingness to allow all contractors to bid publicly to county
  - b. Cost Advantage
    - i. Circumstances allowing your firm to provide greater value to county
  - c. Savings
    - i. Approach to monitoring or guaranteeing energy savings
  - d. Open-Book Pricing
    - i. Willingness to provide 100 percent open-book pricing

Joseph explained the service they would supply for the county contingent on Allen County receiving the State Energy Department grant, which would be a 60/40 match. The grant would include both the work and the administration fees.

Joseph presented a Design Service Agreement (Contingent Services Contract) with 360 Energy Solutions that would charge the county 20% of the final cost on all measures implemented within three years if the county does any of the analysis work provided that was proposed by his company. Alan reviewed and suggested some changes; changes were made to the agreement and initialed by Joseph and Chairman McIntosh. Discussion followed. Commissioner Francis moved to approve pending counselor's approval. Commissioner Works seconded, motion passed 3-0-0.

Joseph reviewed the qualification specs presented by 360 Energy Solutions. Discussion followed on the projects and county costs. Projects discussed were HAV, courthouse windows, and 911

roof, which would be throughout 2011. The grant request will be for \$150,000. Commissioner Works moved to apply for the full amount of grant. Commissioner Francis seconded, motion passed 3-0-0.

Angie Murphy, 911 Communication Director, introduced her new employee Catherine Bones.

Angie discussed hiring a person part time for two months then having them go full time after that. Commissioners encouraged her to hire the person, if she feels they are the right person.

Alan Weber, Allen County Counselor, present the contract for Ambulance remodeling. Commissioners had previously approved pending approval by Alan's review.

Alan asked about the color of carpet for the 412 N. State building. Discussion followed. Commissioners approved it to match the 410 N. State building. Commissioner Works asked about not tiling the hall at this time. Discussion followed.

Alan discussed the 520 N. State building. Heartland wants to remove about 6 lights that are hanging from the ceiling. Commissioners approved Heartland remove the lights if they replace them with other suitable lighting.

Commissioners instructed Alan to send the Homes for lola a letter advising them the commission could not support a retroactive approval.

Sandra Drake, Allen County Appraiser, discussed Neighborhood Revitalization for the City of lola. She has been taking applications back to the City office, making them be the declining entity because they don't qualify for the application.

Steve Lewallen, Health Facilities Group, Phil Schultze, Murry Company, Mary Ann Arnott, Chairman of the Allen County Hospital Facilities Commission Chairman, discussed a progress and completion report. Steve presented an updated report to Allen County Commission on evaluation of Allen County Hospital. He discussed architectural and engineering, medical planning, market analysis, financial analysis and budget and constructability analysis.

Architectural & Engineering - they have completed the on-site physical building assessment review the entire team including architects, engineers and construction manager. This evaluation has given the team an opportunity to see and study firsthand the facility and to also review the previous 2008 study. Their team has subsequently reviewed and then updated the study by making its own review of systems, structures and code & compliance issues to make sure that all pertinent data has been identified and reviewed. A full report of their investigation is currently being written.

Medical Planning – They have evaluated the existing hospital operations and services and produced a written space planning program to guide in the physical planning which has also been started to indicate the available options for a remodel/addition to existing facility and to also look at the options available for replace alternatives. Planned Physical options are currently being designed. These are planned to be brought to the hospital for review by Administration and Management staff prior to public review in insure hospital organizational and operation compliance.

Market Analysis – They have completed a service area analysis by defining the ACH primary market area and evaluating the demographics. Profiles of the ACH inpatient and outpatient utilization by service have been made for med/surg, swing bed, OB, ER and Surgery. The ACH

market share has now been calculated as well as migration to other hospitals by major service (med./surg and OB). We have also conducted planning sessions with ACH staff, conducted focus group discussions (for a total of 9 groups with doctors, city leaders, hospital planning committee, local businesses and past patients, including elderly and OB). Next steps will be to calculate potential to expand volume at ACH, identify capacity needs – beds, operating rooms, etc.

Financial Analysis – They have reviewed the financial information provided by the Hospital (HCA). In addition, they have conducted a conference call with the Hospital Administration to further discuss the historical financial information of the Hospital and help to understand any adjustments for future years. Based upon the information provided to them they have begun a preliminary financing options analysis based upon Hospital revenues. In addition, they have begun the preparation of financing options for any hospital improvements based upon governmental financing options. These options will consist of any financing options based upon the financial condition and projected revenues of the hospital as well as a summary of governmental financing options available to the County for hospital improvements.

Budget and Constructability Analysis – They have begun to gather data, including site utility and topography information, which, along with the facility assessment and design options, will then be used to provide a budget comparison and view of the opportunities available to the county.

Steve reported with most of the raw data now gathered and much of the analysis now completed they are working on option design and costing information. This task will require their full-time attention so that the time schedule can continue to be met and to also insure that a quality product necessary for proper review and understanding of the issue is provide. An updated time line will be presented at a later date.

Phil participated in the focus groups and gave a report on his specialty area.

Steve discussed changes coming with the National Health Care Reform.

Steve discussed analysis up to this point; more yet to be done. He would like to schedule a special meeting to discuss Market analysis with Scott Buckley. Good understanding of where the clientele is going and who the clientele is.

Steve and Phil discussed location for just propose of figuring costs.

Commissioners discussed cleaning the parking lot around the 410 N. State, 412 N. State and 502 N. State.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$152,843.27
- b) Payroll Changes
- c) Journal Entries #44
- d) Abatement Real Estate value 19352; \$3280.56 Year 2009

With no further business to come before the board, the meeting was adjourned until May 25, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**May 25, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Joyce C. Foster, Deputy County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the May 18, 2010 meeting.

David Toland, Thrive Iola, reminded the Commissioners he had previously received their approval to use the courthouse grounds for the Mad Bomber run activities. He is now requesting that the courthouse be open to make the restrooms available to the public. They would reimburse the county for the cost of wages for Ron Holman or Teena Solander for opening the courthouse and being present during that time. David will speak to Ron regarding his feelings on this and get back to the Commission.

David also requested to be able to use courtyard on June 11 to show a movie for a dry run to work out any problems prior to the "Screen on the Green" activity on July 9. Commissioners approved the request.

Bill King, Public Works Director, joined the meeting.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Joyce Foster, Allen County Deputy Clerk. The time is now 8:55 a.m. Commissioners reconvened at 9:00 a.m. No action was taken.

Bill presented bids for a computer from Advantage Computers for a Core 2 Quad, 4GB, 750GB, DVDRW, W7Pro, with MS Office 2007 Basic OEM, MS Office 2007 Power Point Upgrade and 19" Acer Monitor w/spkr for \$1,418.00 and from Advantage Electronics for a Core 2 Quad, 4GB DDR2 800 mhz memory, 750 GB Sata HD, DVDRW, Microsoft keyboard & mouse, Windows 7 Pro 32 bit, 3 year manufacture warranty; Office Basic 2007, Powerpoint upgrade, 19" Acer widescreen Monitor for \$1509.97. Commissioner Francis moved to accept the bid from Advantage Computers; Commissioner Works seconded. Motion passed 3-0-0.

Bill reported they are gearing up and will be starting dust abatement soon. He also discussed comments from county residents and their expectations. He advised that work has started on the bridge south of Humboldt.

Jason Nelson, Allen County EMS Director, discussed trade-in value of an ambulance and/or possibly offering it for sealed bids. He advised that the Humboldt ambulance had to have some



repair work but was now back in operation. The air conditioning on the spare ambulance is not working but he is hoping to get it into the shop for repair today.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor and Joyce C Foster, Allen County Deputy Clerk. The time is now 9:25 a.m. Commissioners reconvened at 9:30 a.m. No action was taken.

Alan Weber, Allen County Counselor reported Commissioners plan to talk to outside counsel to get second opinion regarding EMS issues. Alan set up the meeting for Wed June 9 in Wichita. The Commissioners, Jason Nelson & himself all plan to attend.

Angie Murphy, 911 Communications Director, and 911 Board Members Sheriff Thomas Williams, Iola Police Chief Jared Warner, Iola Fire Chief Don Leapheart, Humboldt Police Chief Daniel Onnen joined the meeting.

Thomas R. Williams, Allen County Sheriff, spoke for the 911 Board to report on their recent meeting. Several topics covered in their meeting were as follows:

1. It was a unanimous decision of Board to not impose user fees at this time for answering off duty phone calls, etc.
2. The Board had discussed emergency vehicles, from whatever jurisdiction, responding inappropriately to calls, with or without lights and sirens. The Board recommends zero tolerance for speeding in these situations.
3. The 911 Board discussed Angela Murphy's probation period and unanimously expressed their approval and appreciation of her performance.

Commissioner Francis moved to authorize Chairman McIntosh to sign the State Agreement for Operating Funds for Section 5310 Transportation Projects. Commissioner Works seconded. Motion passed 3-0-0. Chairman McIntosh signed the Agreement.

Angela Henry, Safe Base, presented a letter from Allen Co Health Care Foundation regarding their offer of matching funds for the 2010 Safe Base dental screenings. The Foundation will provide \$3000.00 support if Allen County will match the same. The Foundation will recruit volunteers to assemble the packets of school supplies thus saving labor costs included in the original request. Commissioner Frances moved that Allen County match the \$3000.00 pledged by the Allen County Healthcare foundation for the 2010 Safe Base dental screenings. Chairman McIntosh seconded. Motion passed 3-0-0.

Angela answered further questions regarding the Safe Base dental program.

Alan reported the LEPP grant keeps going down. He requested Commissioners sign the grant agreement. Commissioner Francis moved to authorize Chairman McIntosh to sign the grant agreement. Commissioner Works seconded. Motion passed 3-0-0. Chairman McIntosh signed the grant agreement.

Mary Tucker, on behalf of JJA, requested the chairman's signature on Agreement Conditions of Grant. Commissioner Francis moved to authorize Chairman McIntosh to sign the Agreement.

Commissioner Works seconded. Motion passed 3-0-0. Chairman McIntosh signed the Agreement.

Homes for Iola representatives Ken Gilpin and David Toland and Iola residents Val and Carolyn McLean appeared re: Application for Neighborhood Revitalization on a house recently purchased by the McLeans from Homes for Iola. Ken Gilpin spoke regarding the tax implications for the county if the plan in question was approved.

Discussion followed on filing in timely matter and submitting and receiving approval of the application from the different entities in the proper order.

David Toland stated they were trying to get some feeling before they go to the City on whether the County Commissioners would support any appeal for relief they might make to the City of Iola on the application that was not filed in a timely manner. The Commissioners declined to commit until they have seen what action is taken by the City of Iola.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$73,188.61
- b) Payroll Changes
- c) Journal Entries #45
- d) Abatements PP Value 689; \$97.06, Year 2008  
PP Value 689; \$107.64, Year 2009

With no further business to come before the board, the meeting was adjourned until June 1, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Joyce C Foster, Deputy County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK**

**June 1, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Robert A. Francis, Commissioner Gary G. McIntosh and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the May 25, 2010 meeting.

David Hawn, resident, expressed his thoughts on the fishing holes south of town.

Commissioners approved for Community Drum Circle to use the Allen County Bandstand for June 29, 2010 from 6-8 p.m.

Commissioner Francis showed a plaque he received from Farm Bureau for a class he had taken.

Jason Nelson, Allen County EMS Director, reported on a bid from Hoffmeier Electric to change out all the lighting in the bay area of 412 N. State building. The estimate is \$5,830. Cost savings discussion followed. Commissioners stated they would like to see what the utility cost will be with the current lighting.

Jason updated the commission on the progress at 412 N. State building.

Jason reported the new ambulance would be available for pick up on June 17, 2010. He reported he is taking sealed bids on the old ambulance; due to the County Clerk's office by June 14, 2010.

Angie Murphy, Allen County 911 Communications Director, reported that all of the 911 dispatch employees need to have EMD training. The training is a three- day course and is \$350.00 per person. She would like to host the training for \$1180 or, if they go out of town, it would be \$1280 plus room and gas at Springfield, MO. Discussion followed.

Angie discussed grant funding to take 911 information to the schools.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Alan Weber, Allen County Counselor, discussed cities zoning out three miles from their city limits. Alan will attend the meeting to see what the City of Humboldt is requesting.

Alan reported Allen County has received the last of the FEMA monies. Discussion followed.

Kendall Ashford, Allen County Cartographer, furnished an aerial map of the fishing areas south of Iola that have been under discussion.

Bill Caton, Excel Development Group, Larry Tucker, City of Humboldt Administrator, and Robert Sharp, City of Humboldt Mayor, discussed the City of Humboldt's proposed Senior Housing Project west on Franklin in the City of Humboldt. Larry presented handouts concerning senior housing in the City of Humboldt and explained the proposed project. Larry explained a survey that went out concerning the needs of citizens in the City of Humboldt. He discussed a community center within the same area. Larry discussed CBDG grants available to the city if they have matching grants. He requested the county to help with the matching grant funding in way of funding or in-kind work. The total estimated cost for a Humboldt Community Building is \$287,680 with an annual operating cost of \$5,400. Discussion followed on funding, platted streets, building size and other items of consideration. Larry stated the first grant application is due June 15, 2010 the next opportunity is not until October. Commissioners will tour the current Humboldt Senior Center on Bridge Street this afternoon at 3:00 p.m.

Commissioners adjourned to meet at 3:00 p.m. at the Humboldt Senior Center.

The Allen County Board of County Commissioners reconvened on Tuesday, June 1<sup>st</sup>, 2010 at 3:00 p.m. at the Humboldt Senior Citizens Center, Humboldt, Kansas for the purpose of viewing the general condition and layout of the senior center. In attendance were Commissioners Dick Works, Gary McIntosh and Robert Francis. Also in attendance were County Counselor Alan Weber, Humboldt City Administrator, Larry Tucker, Humboldt City Mayor, Bob Sharp and Iola Register reporter, Bob Johnson. The Commissioners and other parties in attendance toured the senior center and discussed participating in Humboldt's grant application for construction of a new Humboldt community center. No action was taken. With no further business to come

before the board, the meeting was adjourned until June 8, 2009 at 8:30 a.m. in the Commission room of the Allen County Courthouse.

Commissioners approved the following documents:

a) Payroll Changes

With no further business to come before the board, the meeting was adjourned until June 8, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 8, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 1, 2010 meeting.

Craig Mentzer, Allen County Conservation District Chairman, DeWayne Jarred, Vice-Chairman, and Kelli Kramer, District Manager, presented a 2010 request for budget. Kelli reviewed projects and cost for 2009. The Conservation District had \$215,584.00 of USDA cost-share funds brought into the county. The NRCS and Conservation District was responsible for the installation of 66,520 feet of terraces, 30.2 acres of waterways, 7 ponds and watering facilities, one 600 cubic yards diversion, one grade stabilization structure on Owl Creek, the repairs of 2 failing septic systems, 183 acres of pasture and hay land planting and 694.1 acres of brush management. They hosted Earth Day events for fourth graders in Allen County. DeWayne explained the Conservation District operates a Great Plains No-Till Drill to aid producers in the planting of native grass. They also host and maintain a website: [www.allencountyconservationdistrict.com](http://www.allencountyconservationdistrict.com). Kelli explained they receive half their monies from the state and half from the county. They are maxed out at the state with \$25,000. Their request for 2010 remains the same at \$25,000. Commissioners stated they would take the request under consideration. Craig reported they are looking for a person to serve on the Conservation District Board to fill an empty position.

Carla Nemecek, Southwind Extension District #10 Director, presented nominations to serve until they are re-elected; they are Wes Stone and Shawn Geffert in 2011, and Jonet Bland and Kent Thompson in 2013. Commissioner Works moved to appoint these individuals to serve on the Southwind Extension District #10. Commissioner Francis seconded, motion passed 3-0-0.

Glen E. Smith, citizen, discussed a culvert on his land. He needs to have it cleaned and four foot added to each end of the current culvert at 2940 Oregon Road.

Bill King, Public Works Director, discussed projects around the county. He reported on equipment that needs replaced sometime this year.

Jason Nelson, Allen County EMS Director, presented a bill for Superior Builders for a third of the work at 412 N. State. Discussion followed. Commissioners will go review the work.

Alan Weber, Allen County Counselor, joined the meeting.

Jason reported the ambulance will be delivered to Allen County instead of having to be picked up on June 21st.

Jason discussed an EKG monitor he will be getting through a KRAFT Grant. Discussion followed.

Jason briefly discussed Bourbon County's ambulance run numbers.

Angie Murphy, 911 Dispatch Director, and Dan Onnen, City of Humboldt Police Chief, discussed a letter from Washington Electronics reporting that a current user contracted on the tower has been causing several interference issues on the 911 system which causes safety issues. Discussion followed. Alan advised the commission on what could be done. Commissioner Francis moved to draft a letter to KRPS to cease operations within 10 days. Commissioner Works seconded, motion passed 3-0-0.

Angie discussed a 911 grant approval. She explained she would like to replace a server/recorder at the Critical Access Center. The grant pays for 64% and the county would pay for the rest. She presented bids from Voice Products Inc for \$19,975 with trade in and AT&T for \$34,757.20 without trade in. Discussion followed. Allen County's portion would be \$7,808.87 with the grant. She reported the current server has lost data on it, it is backed up on disc but they would have to manually search the data. She requested to purchase as soon as she could. Commissioners requested she get more information on the bids. Commissioner Works moved to allow Angie to go ahead and order the lower bid as long as she had successfully answered all her questions. Commissioner Francis seconded, motion passed 3-0-0.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Alan Weber, Allen County Counselor, discussed the "No Smoking" policy for Allen County, which will be in effect statewide July 1, 2010. Commissioners reviewed Resolution 2010.

**RESOLUTION NO.201003  
ALLEN COUNTY, KANSAS**

**A RESOLUTION ESTABLISHING A SMOKE FREE WORKPLACE POLICY FOR ALLEN COUNTY**

WHEREAS, Allen county is dedicated to providing a healthy work environment for its employees; and

WHEREAS, The United States Surgeon General, the Environmental Protection Agency and numerous other scientific authorities have determined that tobacco smoke, including secondhand smoke is a cause of disease including lung cancer in smokers and non-smokers alike.

NOW THEREFORE, be it resolved by the Board of County Commissioners as follows:

1. Smoking is strictly prohibited within all county owned or leased buildings including but not limited to: offices, shops, storage facilities, hallways, waiting rooms, rest rooms, lunch rooms, elevators, meeting rooms and all community areas.

Smoking is also prohibited within 10 feet of any door, open window, air intake or other access point by which smoke can enter a building. Smoking is also prohibited in all county owned or leased vehicles.

2. With the permission of their immediate supervisors, employees will be allowed to smoke outside the building so long as they are at least 10 feet from any access point. Unauthorized smoking breaks will not be allowed.

3. The Clerk shall post or cause to be posted in conspicuous places designated by the County Commissioners signs displaying the international no smoking symbol and clearly stating that smoking is prohibited by state law.

4. This policy applies to all elected officials, employees and visitors. All employees are responsible for adhering to and enforcing this policy. Persons who violate this policy should be reported to their immediate supervisors. Employees who violate this policy will be subject to the same disciplinary actions that accompany other violations of Allen County policies including written and verbal warnings, suspension and possible discharge.

5. For purposes of this resolution, "Smoking" means possession of a lighted cigarette, cigar, pipe or the burning of tobacco in any other manner or in any device designed for the use of tobacco.

6. This resolution will take effect on the first day of July, 2010.

RESOLVED THIS 8th DAY OF June, 2010.

Commissioner Francis moved to approve Resolution 201003. Commissioner Works seconded, motion passed 3-0-0.

Alan presented a tax exemption application for 412 N. State. Discussion followed. Chairman McIntosh signed the application.

Alan discussed the request from the City of Humboldt for helping finance the new proposed community center.

Alan discussed the City of Humboldt wanting to zone out approximately one mile. He stated to do so; the county would have to relinquish their zoning rights. Alan asked if the county would even take that under consideration. Larry Tucker, City of Humboldt Administrator, is looking for growth in and around the City of Humboldt. Currently the county does not have certain zoning around the City of Humboldt. Discussion followed on new development; the city wants some say on zoning in this area instead of the county. Alan stated it would take a change of the current Allen County Zoning Codes. Commissioner Francis stated he was not in objection to the city wanting to zone this. The county would have to have a public hearing with the Zoning Board.

Larry Tucker, City of Humboldt Administrator, attended the meeting to continue the request on the proposed grant. Larry explained they increased the publication cost due to them not being allowed to raise a request but they can always lower the cost. Discussion followed on how the costs would be covered. \$400,000 would require \$60,000 and he is requesting the County pay \$40,000 in matching funds or in-kind plus on-going rent. Commissioners stated they would still like to have some say on how the Senior Center will be run. Commissioner Works stated currently the Moran Senior/Community Center is ran by a board of one appointment from the City of Moran, one appointment from Allen County and one from the Senior Center. Discussion followed. Commissioner Francis moved to help finance up to \$50,000 in matching funds or in-kind work for the senior/community building. Commissioner Works seconded, discussion followed. Motion passed 3-0-0. Alan drafted a letter of support to the City of Humboldt.

Eric Ferrell, Alliance for Technology Commercialization (ATC) President, and Steve Robb, ATC Board member, explained ATC business was developed to help develop, transfer and

commercialize new technologies. Eric discussed the objective is to create high value jobs and increase prosperity in the region. Their mission is to strengthen the economic base of Kansas, especially by SEK by facilitating start up and expansion of technology based, high growth enterprises; technology transfer from regional academic and entrepreneurial communities; and development of support networks and infrastructure. Eric stated ATC has provided services to more than 264 clients in the last ten years. He discussed who ATC is: a resource to Economic Development Professionals, Chamber offices, Bank Loan officers, Cities, State Legislators, County Commissioners and City Council members. There has been over \$1 million in total resources have been invested in Southeast Kansas innovators. ATC has met with 14 Allen County clients over the last 10 years, which represents 5% of the total. Eric covered the history of funding for ATC. He has reported ATC has been cut \$36,000 in their budget. They are requesting \$1,800 in operational funding for their financial year of 2011 from Allen County. Commissioners requested a copy of ATC's budget, which Eric will send. They service 13 counties but spend the most time in seven.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:50 a.m. Commissioners reconvened at 10:55 a.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$60,592.98
- b) Payroll Changes
- c) Journal Entries #46-49
- d) Abatements RE – Value 3460, \$ 638.14, Year 2009

With no further business to come before the board, the meeting was adjourned until June 15, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 9, 2010**

The Allen County Board of Commissioners met in a special session at 1:30 p.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk, for the purpose of discussing legal issues with counsel.

Commissioner Francis moved to go into executive session for 45 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Scott Palecki by conference call. The time is now 1:30 p.m. Commissioners reconvened at 2:15 p.m. No action was taken.

With no further business to come before the board, the meeting was adjourned until June 15,

2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 15, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 8, 2010 meeting.

David Hawn, citizen, discussed the fishing holes south of Iola.

Jana Taylor, Area Chamber of Commerce, requested permission to utilize the courtyard for upcoming activities. They are June 25 for a business appreciation luncheon, November 23, 2010 to January 8, 2011 for Santa House on the Southeast corner of the lawn, and a Saturday for a candy cane hunt and Jingle Bell Jog. Discussion followed. Commissioners approved the use of the courtyard for those dates/functions.

Sherrie requested Commissioners approve a five-year lease with Pitney Bowes for a postage meter. Sherrie reported Allen County has run 298243 pieces of postage over the last five years. Commissioner Works moved to authorize Chairman McIntosh sign the lease with Pitney Bowes. Commissioner Francis seconded, motion passed 3-0-0. Commissioners stated they would hold the August 3, 2010 Primary Election Canvass at 8:00 a.m. on August 6, 2010.

Joyce Heismeyer, Allen County Hospital Administrator, discussed an employee meeting with ACH that Chairman McIntosh was asked to attend. Discussion followed on issues and concerns of the employees.

Bill King, Public Works Director, discussed issues concerning the fishing areas with David Hawn and commissioners.

Jason Nelson, Allen County EMS Director, reported no sealed bids were received on the old ambulance, so the trade in will be \$6,500.

Jason discussed Cox Communications charging to move services to 412 N. State Street because there is not a current cable in the area. Discussion followed on other change orders on sheet rock that would be water proof (FRP) \$1,235.00 for materials and installed. Commissioners approved this change on the sheetrock. Commissioners will check on the Cox charges. Jason reported the new ambulance will be in next week.



Larry Tucker, City of Humboldt Administrator, inquired if they were to build a new fire station, whether Allen County would be interested in housing the current Humboldt ambulance at that location. Discussion followed. Commissioners stated they would take it under consideration.

Alan Weber, Allen County Counselor, discussed the City of Humboldt's grant applications for community housing. Larry Tucker, City of Humboldt Administrator and Susan Galemore, Southeast Kansas Regional Planning Commission, discussed the letter of support from Allen County Commissioners. Alan stated he would like the commission to commit to a set dollar figure and a set in-kind contribution. Discussion followed. Commissioners advised Alan to draft a letter as such. Commissioner Works moved to authorize Chairman McIntosh to sign the letter of support in commitment of \$50,000 cash and/or in-kind. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion concerning Fair Board. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:20 a.m. Commissioners reconvened at 10:25 a.m. No action was taken.

Commissioner Works moved to go into executive session for 5 minutes for attorney client discussion concerning Hospital Facilities Commission. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:25 a.m. Commissioners reconvened at 10:30 a.m. No action was taken.

Commissioners reviewed the Peopleware agreement with Computer Information Concepts. Their software is for Payroll, Accounts Payable, Taxes Payable, and Tax Administration Solutions. Commissioner Francis moved to approve the chairman's signature. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed the agreement.

Thomas R. Williams, Allen County Sheriff, requested to go into executive session. Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:32 a.m. Commissioners reconvened at 10:37 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:37 a.m. Commissioners reconvened at 10:42 a.m. No action was taken.

Tim Cunningham, Tri-Valley Developmental Services, Inc. Executive Director, and Bill Fiscus, Associate Director, Administration, presented information on 2010 services and 2011 budget request. Tim reviewed their mission statement, direct supervision, geographic service area, service/support type and number served in Allen County, general public transportation, lola service center and the CDDO staff and individuals served information. Tim requested 2011 funding of \$60,000 which is \$2,000 more than 2010 budget. Discussion followed on cuts by the State on funding. There are four counties (Neosho, Bourbon, Allen and Woodson County) which pay into Tri-Valley Developmental Services, Inc. Commissioners noted they would take the request under consideration.

Tim reminded the commission Susan Jones' term is up July 1, 2010. Commissioner Francis moved to reappoint Susan Jones to serve another three years (July 1, 2010 to June 30, 2013) on the Tri-Valley Developmental Services, Inc. Board. Commissioner Works seconded, motion passed 3-0-0.

Bill King, Public Works Director, mentioned there are beehives located on private property by the county shop.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Thomas R. Williams, Allen County Sheriff, and Sherrie L. Riebel, Allen County Clerk. The time is now 11:28 a.m. Commissioners reconvened at 11:33 a.m. No action was taken.

Commissioners approved the following documents:

- a) Payroll changes
- b) Journal Entries #50-54
- c) Abatement Oil: Value 1575, \$820.34, Year 2009

With no further business to come before the board, the meeting was adjourned until June 22, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 22, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 9th and June 15th meetings.

Sherrie presented an invoice from Computer Information Concepts, Inc. (CIC) for Microsoft SQL Server 2008 Standard for Allen County. This software is needed to make the new TimeCentre software work. Commissioner Francis moved to authorize Chairman McIntosh to sign the invoice. Commissioner Works seconded, motion passed 3-0-0. Chairman McIntosh signed the invoice agreement.

Sherrie requested, on behalf of Ruth St Clair, Thrive representative, to allow Allen County employees to help clean up the Prairie Spirit Trail on Friday, June 25, 2010 from 1:30 to 4:30. After much discussion the commissioners declined to allow employees on the clock to do clean up but encourage employees that would like to donate their own time to help.

Commissioners discussed the Hospital Facilities Commission and Allen County Hospital.

Commissioner Francis discussed the work at the ambulance building. He reported it is progressing well.

Bill King, Public Works Director, presented information on retro-reflectivity. This is a Federal mandate that Allen County has to be in compliance with by 2014. Bill discussed the effects it will have on his budget. He requested the commission to take under consideration during budget preparation. These signs have to be replaced every three to four years. He suggested to replace by townships each year so that there will be an ongoing cost instead of major costs at one time.

David Toland, Mary Ann Arnott, Mary Kay Heard, Emily Platt, and Bill Shirley, joined the meeting.

Joyce Heismeyer, Allen County Hospital Administrator, discussed Allen County Hospital Staff. She reported the staff would like to have a public forum with the Allen County Commission. Discussion followed. Commissioners explained they would like to explore options for management. Mary Ann stated she thought the employees were more afraid for their jobs and benefits. Joyce stated she believes they want to express their ideas. Discussion followed.

Terry Sparks joined the meeting.

Commissioners discussed meeting with HCA management team as well as other hospital management teams. Discussion followed on options. David asked if the commission would be doing an RFP. Commissioners stated they felt it is the right thing to do. David asked if the RFP and the meetings with management teams could parallel each other on a time line. Discussion followed. Any current contract with HCA would have six months to end a contract with a dollar figure buyout. David made a point that hospital construction could not be paid for without the revenue from the hospital. Commissioners allowed they have a great Hospital Facilities Commission and that they have done a wonderful job.

Commissioners allowed they wouldn't know if they are open to ownership as well as management until they get farther down the line. Terry asked what management groups the commission would be interested in. Commissioners stated Quorum, St. Luke's, Via Christi, Mercy, and whoever is interested. Commissioners will meet with HCA, meet with Allen County Hospital staff on June 28 at 6:00 p.m. at the Allen County Hospital and will hold public meetings with management teams at a later date.

Mary Kay asked Bill Shirley if the City of Iola has had any discussion concerning the Allen County Hospital. He stated none at this time. Bill Shirley stated he himself is very supportive of the hospital. He mentioned one of the Allen County Commissioners should attend a City Commission meeting to update and keep them in the loop. Commissioners allowed the City might be interested in the site selection. Commissioner McIntosh stated he had met with Judy Brigham, City of Iola Administrator.

Mary Kay stated Allen County will not attract industry without healthcare in the area.

Jason Nelson, Allen County EMS Director, reported AT&T is looking at what they can provide to the ambulance building at 412 N. State. Discussion followed.

Jason reported he visited with the leadership group at the Allen County Regional Airport.

Jason stated the ambulance receipts are about \$20,000 ahead of last year.

Jason mentioned the EMT class that finished last month is now currently testing.

Jason stated the new ambulance will be arriving sometime this morning.

Jason reported the Ambulance building will be ready to move into in August. Discussion followed on termination of current contracts.

Alan Weber, Allen County Counselor, discussed an agreement between Miami County, Kansas and Allen County, Kansas for the housing of inmates in the Allen County Adult Detention Center. Commissioner Works moved to authorize Chairman McIntosh to sign the agreement. Commissioner Francis seconded, motion passed 3-0-0. Chairman McIntosh signed the agreement. Thomas R. Williams, Allen County Sheriff, had previously signed.

Pam Beasley, Emergency Management, requested to store the Allen County Emergency Response vehicle at 502 N. State. Commissioners approved Pam to use it as a garage.

Terry Call, Sheriff GIS, joined the meeting. He discussed the air conditioning at the 410 N. State building. Angie asked if it would be possible to install a third vent from the major vent. Commissioner approved.

Angie discussed programs for the schools. She reported Pam, Emergency Management, would be interested in joining the school programs. They requested to purchase a projector for the program use. Angie presented bids for the projector and computer notebook with cost to be divided between 911 and EM. Bids were received from Advantage Computers for \$1,987.00; NexTag for \$1,937.00 without bag and Dell for \$1,677.00 without bag. Discussion followed on need. Commissioners will take under consideration.

Angie reported on a meeting she attended last week. She reported the E911 will still be available in 2011 but with very limited expenditures.

Angie reported the last company on the tower that caused interference has taken their radio repeater off the tower.

Angie reported one staff member has resigned but she has extended a conditional job offer to another.

Angie reported she has replaced her server at the Critical Response Center.

Commissioners discussed the rainfall last week and the open road on N. State Street.

Pam reported on the 800 radios that the State of Kansas Regional Council has provided. Angie reported one of the ambulances that do transports has an 800 radio and they were able to talk directly to the 911 dispatch while they were in Wichita. Discussion followed.

Sharon K. Uteley, Allen County Treasurer, presented information on Sales Tax Collections and regular taxes. Discussion followed on comparison from 2008, 2009 and current collections.

Sharon discussed keeping an employee on through August to get her office through vacations. Discussion followed.

Alan Weber, Allen County Counselor, discussed the Neighborhood Revitalization for Allen County. He reported the City of Iola wants to have an open-ended deadline. Discussion followed on options. Commissioners all stated "no". Alan will visit with Chuck Apt.

Commissioners went to view the new ambulance outside.

Katie Donovan, Allen County Fair Board President, and Becky Robb, Allen County Fair Board Secretary, requested 2011 Budget of \$11,000.00. Becky reported how it is spent; \$5,500 goes in the building fund to pay for the liability and building insurance at the park, \$5,000 is given directly to the 4-H Extension Council to pay for all 4-H related expenses incurred during fair (judges, premiums, office supplies, ribbons, etc), and \$500 is kept in the general fund to pay for open class premiums. She had provided annual reports from the Fair Board. Discussion followed on the 4H Board expenditures, fair events and sales tax. Commissioners will take under consideration.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entry #55
- c) Clerk's Vouchers Totaling \$47,438.89
- d) Abatement: Personal Property 870 Value; \$143.64

With no further business to come before the board, the meeting was adjourned until June 29, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 28, 2010**

The Allen County Board of Commissioners met in a special session at 7:00 p.m. on June 28<sup>th</sup>, 2010 in the meeting room of the Allen County Hospital. In attendance were Commission Chairperson, Gary McIntosh, Commissioner Dick Works, Commissioner Robert Francis, County Counselor, Alan Weber, ACH CEO, Joyce Heismeyer and numerous members of the hospital staff and the public at large.

The Commissioners thanked those in attendance for their participation in the meeting and for the great work they do for the hospital and the community. At the invitation of the Commissioners a number of the members of the audience spoke about their concerns and the issues that they felt the Commissioners need to consider during the hospital analysis. Among those commenting were: Brad VanRiette, Judy Zirjacks, Joyce Heismeyer, Deana King, Rhonda wolf, Heidi Gannon, Julie Adams, Charlotte Murry, Mary Warren, Roy Leech and John Morris. Many speakers made it clear that they have been very satisfied with HCA as an employer and asked the Commissioners to consider the impact of any decisions on the hospital staff. Questions and comments were had on the issue of a sales tax election and the need to educate the public of what is at stake in this process.

At the end of the questions and comments, the Commissioners adjourned without taking further action.

With no further business to come before the board, the meeting was adjourned until June 29, 2010 in the Commission Room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**June 29, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 22, 2010, meeting.

David Hawn, citizen, dropped off a letter of intent for Prescriptive easements: obtaining rights in land by use. The letter was forwarded to Alan Weber, Allen County Counselor.

Alan Weber, Allen County Counselor, joined the meeting.

Jim Gilpin, Community National Bank & Trust, Jason Royer, Great Southern Bank, Monty Taylor, Great Southern Bank, and Jeff Johnson, Citizens Bank NA, are representing banks of Allen County during the "Year of the Hospital". They explained they have a vested interest in the success of Allen County and its residents. Jim Gilpin discussed financing issues so they are offering themselves to serve as financial officers for questions or services. Jim stated they understand the county would first have to purchase the lease from HCA. Discussion followed. Jim explained that Glenn Buchholz from Emprise Bank is also interested but unable to attend the commission meeting. Commissioners stated they would take their offer under consideration.

Bill King, Public Works Director, requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:58 a.m. Commissioners reconvened at 9:03 a.m. No action was taken.

Commissioners discussed with Bill the landfill accepting diseased and dead carcasses. The county does take the carcasses and if out of county, they do have a charge.

Commissioners presented Isabell Piler and Tonie Vest, Services to the Elderly van drivers, Certificates of Completion on Defensive Driving and Emergency Procedures offered by the State of Kansas.

Thomas R. Williams, Allen County Sheriff, discussed how the new law affects employees that smoke. Discussion followed. Tom will check in to the costs of small self standing awnings. Tom suggested purchasing it out of the VIN account so that it is not levied tax money.

John Green, Southeast Kansas Area Agency on Aging Executive Director, presented SEKAAA 2010 budget request for \$2,000.00. John reported during the last year the SEKAAA provided services to the elderly in Allen County totaling \$264,607.00. SEKAAA provides services of Older Americans Act for assessments, attendant care, case management customers, counseling, homemakers, information and assistance, Lifelines, support groups (caregivers), transportation and respite; Nutrition Programs of congregate meals(Humboldt 3293, lola 6331), assessments, home delivered meals (Humboldt 2356, lola 7469); Senior Care Act in assessments, attendant care, bath, case management customers, homemakers, Lifeline, and mobility; Home and Community based services of helping with Medicare Part D.

Tim Brazil, 31<sup>st</sup> Judicial District Judge, Daniel Creitz, 31<sup>st</sup> Judicial District Judge, Judy Froehlich, 31<sup>st</sup> Judicial Court Chief Clerk, and Dina Morrison, 31<sup>st</sup> Judicial Court Clerk, explained the budget requests. Dina explained one of the requests includes a new filing system that she would spread out over a 6-year period. Discussion followed on probation files and on site requirements. Judy explained that some of the files can be stored off premises and are at the Salt Mines in Hutchison. Discussion followed. Judge Creitz discussed where the requirement started. The District Court budgets include repair and maintenance of \$2,000, Storage and retrieval of \$4,000, computer services of \$15,000 and the new item. This is a decrease of \$475.00 for 2011 from 2010. Commissioners stated they appreciate the courts holding their funding down and will take under consideration.

Angie Murphy, 911 Dispatch Director, explained that the radio card at the Critical Response Center has failed and she needs to replace it. She requested to purchase a new console card for the center. Angie will take the cost out of 911 funding if the state allows that purchase. Discussion followed. Commissioners approved her to get the console card as it is urgent and vital to continue top services.

Bob Chase, Southeast Kansas Mental Health Center Executive Director, Alan Hauser, SEKMHC Chief Financial Officer, Walt Regehr, Jr., SEKMHC Board, presented their 2011 budget request of \$109,300; the 2010 budget from Allen County is \$106,100. This funding is to help maintain the current level of mental health services for citizens of Allen, Anderson, Bourbon, Linn, Neosho and Woodson Counties. The State of Kansas continues to decrease funding for Mental Health Centers throughout the state. In 2009, for the first time, the number of clients receiving services exceeded 4,000. That is up a 33% increase from 2002. Discussion followed on employee cuts and the need to freeze wages. Bob explained services and struggles they have accounted for. Commissioners stated they would take their request under consideration.

Bob explained a Children and Teen Program for during the summer and after school during the school year. He explained how it works. Alan stated they employ 165 persons.

Commissioner Francis moved to go into executive session for 30 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Charles A. Wells, Jr., Healthcare Financial Advisors, Inc. President, Steve Lewellen, Health Facilities Group, Mary Ann Arnott, Allen County Hospital Facilities Commission Chairman, Robin Betts, Mark Boyd, Mary Kay Heard, Barbara Culbertson, Terry Sparks, Karen Lee, Hospital Facility Commission, Joyce Heismeyer, Allen County Hospital Administrator and Alan Weber, Allen County Counselor. The time is now 11:25 a.m. Commissioners reconvened at 11:55 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 30 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Charles A. Wells, Jr., Healthcare Financial Advisors, Inc. President, Steve Lewellen, Health Facilities Group, Mary Ann Arnott, Allen County Hospital Facilities Commission Chairman, Robin Betts, Mark Boyd, Mary Kay Heard, Barbara Culbertson, Terry Sparks, Karen Lee, Hospital Facility Commission, Joyce Heismeyer, Allen County Hospital Administrator and Alan Weber, Allen County Counselor. The time is now 12:03 p.m. Commissioners reconvened at 12:33 p.m. No action was taken.

Charles discussed available Federal bonds available for medical facilities. Discussion, questions and answers followed.

Commissioners approved the following documents:

- a) Abatements: Real Estate 460 Value; \$85.16

With no further business to come before the board, the meeting was adjourned until July 6, 2010 in the Commission Room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**July 6, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Jill Allen, Election Deputy.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the June 28 and June 29, 2010 meetings.

Commissioner Works moved to go into executive session for 5 minutes, Commissioner Francis seconded, and motion passed 3-0-0. The time is now 8:43 a.m. Those present are Chairman McIntosh, Commissioner Works, Commissioner Francis and Jill Allen, Election Deputy. Commissioners returned to regular session at 8:48 a.m., no action taken.

Commissioners discussed the hospital situation. Chairman McIntosh made a phone call to Joyce Heismeyer of Allen County Hospital. Joyce was on speakerphone and explained to commissioners the status of the template management agreement. Once this is complete, a meeting can be set up to go over such. Joyce will e-mail the management agreement to Alan Weber, County Counselor and Chairman McIntosh. This should be e-mailed by Wednesday of this week.

Jason Nelson, EMS Director, reported on his recent trip to Hutchinson for the EMS training. Two of Jason's employees attended with him. Jason shared a video from the class.



Jason gave an update on the EMS building. The flooring should be completed this week. There are a couple leaks in the roof that Jason will investigate as soon as weather permits.

Jason asked commissioners about the cable service to the building. He reported on the differences between available services. Commissioners approved Jason stay with Cox Cable, the company in which currently has the service contract.

Angie Murphy, 911 Director, joined the meeting.

Alan Weber, County Counselor, joined the meeting. Commissioner Francis moved to go into executive session for 10 minutes to consult with legal counsel, Commissioner Works seconded, and motion passed 3-0-0. Those present are Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Jason Nelson and Angie Murphy. The time is now 9:19 a.m., Commissioners moved to go into executive session for an additional 5 minutes. Commissioners reconvened at 9:34 a.m. No action taken.

Alan presented an agreement between Allen County EMS and Eagle Med Transport. It states Eagle Med will pay Allen County EMS if the billing is not reimbursable. Commissioner Works moved to authorize Jason's signature, Chairman McIntosh seconded, and motion passed 3-0-0.

Angie discussed the purchase of a laptop with projector. Commissioner Francis moved to purchase such laptop/projector for \$1987.00 from Advantage Computers, half to be paid from the emergency management fund and half from the 911 fund. Commissioner Works seconded, motion passed 3-0-0

Angie stated her department would be participating in a booth at the Allen County Fair.

Angie reported on the hiring of a new employee.

Angie presented some bills in which she states the job has not been done to satisfaction. Commissioners advised her not to pay the bill and to further question the vendor about the job.

Mary Ann Arnott, Hospital Facilities Committee, stopped by the meeting. Chairman McIntosh updated her on the status of the management agreement that was discussed with Joyce Heismeyer, ACH, via speakerphone. Mary Ann stated that she feels now is a good time to hire a consultant.

Commissioner Francis moved to go into executive session to consult with legal counsel, Chairman McIntosh seconded, and motion passed 3-0-0. The time is 9:58 a.m.; those present are Chairman McIntosh, Commissioner Works, Commissioner Francis, and Alan Weber, Allen County Counselor. Commissioners reconvened at 10:03 a.m., no action taken.

Commissioner Francis moved to hire Mr. Charles A. Wells, Healthcare Financial Advisors Inc. as the Financial Advisor for the hospital project, with the condition of an acceptable contract, which Alan will confirm. Commissioner Works seconded, motion passed 3-0-0.

Mary Ann discussed the confidentiality agreement. A public meeting was mentioned, to inform citizens. The committee's recommendations will all be public. She wants all citizens to know what's going on.

Commissioners discussed the fishing issue and possible solutions.

Sherrie Riebel, Allen County Clerk, presented commissioners with a certificate from KDHE for immunizations that will go to the Health Department.

Sherrie told commissioners that the Southwind Extension District asked to be put on the County's phone system. Commissioners approved this request.

Alan reported that someone has offered to buy a portion of fence that the county owns on a prior flooded out piece of property. It will be torn down, salvaged and moved to another location by the individual making the offer. Commissioners agreed to accept the offer of \$10, as long as the buyer has the fence removed within 60 days.

Commissioners approved the following documents:

- a) Journal Entries #56-58
- b) Clerk's Vouchers signed 7/2/10 Totaling \$352,396.59
- c) Payroll Changes
- d) Abatements: Personal Property 4985 Value; \$765.44 Year 2009  
Truck 3859 Value; \$761.44 Year 2009

With no further business to come before the board, the meeting was adjourned until July 13, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Jill Allen, Election Deputy

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**July 13, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the July 6, 2010 meeting.

Arlyn Briggs, Allen County citizen, discussed financial fees to pay a financial planner for services towards remodeling or building. He suggested to hire and train an inside person to do this service for Allen County for the next 30 years. Discussion followed.

Bill King, Public Works Director, and Jason Nelson, Allen County EMS Director, discussed the parking lot at 412 N. State Street, the new ambulance station. Discussion followed. Bill requested he provide rock out of his department but that the ambulance department pay for the oil for chip and seal.

Bill reported he would be in Elsmore and Savonburg cities these next few weeks. He mentioned for July we have had tremendous amounts of rain.

Bill reported he has some equipment out of service due to accidents and wear on equipment.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:03.m. Commissioners reconvened at 9:08.m. No action was taken.

Bill reported he is taking bids on pipe currently.

Thomas R. Williams, Allen County Sheriff, discussed accident filings. Discussion followed on dash cameras and how effective they are.

Commissioner Works moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:24. Commissioners reconvened at 9:29. No action was taken.

Jason Nelson, Allen County EMS Director, Dan Ware, Superior Builders and Alan Weber, Allen County Counselor, discussed a change order from the contract. He is requesting monies to be paid on the 20<sup>th</sup> and release the check after the punch list has been reviewed. Discussion followed. Commissioners approved the invoice to be submitted and the check held until they release it.

Jason reported he and Terry Call ran cable for the services at 412 N. State Street.

Gary Hoffmeier, Hoffmeier Electric, discussed putting in new fixtures instead of putting the old back in. Commissioners approved him to make the change.

Jason presented bids for office furniture from Westco for Desk \$800, file cabinet, \$229, Bookshelf (open) \$279, and Bookshelf with door \$339 for a total of \$1,750; and Bauman's Furniture for Desk \$1,399.99, file cabinet, \$379, Bookshelf (open) \$489, and Bookshelf with door \$529 for a total of \$2,749. Commissioner Francis moved to approve the purchase from Westco. Commissioner Works seconded, motion passed 3-0-0.

Jason requested to attend KEMSA conference in Wichita, August 12 -15, 2010. Commissioners approved.

Diane Bertone, Southeast Kansas Multi-county Health Department Administrator, was present to accept a plaque for recognition of the department's dedication and compassionate commitment to the communities during the challenges of the 2009 H1N1 Influenza A. Commissioners expressed their appreciation.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:55 a.m. Commissioners reconvened at 10:00 a.m. No action was taken.

Jason reported the cash balance is currently higher by \$40,000 than last year at this time.

Alan Weber, Allen County Counselor, requested an executive session. Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh,

Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:03 a.m. Commissioners reconvened at 10:13 a.m. No action was taken.

Alan requested the commissioners retain someone with more medical law experience than he to deal with the EMS issues. Commissioner Works moved to engage Scott C. Palecki of Foulston Siefkin, Attorneys at Law, to be our attorney to deal with EMS issues. Commissioner Francis seconded, motion passed 3-0-0.

Alan discussed the City of Humboldt's applying to the Zoning Board for the purpose of the City of Humboldt zoning the county. The purpose was so that the City could control the county land surrounding the City of Humboldt. Discussion followed. Commissioners will take under consideration.

Ron Holman, Allen County House and Grounds Director, joined the meeting.

Commissioners discussed the landfill trust fund with Alan and Bill. Bill explained more land is open at this time so the cost increases with the area. Discussion followed.

Mary Kay Heard, and Mary Ann Arnott, Hospital Facilities Commission members, joined the meeting to get updates concerning the hospital and meeting with HCA. Discussion followed on expectations.

Glenn Smith, citizen, requested the commission to mow corners in the county area. Commissioners will visit with Bill concerning corners.

Commissioners approved to purchase four chairs for the Lola Senior Center, matching what the Senior Center has raised money to purchase.

Commissioners will be holding a public hospital information meeting with City officials and citizens throughout Allen County at the City of LaHarpe Hall at 7:00 p.m. this evening.

Commissioner Francis moved to appoint Dick Works, Commissioner as voting delegate for the 35<sup>th</sup> Annual Kansas Association of Counties Conference, Chairman McIntosh as 1<sup>st</sup> Alternate, and Commissioner Rob Francis as 2<sup>nd</sup> Alternate. Chairman McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$165,132.75 for June 13, 2010 Special payout
- b) Clerk's Vouchers Totaling \$79,157.00
- c) Payroll Changes
- d) Journal Entries 59 & 60
- e) Abatements – Specials \$305.54

With no further business to come before the board, the meeting was adjourned until July 20, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the July 13, 2010 meeting.

Bill King, Public Works Director, discussed a RC&D program offered tomorrow in Chanute. Discussion followed on topic of roadwork.

Bill discussed bids for a utility truck and a service truck. Discussion followed. He has not sent out the bids at this time.

Bill Shirley, City of Iola Commissioner, discussed a special meeting held at the City of Iola concerning the Haldex plant closing, which will put 160 people out of a job. He presented information to the Allen County Commission to help the community adjust.

Jason Nelson, EMS Director, discussed the walk through at the 412 N. State building. There is one major issue dealing with the air conditioner. Tholen's Heating and Cooling, Inc. has presented two options to correct the condensate leaking out of the existing air handler. Option One - Estimated cost of \$950.00 to \$1,127.00; pull the existing evaporator out and see if the drain pan can be repaired and install an auxiliary drain pan under the existing air handler and run the drain into the sewer vent pipe. Option Two - Estimated cost of \$3,440.00; remove the existing air handler and install a new Trane air handler with a 10 KW back-up electric heat. They will make the air handler compatible with the existing outdoor heat pump, install an auxiliary drain pan under it, and run the condensate drain into the sewer vent pipe. The air handler will be compatible with a new outdoor heat pump when needed; they just have to change the indoor TXV on the air handler. Discussion followed on best option. Commissioner Works moved to accept Option Two. Commissioner Francis seconded, motion passed 3-0-0.

Jason presented bids to build the storage and supply closets from Diebolt Lumber & Supply for \$859.78; Barfoot Lumber for \$929.78; The New Klein Lumber Company for \$932.16; and Cleaver Farm & Home for \$1,073.39. Commissioner Works moved to accept the bid from Diebolt. Commissioner Francis seconded, motion passed 3-0-0.

Jason stated he went to Westco, Flynn and Ulrich for the bare necessities for moving into the new ambulance station. Bids were from Ulrich Furniture for a sofa \$700.00, Love Seat - \$600.00, 2 night stands \$150.00, 2 end tables \$250.00, kitchen table with 4 chairs \$500.00; Flynn Appliance for a refrigerator \$570, used washer \$325.00, used dryer \$325.00 for a total of \$3,420.00; Westco for a refrigerator \$375.00, new washer \$339.99, new dryer \$329.99, sofa \$559.99, Love Seat - \$597.99, 2 night stands \$199.98, 2 end tables \$199.98, kitchen table with 4 chairs \$199.99, 2 office chairs \$69.99 for a total of \$2,871.91. Discussion followed. Commissioner Works moved to accept the bids from Westco. Commissioner Francis seconded, motion passed 3-0-0.

Jason hopes to be in the new station by the end of July.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Angie Murphy and Terry Call discussed the air conditioning at the 911 Critical Response Center. Terry expressed the problem with condensation and explained what he has done to solve the problems. Discussion followed on options to vent the roof. Commissioners asked for more information to bring to them next week.

Mary Kay Heard, Karen Lee, Mary Ann Arnott, Barbara Culbertson, Joyce Heismeyer, Robin Betts, David C. Toland, and Mark Boyd, members of the Hospital Facilities Commission, Ken Gilpin, Jason Rogers, Jim Talkington, interested citizens, were present for the planning stages of the hospital projection. Chuck Wells explained the purpose of the meeting was to decide the best way to inform the public of the Hospital Project. Discussion followed on sales tax and finances it would raise. David explained the ½ cent sales tax for the City of Iola would be for Capital Improvement and wondered if a new hospital would fall under the classification for the passed sales tax.

Commissioner McIntosh discussed financing through having the other taxing entities lower their tax levies, so that the county can pass a sales tax or levy a hospital tax without it hurting families.

Chuck Wells discussed four major components of this project. The first; legal and organization, the second; design and construction, the third; financing and the fourth being philanthropy. He went into detail on what each step consists of. Chuck stated it is important to have the right people working on this projected Hospital Board. Discussion followed on what all this would entail.

Chuck discussed deciding what kind of tax is going to support the hospital project. Discussion followed on several different options. Commissioner Francis suggested talking points when campaigning for the sales tax question proposed to be on the November General Election. Chuck discussed being careful of services and leases that would jeopardize exemptions as a county.

David questioned if the people in Allen County would need to know ahead of time who is going to manage the hospital. If a sales tax does not pass in November, would HCA continue to lease and manage the hospital? Discussion followed.

Steve Lewellen, Health Facilities, joined the meeting.

If the sales tax passes, the lease with HCA will be terminated, and the hospital would be run through a management board. Alan allowed the county appointed board would be responsible for the hospital. Discussion followed. Alan will write up talking points and a draft on the wording to be on the ballot. The Allen County Commission will be the ones to put the question on the ballot.

Commissioner Works reminded everyone present that County funds could be spent for educating citizens of Allen County on the proposed hospital but not for promoting a new hospital.

Chuck discussed the fourth component – philanthropic dollars and/or pledges for future monies. The ideal amount to have ahead of time would be whatever could be raised head of time. Commissioner Works stated he would like to see this done locally instead of by an outside organization. Discussion followed.

Chuck wanted to discuss land acquisition. Commissioner Francis moved to go into executive session for 10 minutes to discuss land acquisition. Commissioner Works seconded, motion passed

3-0-0. Hospital Facilities Commissioner David Toland moved to go into executive session for 10 minutes to discuss land acquisition. Hospital Facilities Commissioner Mary Kay Heard seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor, Sherrie L. Riebel, Allen County Clerk, Mary Kay Heard, Karen Lee, Mary Ann Arnott, Barbara Culbertson, Joyce Heismeyer, Robin Betts, David C. Toland, and Mark Boyd, members of the Hospital Facilities Commission. The time is now 10:27 a.m. Commissioners reconvened at 10:37 a.m. No action was taken.

David asked about partnering with the City of Lola, Lola Industries and Allen County to purchase land. He asked if the County Commission has met with the City of Lola Commission. They had planned to, but wanted to wait until after the joint elected officials meeting held last week. Commissioner McIntosh will see about getting on the agenda. Discussion followed on who would take the lead coordinating the project.

Chuck Wells stated the following are in the forefront of the project and things to be considered now: Decide what is going on the ballot, who is going to lead the campaign and a letter of intent on land purchase. Mary Ann stated she thought the committee might need a couple of days to consider names of persons to do this. David and Commissioner McIntosh will be doing land acquisitions; Commissioner McIntosh will set up a meeting with the City of Lola Commission. Steve stated he has team members that will help the local leaders.

Discussion followed on the terms of the new Hospital Board members. A board of seven, it would be good to have one doctor on the Board, who would be there for the citizens of Allen County not the other physicians.

Joseph Hurla, Business Development Manager of 360 Energy Solutions, reported the energy grant has not been finalized at this time. He did say Allen County is high on the list, but that nothing final has been done. Joe was very encouraging for the \$150,000 grant, but that the courthouse would be considered to be historical because it is over 50 years old. Discussion followed. Letters will be sent within the next couple of weeks. Joe discussed the cooling tower and other time line items.

Rodney Burns, Schlotterbeck & Burns, Inc presented the 2011 proposed budget levy of 79.398, which would be the original request of each department. Discussion followed on areas that will be reviewed before cutting. Commissioners will take under consideration and meet with the department heads to see what could be cut from their departments.

Commissioner Works moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, and Sherrie L. Riebel, Allen County Clerk. The time is now 12:17 p.m. Commissioners reconvened at 12:22 p.m. No action was taken.

Commissioners discussed the ambulance mutual aid contract with Alan. Commissioner Francis moved to instruct our contracted attorney, Scott C. Palecki, to give the City of Lola six (6) months notice of termination of the ambulance mutual aid contract due to budgetary concerns. Commissioner Works seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$267,801.61
- b) Payroll Changes
- c) Journal Entries 61-62

- d) Abatements: PP 2007 Value 267,941; \$30,682.90  
PP 2008 Value 267,900; \$31,422.34  
PP 2009 Value 21,129; \$ 2,682.92

With no further business to come before the board, the meeting was adjourned until July 27, 2010, at 8:30, 2010 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**July 27, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, and Joyce C. Foster, Allen County Deputy Clerk. Commissioner Robert A. Francis was absent.

Bob Johnson, Iola Register representative, and Cliff Ralstin, Humboldt Union, were present to observe the meeting.

Commissioners corrected and approved the minutes of the July 20, 2010 meeting.

Donald Becker, public citizen, questioned whether a house which had been moved to the property located at the southeast corner of Jct US 54/169 some time ago and left there would fall under any derelict or nuisance act. Commissioners advised him to direct his question to Alan Weber, zoning administrator. Mr. Becker had further questions regarding unplanned expenditures, and also asked for an explanation of the ambulance levy. Discussion followed.

Sandra Drake, appraiser, stopped in briefly.

Bill King, Public Works Director, asked permission to sign Supplemental Agreement No 1 with Allgeier, Martin and Associates, Inc. amending an existing agreement on airport apron renovations. Discussion followed. Commissioner Works moved to authorize Bill's signature on said supplemental agreement. Chairman McIntosh seconded. Motion passed 2-0-0.

Bill brought up the issue of campaign signs on right of way. He has told the parties to take them down. If they are not removed in a timely fashion, his department will remove them.

Bill discussed county citizens complaining about dust problems. Adding more rock to the roads will not help. Bill advised the road reclaimer will be busy in the county the next few weeks. He also reported on his visit to Neosho County to see their new crusher and the pros and cons of their operation.

Jim Lewis, Allen County citizen, joined meeting.



Discussion followed on budget questions regarding the Special Bridge Dept. Bill advised they have made cuts where they could in other departments i.e. mowing. There are costs that must be incurred to keep his departments running such as tires, 911 signs etc.

Jim Lewis addressed the Commission on the hospital and concerns he has regarding issuing bonds or other financing options and about the county being involved in a new hospital, obligating the taxpayers. Beverly Lewis joined the meeting. She brought up the critical access designation and reminded the Commissioners that once that is lost, it cannot be reinstated.

Jason Nelson, Allen County EMS Director, discussed the new building, furniture delivered, and progress on the storeroom. They plan to move in later this week, with EMS crews doing most of the work. Tholen's had to order a new air handler but expect to have it soon. Jason presented the final bill from Superior Builders.

Jason advised there have been a couple ambulance units with mechanical problems but these have been resolved. The backup unit needs maintenance work in the near future.

Jason requested clarification of the policy of donating sick leave to a fellow employee and the possibility of the Commissioners granting an exception to the policy. Commissioners stated the policy stands as written.

Discussion followed on the ambulance budget and possibly increasing call rates. Jason will investigate call rates of other departments. Further discussion on budget will be had a later date.

Angie Murphy, 911 Director, joined the meeting. She requested an executive session to discuss non-elected personnel. Commissioner Works moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, and Angie Murphy, 911 Director. The time is now 9:55 a.m. Commissioners reconvened at 10:05 a.m. No action was taken.

Angie advised she is applying for the 2011 E-911 grant.

Terry Call joined meeting

Tom Williams, Allen County Sheriff, joined the meeting and discussed budgets for his departments and answered questions from the Commissioners regarding the same. Tom requested an executive session to discuss non-elected personnel. Chairman McIntosh moved to go into executive session for 5 minutes to discuss non-elected personnel. Commission Works seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Tom Williams, Terry Call, Angie Murphy, and Joyce C Foster, Allen County Deputy Clerk. The time is now 10:25 a.m. Commissioners reconvened at 10:30 a.m. No action was taken.

Mary Ann Arnott joined meeting.

Alan Weber joined the meeting to answer questions from the Commissioners regarding Hazard Mitigation funds received and disbursed.

Robert E Johnson II and his nephew Hudson Lee stopped by the meeting to say hello.

Chairman McIntosh moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Alan Weber, Allen County Counselor and Joyce C Foster Allen County Deputy Clerk. The time is now 10:40 a.m. Commissioners reconvened at 10:45 a.m. No action was taken.

Mary Ann Arnott, Hospital Facilities Commission, advised Brent Castillo with Health Facilities Group is going to come and do two hour workshop for them. Mary Kay Heard joined meeting. Discussion followed on recommendations of the Hospital Facilities Commission.

Alan Weber rejoined meeting.

Bob Sharp, Humboldt Mayor, & Larry Tucker, Humboldt City Administrator, joined the meeting. Mayor Sharp outlined how they had updated and revised zoning laws for the City of Humboldt. He suggested areas outside of the city limits that the city was interested in having some say in zoning. Larry Tucker passed out handouts showing several possible scenarios of where to extend zoning area outside city limits and also handed out printed excerpts from zoning laws. Larry Tucker explained the handouts. The area or areas under consideration would not be annexed to the City of Humboldt. If this was approved it would only extend the city's zoning authority to include this area. Discussion followed on how it would affect current landowners. Alan Weber, Zoning Administrator, outlined the procedures to be followed for the Commissioners to withdraw and City of Humboldt to take over zoning for the area(s) in question. No action was taken at this time.

Mayor Sharp asked a question about the possibility of a wheel tax being assessed when vehicle owners get their license tag; said funds to be used for streets and alleys within the city. The commissioners stated they would look into it.

Larry Tucker advised work is being done on a seven block long area of Bridge Street on the east side of town and inquired if they might be able to get county help like they did for Bridge Street on the west side. Commissioners will take under consideration.

Discussion followed on ambulance/hospital issues. Commissioner Works moved to accept the recommendation of the Hospital Facilities Commission and withdraw the notice of termination of the ambulance mutual aid contract for 6 months. Chairman McIntosh seconded. Motion passed 2-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$145,972.74
- b) Payroll Changes

Commissioners adjourned meeting until 1:00 at lola City Hall. Meeting reconvened at lola City Hall with Chairman McIntosh, Chairman Works and Alan Weber, County Counselor. Commissioners spoke to the lola City Commission about the ambulance and the hospital. They took no formal action.

With no further business to come before the board, the meeting was adjourned at 1:15 p.m. until August 3, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Joyce C. Foster, Deputy County Clerk

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Absent  
Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**August 3, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, and Sherrie L. Riebel, County Clerk. Commissioner Robert A. Francis was absent.

Bob Johnson, Iola Register representative, and Donald Becker, citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the July 27, 2010 meeting.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Sandra Drake, Allen County Appraiser, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:32 a.m. Commissioners reconvened at 8:37 a.m. No action was taken.

Bill King, Public Works Director, discussed road graders, current road projects and scheduled projects. Bill mentioned Mike Hough, Noxious Weed Director, has done a great job on the noxious weeds this summer, staying on top of the weeds. Discussion followed on options for around corners.

Bill discussed recycling and transferring paper to Wellsville, Kansas.

Jason Nelson, Allen County EMS Director, Alan Weber, Allen County Counselor, presented a cooperative agreement with the Allen County Community College and Allen County. This is just a continuation of a practice that allows students to ride with the Allen County Ambulance Services and perform services under supervision. Discussion followed. Commissioner Works moved to authorize Chairman McIntosh to sign. Chairman McIntosh seconded, motion passed 2-0-0. Chairman McIntosh signed the Cooperative Agreement.

Mr. Becker stated he wanted to let the commission know he thinks the County should build a new hospital.

Jason reported his computer crashed but he is checking into options. The International ambulance needs to have the air conditioner worked on and a shimmy fixed.

Jason visited with Eagle Med about flying in to the fair on Thursday, August 5, 2010. He stated several of Allen County's third class cities are having activities to make a presence.

Jason stated he had to staff the back up ambulance this last week because all the other ambulances were on transfers or runs.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Chairman McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:48 a.m. Commissioners reconvened at 9:53 a.m. No action was taken.

Jason Nelson and Angie Murphy, Allen County 911 Communications Director, discussed the parking lot at 410 and 412 N. State. Discussion followed on chip and seal.

Angie Murphy and Terry Call discussed the air conditioner at the 410 N. State building. They reported it is no longer leaking. Angie discussed a bill from Design Mechanical on work at 410 N. State.

Angie discussed an opening in her office. She has requested to advertise at Haldex if they will let her. Commissioners approve her to check with Haldex HR Director.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Chairman McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Sandra Drake, Allen County Appraiser, Kendall Ashford, Cartographer, and Alan Weber, Allen County Counselor. The time is now 10:08 a.m. Commissioners reconvened at 10:13 a.m. No action was taken.

Alan Weber, Allen County Counselor, checked on Wheel Taxes. He stated the State of Kansas does not have such a tax.

Alan discussed the Solid Waste Trust Fund.

Don Copley, Mary Kay Heard, Barbara Culbertson, Mary Ann Arnott, David Toland, and Chuck Wells, joined the meeting to give a report. Mary Ann reported the power point will be available on the Allen County website, with the more complete copy available for viewing in the Allen County Clerk's office. Mary Ann reported the Hospital Facilities Commission will be meeting again at 8:30 a.m. Friday, August 6, 2010 with the County Commission, this will allow them time to review the complete copy available to each of them.

Chuck Wells discussed sales tax, seed monies, possible sites, environmental studies, architectural pictures for campaign, preliminary design work to be phase 1, option costs. Chuck discussed Kansas Hospital Association would be a good start for education of board members. David asked if a board could be appointed before any contract with HCA was terminated. Commissioners stated they could because the existing board is HCA's board. The board could make decisions before but would not be running the hospital. Discussion followed.

Mary Kay reported that 62 persons have signed up to work on the hospital campaign out of 215 persons attending the meeting last evening. More had indicated interest in working on the campaign but did not sign their name.

Chairman McIntosh moved to go into executive session for 5 minutes for Confidential Data Exceptions discussion. Commissioner Works seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:01 a.m. Commissioners reconvened at 11:06 a.m. No action was taken.

Rodney Burns, Schlotterbeck & Burns auditor, reviewed and discussed proposed budget changes.

Commissioners adjourned at 12:25 p.m.

Commissioners reconvened at 12:59 p.m.

Commissioner Works moved to approve publishing the proposed 2011 budget for hearing on August 17, 2010 at 10:00 a.m. Chairman McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$107,459.55
- b) Payroll Changes
- c) Journal Entries #64-66

With no further business to come before the board, the meeting was adjourned until August 6, 2010, at 8:00 a.m. for the purpose of canvassing the August Primary Election and 8:30 a.m. in the Commission room of the courthouse for a special meeting with the Hospital Facilities Commission.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Absent  
Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**August 6, 2010**

The Allen County Board of Commissioners met in a special session at 8:00 a.m. with Chairperson Gary McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk, for the purpose of canvassing the August 3-2010 Primary Election.

Commissioners reviewed the election and found no discrepancies. Therefore, results were finalized.

With no further business to come before the board, the meeting was adjourned until 8:30 a.m. August 6, 2010, in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in a special session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Robert A. Francis, Commissioner Dick Works, and Sherrie L. Riebel, Allen County Clerk, for the purpose of receiving a recommendation from the Hospital Facilities Commission.

Bob Johnson, Iola Register representative, Alan Weber, Allen County Counselor, David Toland, Dan Meyer, Don Copley, Barbara Culbertson, Mark Boyd, Mary Kay Heard, and Terry Sparks, Hospital Facilities Commission representatives, Patty McGuffin and Larry Peterson, Allen County Hospital representatives, and Judy Brigham, City of Iola Administrator, were present for the meeting.

Mary Kay Heard, Vice Chair of the Hospital Facilities Commission reported they are making the recommendation to "Build a New Hospital". The Hospital Facilities Commission's vote was unanimous. Terry Sparks asked if the City of Iola contributed their sales tax to the building of a new hospital, could the county do a Public Building Commission to come up with the rest of the cost, which would save it from going to a sales tax question on the November ballot. Discussion followed.

Commissioners allowed they felt the public has the right to vote on whether they need a new hospital in Allen County. Everyone agreed there is a need to build a new hospital to keep the community viable.

Larry Peterson stated he and Patty McGuffin were present as representatives of Allen County Hospital since Joyce Heismeyer was not able to come to the meeting.

Commissioner Works publicly stated his appreciation of the hard work and dedication of the Hospital Facilities Commission and wanted the public to know how well they worked together to study and evaluate the hospital issue.

Don Copley asked if the Hospital Facilities Commission has served their purpose. Discussion followed on public input, invested time and future decisions. Don would like it to be narrowed down and set out what would be expected of the Hospital Facilities Commission if they continue to exist. Commissioners will be meeting on Tuesday, August 10, 2010. The Commissioners stated they do not want them to disband but that they will consider what their future duties will be.

Terry and David both stated they were in favor of remodeling when they first went on the commission but if everyone in Allen County could see what they have, they would all agree on the need of a new hospital. Discussion followed.

Judy stated what Allen County residents should be asking is do we want a hospital, not do we want to build or remodel, because without a hospital Allen County would not attract businesses. Discussion followed.

A discussion followed on the closure of a hospital and the importance of the survival of a community.

Commissioners stated they would make a final decision at their Tuesday meeting.

With no further business to come before the board, the meeting was adjourned at 1:15 p.m. until August 10, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS                      OFFICE OF THE ALLEN COUNTY CLERK                      August 10, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Terry Call were present to observe the meeting.

Commissioners corrected and approved the minutes of the August 3, 2010 regular meeting and August 6, 2010 Canvass and Special meeting.

Merle Sterling, Larry Hoepker, and William Schomaker, landowners around the City of Humboldt, were present to state their opinions of the request by the City of Humboldt to zone outside of city limits. Larry stated several of the landowners disagree with the city zoning outside of the city limits if they aren't going to provide city utilities and other city benefits. Discussion followed. Each gentleman expressed his concerns with this particular zoning. Alan stated some zoning laws and regulations.

Chairman McIntosh discussed the hospital issue with these gentlemen. Larry discussed the county sending out a survey. Discussion followed.

Bill King, Public Works Director, presented bids for a utility truck. A bid from Twin Motors Ford for a F-550 4x4 for \$69,992 with a 3 year warranty or 36,000 full/5 year or 50,000 power train with delivery on or before November 30, 2010 if ordered within next 2 weeks. This will double as a spreader and snow plow as well. Commissioner Francis moved to approve the bid from Twin Motors Ford. Commissioner Works seconded, discussion followed. Motion passed 3-0-0.

Bill presented bid proposals for a trailer. Bids were received from Berry Tractor for a 2011 Trial King Trailer 12U for \$5,788 with a trade allowance of \$2,250 for a total of \$3,538 with axles, suspension, landing gear, wheels, rims, hub, hyd. valve, body – 1 year – 100%, Airlines, air bags, leveling valves, bearings, etc. 6 months – 100 % with delivery in 8 weeks; Foley Equipment for a Towmaster TD-12D for \$7,080 with a \$900 trade allowance for a total of \$6,180 with full one year warranty with a 6 weeks delivery. Discussion followed. Commissioner Francis moved to approve the purchase from Berry Tractor. Commissioner Works seconded, motion passed 3-0-0.

Bill presented bids for a Super Cab 4x4. Bids were received from Twin Motors Ford for an F-250 XL for \$26,400 with a 3 year -36,000 full/5 year or 50,000 power train warranty with delivery on or before November 30, 2010; Twin Motors Ford for an F-250 XLT for \$27,900 with a 3 year -36,000 full/5 year or 50,000 power train warranty with delivery on or before November 30, 2010; Shields for an Dodge 2500 for \$25,951 with a 5 year or 100,000 power train warranty with delivery 6-8

weeks; Ranz Motor for a Silverado 2500 HD for \$27,599 plus \$200 running boards for a total of \$27,799 with a 3 year -36,000/5 year or 50,000 power train warranty with delivery in 6-8 weeks. Commissioner Works moved to approve the purchase from Twin Motors Ford for the F-250 XL. Commissioner Francis seconded, motion passed 3-0-0.

The above equipment will be paid from the special equipment fund which is set aside for this purpose.

Bill presented bids submitted for the used Blair Trailer. Bids were from Raymond Cooper for \$3,601, Berry Tractor for \$2,250, 54 Rebuilders for \$1,853, David Miller for \$1,810, Merle Sterling for \$1,030, JD Automotive for \$1,000 and Foley Equipment for \$900. Discussion followed. Commissioner Works moved to sell to the highest bidder. Commissioner Francis seconded, motion passed 3-0-0.

Bill presented bids submitted for the 1991 Ford Dump Truck. Bids were received from JD Automotive for \$3,750 and 54 Rebuilders for \$2,653. Commissioner Francis moved to sell the 1991 Ford Dump Truck for \$3,750. Commissioner Works seconded, motion passed 3-0-0.

Jim Talkington, citizen, discussed his concerns on building a new hospital. Discussion followed.

Sharon K. Utlely, Allen County Treasurer, reported on delinquent real estate tax. Discussion followed on past years in comparison to current delinquent taxes.

Terry Call presented information on expenditures for LEPC from certain grants.

Jason Nelson, Allen County EMS Director, reported on air conditioning at 412 N. State.

Jason reported one of the ambulances will be in the shop to investigate a shimmy and for air conditioning repair; one is still having radio issues. Discussion followed.

Jason reported on the Fair.

Jason discussed a SEK Regional Trauma meeting in Parsons next month and a special meeting Sept. 23 in Iola.

Jason will be attending the KEMSA Conference this next week. He is one of the nominees for Director of the Year.

Jason discussed garage door openers and signage at the new station.

Jason discussed funding the Rescue vehicle and it being available for vehicle fires, grass fires and structure fires.

Commissioner Francis moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, EMS Director, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:18 a.m. Commissioners reconvened at 10:23 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, EMS Director,



Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:23 a.m. Commissioners reconvened at 10:28 a.m. No action was taken.

Jason expressed his appreciation to the Public Works Department for their work cleaning up around the station.

Dr. Daniel Myers joined the meeting.

Wendy Froggatte, SEK Multi-County Health Department representative, discussed offering the Hepatitis A & B for the county. She discussed information of the Hepatitis A & B program where it is offered to the county. Discussion followed. She requested to have the county pay the \$30.00 fee for county employees who fill out the anonymous survey and want to participate. Discussion followed. Commissioners will take this under consideration.

Wendy spoke about Allen County's ranking for health status. Discussion followed on what is currently being done to increase the ranking for the better. Wendy has recommended to her board items that would benefit Allen County's accountability. She explained some of the problems and restrictions.

Joyce Heismeyer, Allen County Hospital Administrator, Larry Peterson, Paula Sell, Patty McGuffin, Allen County Hospital employees, David Toland, Mary Ann Arnott, Daniel Myers, Hospital Facilities Commission members, Fred Heismeyer, and Jim and Beverly Lewis, Allen County residents, and Alan Weber, Allen County Counselor joined the meeting. Each commissioner expressed his opinion that Allen County needs without a doubt to have a **new** hospital if we are to have a hospital in Allen County's future. Commissioner Francis stated he felt it wasn't if we (Allen County) want to have a new hospital but if we want a hospital. Discussion followed on education of the public to fully understand the issues. Chairman McIntosh stated the commission accepts and agrees with the Hospital Facilities Commission's recommendation for a new hospital but will wait for the City of Iola's sales tax question before they set a question for the November ballot.

Beverly Lewis asked if the commission was going to run the hospital or if they would be hiring a management group. Commissioners stated their idea is to hire a management group. Beverly asked if the commissioners would have HCA, Quorum, Via Christi and such to come and look at the hospital to see if it would be a successful plan and if they would even consider managing Allen County hospital. Jim discussed citizens paying for the hospital if it doesn't work and the hospital would have to be paid some how. He feels it needs to be successful, because Allen County needs a hospital. Commissioners stated they have already taken the step towards educating the public.

David explained that the Health Care Foundation would be looking to help raise funds for the hospital. Discussion followed.

Alan advised Joe Hurla had requested that he attend a meeting in Topeka for the Energy Audit Grant.

Alan discussed the City of Humboldt's request for zoning outside of city limits. Commissioners stated they would not be in favor of this in the near future.

Alan Weber, Allen County Counselor, requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh,

Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:57 a.m. Commissioners reconvened at 12:02 p.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers signed for 8/5/10 payout \$135,528.44  
Vouchers signed for next payout \$46,892.92
- b) Payroll Changes
- c) Journal Entries #67 & 68

With no further business to come before the board, the meeting was adjourned until August 17, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**August 12, 2010**

The Allen County Board of Commissioners met in a special session at 3:00 p.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Joyce C Foster, Allen County Deputy Clerk, for the purpose of discussing hospital sales tax and ambulance issues.

Bob Johnson, Iola Register representative, was present to observe the meeting.

John McRae, Ken Gilpin, Terry Call, Brian Murphy, and Angie Murphy, citizens, Mary Ann Arnott and David Toland, Hospital Facilities Commission members, and Alan Weber, County Counselor, were present.

Ken Gilpin voiced his opinion on the interpretation of the city's statement. Discussion followed.

It was the consensus of those attending that ambulance issues should be shelved for the moment. Discussion followed on a possible time line for discussing ambulance further.

Commissioner Francis moved for Alan Weber, County Counselor, to consult with bond counsel and prepare a response to the City of Iola's offer committing ½ of its ½ percent sales tax to the construction of a new hospital with certain conditions, rewriting the same in language that would be acceptable to the commissioners and bond underwriters and to include a moratorium on attempting to make any changes in the ambulance situation for 6 months. Commissioner Works seconded. Motion passed 3-0-0.

With no further business to come before the board, the meeting was adjourned until August 17, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**August 17, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved minutes of the August 10, 2010 regular meeting and August 12, 2010 Special meeting.

David Hawn, citizen, asked if anything has been done to solve the fishing hole problem. Discussion followed.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:32 a.m. Commissioners reconvened at 8:37 a.m. No action was taken.

Sherrie presented Resolutions 201004, 201005 and 201006 concerning 2011 County budgets.

**Resolution No. 201004**

A resolution expressing the property taxation policy of the Board of Allen County Commissioners with respect to financing the 2011 annual budget for Allen County.

Whereas, K.S.A. 79-2925b provides that a resolution be adopted if property taxes levied to finance the 2011 Allen County budget exceed the amount levied to finance the 2010 Allen County budget, except with regard to revenue produced and attributable to the taxation of 1) new improvements to real property; 2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes; and 3) property which has changed in use during the past year, or with regard to revenue produced for the purpose of repaying the principal of and interest upon bonded indebtedness, temporary notes, or no-fund warrants; and

Whereas, budgeting, taxing and service level decisions for all county services are the responsibility of the board of county commissioners; and

Whereas, Allen County provides the essential services to protect the health, safety, and well being of the citizens of the county; and

Whereas, the cost of provision of these services continues to increase; and

Whereas, the 2010 Kansas State Legislature failed to fulfill its obligations in regard to the statutory funding of demand transfers and, by significantly limiting state revenue sharing payments to counties, has contributed to higher county property tax levies to finance the 2011 Allen County budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Allen County Commissions that is our desire to notify the public of the possibility of increased property taxes to finance the 2011 Allen County budget due to the above mentioned constraints, and that all persons are invited and encouraged to attend budget meeting conducted by the Board of Allen County Commissioners. The date and time of budget hearings with the Board of Allen County Commissioners will be published in the Iola Register. Interested persons can also address questions concerning the budget to County Clerk by calling 365-1407 between the hours of 8:00 a.m. to 5:00 p.m., Monday through Fridays, excluding holidays.

Commissioners published budget in the Iola Register. Interested persons can also address.

Adopted this 17th day of August 2010 by the Board of Allen County Commissioners.

And

**Resolution #201005**

*A resolution expressing the property taxation policy of the Board of Allen County Commission with respect to financing the 2011 annual budget for Fire District #2, Allen County, Kansas.*

Whereas, K.S.A. 79-2925b provides that a resolution be adopted if property taxes levied to finance the 2011 Fire District #2 district budget exceeds the amount levied to finance the 2010 Fire District #2 except with regard to revenue produced and attributable to the taxation of 1) new improvements to real property; 2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes; and 3) property which has changed in use during the past year, or with regard to revenue produced for the purpose of repaying the principal of and interest upon bonded indebtedness, temporary notes, or no-fund warrants; and

Whereas, budgeting, taxing and service level decisions for all district services are the responsibility of the district board; and

Whereas, Fire District #2 provides essential services to district residents; and

Whereas, the cost of provision of these services continues to increase.

NOW, THEREFORE, BE IT RESOLVED by the Board of Allen County Commission that is our desire to notify the public of the possibility of increased property taxes to finance the 2011 Fire District #2 budget as defined above.

And

**RESOLUTION NO.201006**

*A resolution expressing the property taxation policy of the Board of Allen County Commission with respect to financing the 2011 annual budget for Fire District #3, Allen County, Kansas.*

Whereas, K.S.A. 79-2925b provides that a resolution be adopted if property taxes levied to finance the 2011 Fire District #3 district budget exceed the amount levied to finance the 2010 Fire District #3 except with regard to revenue produced and attributable to the taxation of 1) new improvements to real property; 2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes; and 3) property which has changed in use during the past year, or with regard to revenue produced for the purpose of repaying the principal of and interest upon bonded indebtedness, temporary notes, or no-fund warrants; and

Whereas, budgeting, taxing and service level decisions for all district services are the responsibility of the district board; and

Whereas, Fire District #3 provides essential services to district residents; and

Whereas, the cost of provision of these services continues to increase.

NOW, THEREFORE, BE IT RESOLVED by the Board of Allen County Commission that is our desire to notify the public of the possibility of increased property taxes to finance the 2011 Fire District #3 budget as defined above.

Commissioner Works moved to approve Resolutions 201004, 201005, and 201006. Commissioner Francis seconded, motion passed 3-0-0.

Sandra Drake, Allen County Appraiser, presented R&S Digital contract for the 2011. Commissioner Works moved to approve and authorize Chairman McIntosh to sign the contract. Commissioner Francis seconded, motion passed 3-0-0.

Bill King, Public Works Director, discussed road projects throughout the county.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:59 a.m. Commissioners reconvened at 9:04 a.m. No action was taken.

Bill presented bids for salt. 2009's cost was \$48.00 per ton and in 2001 cost was \$25.80 per ton. Bids received from Cargill for \$56.48 delivered per ton and need approximately 125 tons \$7,060.00; Morton Salt declined to bid; and Frank Bills Trucking for \$49.00 delivered ton and for 125 tons for \$6,125.00. Commissioner Francis moved to approve the bid from Frank Bills Trucking. Commissioner Works seconded, motion passed 3-0-0.

Bill presented Kansas Department of Transportation agreements for the Project No. 1 X-0035-01 Crossing of the Union Pacific Railroad Company's tracks and Utah Street in Allen County. Commissioner Works moved to sign the KDOT agreement. Commissioner Francis seconded, motion passed 3-0-0. Chairman McIntosh signed.

Bill discussed an article on grading roads in the County Comment, a state newsletter from KAC.

Bill discussed FCC compliance on radios. He will be replacing radios as needed.

Bill discussed the skid steer is going up on one year anniversary and he is planning on utilizing the buy back option. Discussion followed.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Bill discussed the ongoing project at the landfill.

Darrell Monfort, citizen and business owner discussed the proposed hospital. He stated he felt the county should stay out of the hospital project and put it back on the citizens in Allen County. He stated he felt there is money in Allen County from investors and interested persons. Discussion followed.

Jason Nelson, Allen County EMS Director, reported on the KEMSA conference. He explained the terminology that will be replacing the current titles. Discussion followed on the changes to EMS, training and what it means to Allen County. Jason reported on upcoming classes to prepare for the State changes.

Jason reported he and Mike Hueston will be on the state board at different levels.

Jason discussed roadwork the Public Works Department is doing at the new station. Discussion followed.

Jason discussed issues with Cox Communications for the new station concerning Internet and phones.

Don George, Kansas Department of Wildlife and Parks, discussed fishing access roads. He asked if there is still an issue about the fishing hole. Don stated there is no money in the state recreation. He explained his position with KDWP and that there might be grants out there. Commissioners requested to have him contact the current Leadership Class interested in promoting Allen County. Discussion followed on options.

Chairman McIntosh opened the public hearing for the 2011 Allen County Budget. No public was present for the hearing. Discussion followed on holding the line on what was published at 67. mill. Commissioner Works moved to approve the 2011 Allen County budget as published and close the hearing. Commissioner Francis seconded, motion passed 3-0-0.

Sharon K, Utley, Allen County Treasurer, joined the meeting.

Rhonda Fernandez, Personal Insurance Consultants, discussed the bank account reserves. The bank account in Great Bend has had issues due to the mailing of checks and withdrawals. Discussion followed on funds, balances and claims. Sharon stated it would be easier to keep track of the exact cash at any given time if the account was local and one account. Sharon has checked with three of the county banks and what they would pay for interest. Discussion followed.

Rhonda presented a utilization report from April 1, 2010 to July 31, 2010. Discussion followed on claims and aggregate factors. Rhonda suggested funding single at \$303.52, employee/spouse at \$607.12, employee/child at \$539.84 and family at \$922.09. Discussion followed.

Rhonda presented information on run out claims. Discussion followed. Commissioners asked about laws on timely filing by doctors, hospitals and dentists.

Commissioners discussed TPA's and administration costs.

Alan Weber, Allen County Counselor, discussed the City of Iola's offer of sales tax. He hasn't been able to contact Kevin Cowan, Gilmore and Bell Bond agent, for Allen County to check on questions of the commission.

Alan presented a draft letter of support from the commission for a 911 grant for approval and signature. Commissioners reviewed. Commissioner Francis moved to authorize Chairman McIntosh sign. Chairman McIntosh seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$118,733.45
- b) Payroll changes
- c) Journal Entries # 69-73
- d) Abatement Personal Property value 227; \$38.48 2009 tax year

With no further business to come before the board, the meeting was adjourned until August 24, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**August 24, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk. Commissioner Dick Works was absent.

Bob Johnson, Iola Register representative, and Donald Becker, citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the August 17, 2010 meeting.

Ron Holman, Allen County House & Grounds Director, discussed the veteran's picture hanging in the courthouse. The frame needs to be a better quality to protect the picture. Commissioners approved Ron to invest in a better frame and matting.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Chairman McIntosh discussed an RC&D meeting in Neodesha last evening. Discussion followed on water supply within Southeast Kansas.

Chairman McIntosh reported the hospital campaign will be called "Yes, Allen County Healthcare" and people can make donations to this campaign by sending donations to "Yes, Allen County Healthcare" in care of A.B.C., Inc. a/k/a/Allen County Boosters, Inc, 16 West Jackson, Iola, KS 66749.

Chairman McIntosh discussed watersheds in Allen County. Sherrie mentioned the watersheds in Allen County are district watersheds, not ran by the county.

Bill King, Public Works Director, reported a meeting with KDHE at the landfill on filing a Class 1 report. Discussion followed.

Bill reported on September 7 at 1 o'clock there will be a pre-construction meeting for the apron project at the airport. The grant will be a 95/5 split with FAA's portion being 95% and the county's portion being 5%.

Bill discussed a request from a resident to put up a "School Bus Stop Ahead" sign. Bill stated he only puts them up if the school district requests it. Discussion followed.

Bill reported on replacing a leach aid water pump at the landfill. Discussion followed on service.

Bill discussed spray planes at the airport and water issues with one of the companies.

Jason Nelson, Allen County EMS Director, reported the air conditioning at 412 N. State has been installed and working great.

Jason shared a thank you from Hutchinson crew for attending a drill.

Jason reported the tires on the International were bad so he had to replace them. Discussion followed.

Jason discussed the back up unit has the upper alternator replaced and now the lower alternator is being fixed.

Jason stated Bourbon County has requested Allen County cover the west side of Bourbon County on November 13, 2010. They are sponsoring a concert and have their ambulances scheduled to cover the event, so they need Allen County. Commissioners stated it was up to Jason and his scheduling. Discussion followed.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Chairman McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:33 a.m. Commissioners reconvened at 9:38 a.m. No action was taken.

Jason reported the cardiac monitor "Life pack 15" is in. This equipment was purchased by a grant. This will allow the ambulance to transmit to the hospital, PDA's, and fax machines. Commissioners suggested Jason contract David Toland about more funding.

Angie Murphy, 911 Communications Director, introduced Kim Knavel as her new employee.

Angie discussed options for fixing a printer. Discussion followed. Commissioners approved her to fix the printer.

Chairman McIntosh discussed inviting surrounding commissions to visit the new 911 station. Discussion followed on providing 911 services for surrounding counties.

Cliff Ralstin, Humboldt Union, joined the meeting.

Terry Butts, Humboldt area citizen, discussed her opinion of the City of Humboldt zoning area outside the City of Humboldt. Discussion followed.

Commissioners discussed hospital with all in the room.

Jim Talkington, citizen, joined the meeting.

Bob Sharp, City of Humboldt Mayor, and Larry Tucker, City of Humboldt Administrator, discussed a street project in the City of Humboldt. Larry reported they have received funding for a project starting at Ninth Street east on Bridge Street to Thirteenth Street north to Central Street then east to Fifteenth Street. Larry discussed the engineering and issues with the current roads. The original estimate was \$305,000.00. They were approved by the City council to put in 20% funding



for the increase of \$320,000.00; now the estimated is \$95,000 higher at \$420,000 for the City of Humboldt. Larry is requesting approximately \$10,000 from the county to help with the matching fund. The time line is September 6 before they have to commit to the project. Discussion followed on benefits for county residents. They feel it is a once in a lifetime project and what it would bring to the community. Discussion followed on funding restraints. Commissioners stated they will take under consideration and review funding. Larry stated they need to know before October 2010.

Larry stated he is going to start the process researching zoning outside the City of Humboldt. He said it will be a long time researching. The City of Humboldt planning committee meetings are on the first Wednesday of each month, they will be there for people to state their concerns. Discussion followed. Larry explained the thought process behind the zoning.

Larry reported the City of Humboldt did not get the grant for the senior center project. Discussion followed.

Alan Weber, Allen County Counselor, discussed the research on the sales tax issue. He reported the statute that allowed the City of Lola to commit a portion of the sales tax to build a hospital just went into effect as of July 1, 2010. Alan discussed a commitment paper.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Chairman McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:04 a.m. Commissioners reconvened at 11:09 a.m. No action was taken.

Commissioners stated they would like to take action on a decision on building a hospital as soon as the City of Lola moves on the dedication of their half cent sales tax. Discussion followed on time line and petitions. Alan explained the different parts of the sales tax, bonds and donations; how these would all work together for the project.

Commissioners adjourned to the Lola Senior Center to review the flooring.

Commissioners reconvened in the Lola Senior Center on Jefferson.

Commissioners directed Alan to evaluate the information from the center.

Commissioners adjourned to the courthouse.

Commissioners reconvened in the commission room.

Commissioners approved the following documents:

- a) Clerk's Vouchers signed 8/19 for 8/20 payout \$122,932.96
- b) Payroll Changes
- c) Journal Entries # 74 & 75

With no further business to come before the board, the meeting was adjourned until August 31, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

absent  

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**August 31, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk. Commissioner Dick Works was absent.

Bob Johnson, Iola Register representative, and Donald Becker, citizen, were present to observe the meeting.

Commissioners corrected and approved the minutes of the August 24, 2010 meeting.

Alan Weber, Allen County Counselor, requested an executive session. Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Chairman McIntosh seconded, motion passed 2-0-0. Those in the room will be Chairman McIntosh, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 8:32 a.m. Commissioners reconvened at 8:37 a.m. No action was taken.

Commissioners discussed City of Iola ambulance and Allen County EMS. Commissioner Francis moved to authorize Alan to draft a letter for the City of Iola in regards to a compromise on the ambulance system. Chairman McIntosh seconded, motion passed 2-0-0.

Donald asked where the county was on the hospital issue. Discussion followed.

Cara Barkdoll, Allen County Register of Deeds, presented bids for an Epson POS Receipt printer. Bids were received from Advantage Computers for a TM-J7100, 2-color, USB, shipping \$20 for \$785; Inland Associates Inc. for a TM-J7100, 2-color, USB, shipping \$0 for \$649; and Macmall for a TM-J7100, 2-color, USB, shipping \$0 for \$728. Cara stated she plans to purchase from Inland Associates Inc. out of her technology fund. Commissioners approved her decision.

Cara presented bids for a computer. Bids were received from Advantage Computers for an Intel Core 2 Quad Processor, 750GB Sata hard drive, 4GB DDR2, 800 MHZ memory, DVDRW, Microsoft keyboard & Optical mouse, Windows 7 Professional 32 bit, 3 year MFTR warranty for \$899; CDW for a for a Intel Core 2 Quad Processor, 320GB Sata hard drive, 4GB DDR3, 1333 MHZ memory, DVDRW, HP Standard keyboard & Optical mouse, Windows 7 Professional 64 bit, 3 year warranty for \$989.99; and Inland Associates Inc. for a Intel Core 2 Quad Processor, 1,024GB Sata hard drive, 4GB DDR2, 1333 MHZ memory, DVDRW, Microsoft keyboard & mouse, Windows 7 Professional 32 bit, 3 year warranty, \$25 shipping charge for a total of \$922.

Bill King, Public Works director, reported the preconstruction conference next Tuesday at the airport on the airport apron.

Bill reported on chip and seal projects throughout the county.

Bill discussed maintenance on a machine at the landfill.

Bill discussed the Young Professionals group wanting to do recycling in Allen County. They will be approaching the commission for a building.

Jason Nelson, Allen County EMS Director, discussed emergency access for the ambulance station.

Jason discussed the 2010 Osage ambulance's back door. It is still under maintenance, the back door is leaking in dust when on a gravel road.

Jason reported they had 30 runs this past weekend.

Jason mentioned the ambulance station air conditioning has been completed and is working fine.

Commissioners discussed applying for grants for training rooms. They visited with Thomas R. Williams, Allen County Sheriff about applying. Sheriff Williams stated they have looked and have not found one to apply for.

Commissioners discussed raises. No action was taken.

Ron Boren, Boren's Roofing discussed renting or purchasing the 502 N. State building from Allen County. Discussion followed.

Jim Talkington, citizen, joined the meeting.

Becky Voorhies, SEK Regional Planning Commission Grant Administrator, was present for the public hearing for the 2007 Flood Grant No. 07-IN-712 from FEMA. Chairman McIntosh opened the meeting at 11:00 a.m. Becky explained the purpose of the meeting was to close out the 2007 Flood Grant No. 07-IN-712. Commissioner Francis moved to approve the Chairman's signature on the close out pending on the approval of Alan Weber, Allen County Counselor. Chairman McIntosh seconded, motion passed 2-0-0.

Bill Shirley, City of Iola Commissioner, Alan Weber, Allen County Counselor, Joyce Heismeyer, Allen County Hospital Administrator, Karen Lee, Mary Kay Heard, Karen Gilpin, Ken Gilpin, Jim Gilpin, was present for discussion. Commissioner Francis discussed a letter prepared by Alan Weber for Allen County-City of Iola Hospital Commitment. Commissioner Francis stated he wanted to publicly thank Commissioner Shirley for committing his time for discussion.

#### **Allen County-City of Iola Hospital Commitment**

- Allen County will place on the ballot for November 2, 2010 a special question to authorize the enactment of a county-wide one-quarter cent (.25%) sales tax for health care services in accord with K.S.A. 12-187(b)(5). This sales tax will be dedicated to the take over, operation and replacement of the current Allen County hospital facility.
- Any new hospital will be built within, on or near enough to the boundaries of the City of Iola to be annexed into the city.
- In accord with the procedure set out in K.S.A. 12-197 as amended, The City of Iola will dedicate one-quarter cent (.25%) of its existing sales tax beginning January 1, 2011 and terminating December 31<sup>st</sup>, 2019 to supplement the county-wide sales tax. Revenue from both the city sales tax and the county-wide sales tax will be used to support the issuance of bonds for the

construction of a new hospital in the estimated amount of \$25,000,000 and to support the borrowing of operating capital in the estimated amount of \$5,000,000.

- The City's commitment hereunder shall not exceed the amount raised by the sales tax dedicated as provide above or \$350,000 whichever is smaller.
- Hospital revenues will be reviewed at least annually. If the revenue and expense figures are more favorable than projected and adequate funds exist for the payment of any bonds, loans and the maintenance of required reserves, then a portion of the City's contribution may be reduced for the following year. Specific income, expense, and EBIDA targets should be established when final project budgets are determined.
- The parties agree to a 5-year moratorium on making any changes to the current Emergency Medical Services Mutual Aid Agreement dated September 23, 2008. This moratorium shall commence January 1, 2011 and shall end on December 31, 2015. On or after January 1, 2011, the parties will appoint a joint citizens review committee to study the state of EMS service in Iola and Allen County. Said committee will be made up of 6 citizens of Allen County 3 of whom shall be appointed by the Allen County Commissioners and 3 of whom shall be appointed by the Iola City Commission. Said committee will determine the strengths and weaknesses of the current EMS systems and make such non-binding recommendations as they believe will improve the efficiency and quality of the existing systems. The parties hereto reserve the right to modify the terms of this moratorium at any time by mutual agreement.
- If any question, which must be put to a public vote, should fail, this commitment shall be void.

Commissioner Shirley stated the City of Iola would look at the letter this afternoon. Discussion followed. Chairman McIntosh stated they would call a special meeting as soon as they hear from the City of Iola on action towards the letter.

Commissioners, Jim Talkington and Bob Johnson discussed the hospital issue in depth.

Commissioners approved the following documents:

- a) Clerk's Vouchers \$84,586.88
- b) Payroll Changes
- c) Journal Entries # 76

With no further business to come before the board, the meeting was adjourned until September 7, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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absent  
Dick Works, Commissioner

\_\_\_\_\_  
Sherrie L. Riebel, County Clerk

\_\_\_\_\_  
Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**August 31, 2010**

The Allen County Board of Commissioners met in a special session at 4:30 p.m. with Chairperson Gary G. McIntosh, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk, for

the purpose of discussing the Allen County/City of Iola Hospital Commitment. Commissioner Richard Works was absent.

Bill Shirley, City of Iola Commissioner, Joyce Heismeyer, Allen County Hospital Administrator, Mike Russell, KIKS Radio, Bob Johnson and Richard Luken, Iola Register representatives, Alan Weber, Allen County Counselor, David Toland and Barbara Culbertson, Hospital Facilities Commission, Ken Gilpin, and Karen Gilpin, joined the meeting.

City of Iola Commissioner Shirley, reported the City of Iola Commission voted 3-0 to adopt the Allen County-City of Iola Hospital Commitment.

### **Allen County-City of Iola Hospital Commitment**

- Allen County will place on the ballot for November 2, 2010 a special question to authorize the enactment of a county-wide one-quarter cent (.25%) sales tax for health care services in accord with K.S.A. 12-187(b)(5). This sales tax will be dedicated to the take over, operation and replacement of the current Allen County hospital facility.
- Any new hospital will be built within, on or near enough to the boundaries of the City of Iola to be annexed into the city.
- In accord with the procedure set out in K.S.A. 12-197 as amended, The City of Iola will dedicate one-quarter cent (.25%) of its existing sales tax beginning January 1, 2011 and terminating December 31<sup>st</sup>, 2019 to supplement the county-wide sales tax. Revenue from both the city sales tax and the county-wide sales tax will be used to support the issuance of bonds for the construction of a new hospital in the estimated amount of \$25,000,000 and to support the borrowing of operating capital in the estimated amount of \$5,000,000.
- The City's commitment hereunder shall not exceed the amount raised by the sales tax dedicated as provide above or \$350,000 whichever is smaller.
- Hospital revenues will be reviewed at least annually. If the revenue and expense figures are more favorable than projected and adequate funds exist for the payment of any bonds, loans and the maintenance of required reserves, then a portion of the City's contribution may be reduced for the following year. Specific income, expense, and EBIDA targets should be established when final project budgets are determined.
- The parties agree to a 5-year moratorium on making any changes to the current Emergency Medical Services Mutual Aid Agreement dated September 23, 2008. This moratorium shall commence January 1, 2011 and shall end on December 31, 2015. On or after January 1, 2011, the parties will appoint a joint citizens review committee to study the state of EMS service in Iola and Allen County. Said committee will be made up of 6 citizens of Allen County 3 of whom shall be appointed by the Allen County Commissioners and 3 of whom shall be appointed by the Iola City Commission. Said committee will determine the strengths and weaknesses of the current EMS systems and make such non-binding recommendations as they believe will improve the efficiency and quality of the existing systems. The parties hereto reserve the right to modify the terms of this moratorium at any time by mutual agreement.
- If any question, which must be put to a public vote, should fail, this commitment shall be void.

Commissioner Francis moved to adopt the agreement. Chairman McIntosh seconded, motion passed 2-0-0.

Alan presented a Resolution calling for a vote on health care for Allen County.

**RESOLUTION NO. 201007  
ALLEN COUNTY, KANSAS**

**A RESOLUTION CALLING FOR A VOTE ON A ONE-QUARTER CENT SALES TAX FOR HEALTHCARE SERVICES IN  
ALLEN COUNTY, KANSAS**

WHEREAS, The Allen County Commissioners have determined that a one-quarter cent sales tax is necessary to provide funding for a new hospital facility

NOW THEREFORE, be it resolved by the Board of County Commissioners that a special question election be held in conjunction with the general election on the 2<sup>nd</sup> day of November, 2010 for the purpose of submitting the following question to the voters of Allen County:

Shall the following be adopted?

Shall Allen County, Kansas impose a sales tax in the amount of one-quarter of one percent (0.25%) effective January 1<sup>st</sup>, 2011, or as soon thereafter as legally permitted, and continuing for a term of 10 years for the purpose of providing healthcare services in Allen County? This additional sales tax revenue will be used by Allen County to take over all of the operations of the Allen County Hospital, to operate the Hospital and to fund the replacement of the current Allen County Hospital facility with a new facility.

RESOLVED THIS 31<sup>st</sup> DAY OF AUGUST, 2010.

Commissioner Francis moved to adopt Resolution 201007. Chairman McIntosh seconded, motion passed 2-0-0.

With no further business to come before the board, the meeting was adjourned until September 7, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

\_\_\_\_\_  
absent  
Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**September 7, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register Representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the August 31, 2010 regular and special meetings.

Commissioners discussed the Community Advisory Committee. They need to replace Judy Works who is now on the board. Discussion followed. No action was taken.

Commissioners approved to use the south side of the square for the "Memory Walk" on October 9, 2010.

Commissioners approved Sandra Drake to carry over 41 ¼ hours of vacation to be used within 6 months.

Chairman McIntosh reported RC&D will be meeting in Allen County in the spring. Discussion followed on topics.

Bill King, Public Works Director, mentioned he would be attending a preconstruction meeting for the apron project at the Allen County Regional Airport today, September 7, 2010 at 1 p.m. Discussion followed.

Commissioners discussed with Bill about in-kind work if the sales tax question passes on the November 2nd ballot.

Jason Nelson, Allen County EMS Director, briefed the commission on the Trauma Conference he attended last week. He explained new procedures addressed and representatives will be in lola on September 23, 2:00 p.m.-5:00 p.m. to train Southeast Kansas counties' EMS services concerning these issues.

Tom Williams, Allen County Sheriff, discussed jail board rent. He commented Anderson County's new jail has made a difference in inmate numbers.

Sheriff Williams discussed the SEK Drug Task funding. Discussion followed. He stated he would try to find the funding for it out of a sheriff fund.

Sheriff Williams discussed having a full time emergency management. He presented information for what that department has accomplished since the first of 2010. He is the supervisor of the emergency manager. Sheriff explained there was nothing in the weather alerts when he took office; now everyone has been up to speed with weather as it is happening because of work by the Emergency Manager, Pam Beasley. She continues to update the Allen County Emergency Operations Plan. She has trained personnel for all the 800 radios for area emergency persons. She is currently a member of the Accountability/ID System Subcommittee of the Southeast Kansas Homeland Security Council. It allows her to share and gather information on the best practices of the other counties. Pam has been working since October 2009 on a county exercise that is approved by KDEM. The exercise is in the final stages and scheduled for September 29, 2010 at two locations. She has been to evaluation exercises to work on making Allen County's system better. She has been working on COOP (Continuity of Operations) Plan, CERT (Community Emergency Response Teams), EOC (Emergency Operations Center) as well as training. Pam has community involvement with Crime Stoppers. She has drafted a Memorandum of Understanding between Allen County and the industrial businesses in the county and has assisted other departments with their needs when requested. Sheriff stated he felt he could justify a full time position. Discussion followed on finding other ways to cut funding.

Sheriff discussed an inspection from the State Fire Marshall. Discussion followed.

Angie Murphy, Allen County 911 Communications Director, presented by-laws for the 911 Board. The 911 Board has already reviewed and approved the by-laws and request that the commissioners review and approve. Commissioners reviewed and asked questions.

**ALLEN COUNTY, KANSAS**

## **911 ADVISORY BOARD BYLAWS**

### **ARTICLE I. PURPOSE**

The purpose of the Allen County 911 Advisory Board ("911 Board") is to provide input into the 911 operations and enhancement planning process from the perspective of the public safety community. The 911 Board will advise and assist the Allen County Communications Director ("Director") in developing acceptable goals and objectives for the Allen County 911 system, together with realistic alternatives to achieve those goals and objectives that are acceptable to each participating public safety agency impacted thereby. The 911 Board and the Director shall work closely together to identify problem areas and potential problem areas and, while so doing, explore and develop alternatives in response to such problems.

### **ARTICLE II. MEMBERSHIP**

1. Membership on the 911 Board shall consist of the Allen County Sheriff, the Police Chiefs of all of the cities in Allen County which have a police department, the Allen County EMS Director and the Lola Fire Chief. In addition, the Board of County Commissioners may appoint such other members as may facilitate the purposes of the 911 communications system. All members will be appointed by the Board of County Commissioners.
2. Representatives appointed as set out above are all full and equal members. Each representative shall have one vote in proceedings of the Board. A quorum shall consist of a majority of the board members. Unless otherwise specified, actions of the 911 Board shall be by majority vote of the members present.
3. In the event that a member cannot attend a meeting of the 911 Board, said member may send a designee to appear and vote in said member's place. Unless otherwise agreed by a majority of the 911 Board, any such designee shall be appointed by the absent member in writing.

### **ARTICLE III. MEETINGS AND PROCEDURES**

1. The 911 Board shall meet at least monthly and unless the meeting time and place is specified by a majority vote of the 911 Board, the Chairman shall set the meeting time and place. Notice of the time and place of any meeting shall be given to each member personally, by mail, or electronically not less than two days before such a meeting whenever possible. In the case of a special emergency meeting or postponement of any scheduled meeting, notice shall be given to each member in a similar fashion at least two days before the scheduled date of such a meeting, together with a statement of the reason therefore. The Chairman may be required to call a special meeting upon request by two-thirds of the Board members at least fifteen days in advance of such a meeting.
2. The 911 Board shall elect from its members a Chairman who shall be responsible to preside over each 911 Board meeting. He or she shall have the general powers, duties and responsibilities usually vested in the office of Chairman of any organization. The Chairman so elected shall serve until a successor is elected.
3. The 911 Board may elect one of its members as Vice Chairman to serve for such term as the 911 Board may deem appropriate at the time of his or her selection. The Vice Chairman shall perform the duties and exercise the same powers as the Chairman in the absence of the Chairman.
4. The Director, the 911 Board or the Chairman may invite additional individuals with expertise in a pertinent area to meet with and assist the 911 Board. Such consultants or prospective consultants shall not vote or be counted in determining the presence of a quorum.
5. All meetings of the 911 Board shall be open to the public in accord with the Kansas Open Meetings Act ("KOMA"). Meetings may only be closed if authorized by the provisions of KOMA.

### **ARTICLE IV POWERS AND DUTIES**

The 911 Board shall have the following powers and duties:



1. Identify problem areas and potential problems within the county 911 system and make appropriate recommendations for their resolution.
2. Assist the Director in Developing acceptable goals and objectives.
3. Research and make recommendations as to appropriate levels and sources of funding and other resource requirements. Such activity shall include review of the annual 911 budget as developed by the Director and development of recommendations related thereto. The 911 Board shall monitor the execution of the approved 911 budget throughout the fiscal year and make such recommendations as they may deem appropriate to assist county government in its execution.
4. Assist the Director in annual review and update of the Allen County 911 Plans.
5. Assist in generating community interest and support for the 911 service.
6. Assist the Director in mitigation and resolution of interagency conflicts which may arise related to plans and operations of the 911 system.
7. While the primary purpose of the 911 Board is to advise and assist the Director, the 911 Board also has a responsibility to inform the Allen County Board of Commissioners as they may request and as the 911 Board may deem appropriate.

#### **ARTICLE V AMENDMENTS**

These Bylaws may be amended by a majority vote of the whole membership of the 911 Board, subject to approval by the Board of Commissioners. Any vote of the 911 Board to amend shall be taken in a regular or special session. The nature of any proposal for amendment shall be given to all members, in writing, at least thirty days in advance of such a meeting.

These Bylaws are approved and shall be effective immediately upon signing.

Commissioner Francis moved to approve the proposed Allen County, Kansas 911 Advisory Board Bylaws. Commissioner Works seconded, motion passed 3-0-0.

Alan Weber, Allen County Counselor, requested Chairman McIntosh's signature on \$1,300 additional 2007 Flood FEMA Grant. Commissioners had taken action last week.

Alan discussed the personnel policy changes. He will re-email for review.

Alan reported he had attended a Davis-Bacon meeting for the Energy Audit Grant. Nothing has been received in the mail at this time.

Commissioner Francis moved to go into executive session for 10 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:36 a.m. Commissioners reconvened at 10:46 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss land acquisition. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 11:46 a.m. Commissioners reconvened at 10:51 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County

Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:51 a.m. Commissioners reconvened at 10:56 a.m. No action was taken.

Sheriff discussed benches on the east wing. Discussion followed.

Loren Korte, PSI (Personal Service Insurance), presented dividend checks to Allen County. Checks were for \$38,439.09 for August 2009 to August 2010 and \$22,441.18 for August 2008 to August 2009. Discussion followed.

Commissioners requested Loren check on the LaHarpe Senior Center roof, as Ron Boren, Boren's Roofing, reported hail damage. Loren will contact an adjuster to review.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries # 77-80
- c) Clerk's Vouchers \$3398.77
- d) Abatements: Real Estate
  - 2002 Value 119, \$ 18.46
  - 2003 Value 118, \$ 18.98
  - 2004 Value 130, \$ 19.90
  - 2005 Value 130, \$ 19.96
  - 2006 Value 131, \$ 21.34
  - 2007 Value 665, \$ 94.68
  - 2008 Value 309, \$ 50.78
  - 2009 Value 3677, \$491.02

With no further business to come before the board, the meeting was adjourned until September 14, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

\_\_\_\_\_  
Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**September 14, 2010**

The Allen County Board of Commissioners met in regular session at 8:00 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis, Sherrie L. Riebel, County Clerk and Joyce Foster, Deputy County Clerk.

Bob Johnson, Iola Register representative, and Donald Becker, citizen, were present to observe the meeting.

Sherrie introduced her new employee, Shannon Hunt.

Thomas R. Williams, Allen County Sheriff, discussed two fatalities Sunday in Allen County in separate accidents.

Commissioners discussed the Community Advisory Committee position. Commissioner Works moved to appoint John Marshall to serve. Commissioner Francis seconded, motion passed 3-0-0.

Arlyn Briggs joined the meeting to discuss a chip seal road near Mildred and hospital funding issues.

Bill King requested Henry Jackman to carry over 65 hours of vacation to be used within six months. Commissioner Works moved to allow the carry-over. Commissioner Francis seconded. Motion carried 3-0-0.

Bill discussed rebuilding 936E Cat loader at the landfill for approximately \$25,000.00. To replace would be considerably more than this machine cost new. Commissioners approved the rebuild. Crusher is down again and will need repairs/rebuilding. They are finishing chip sealing West Virginia Rd but will probably shut chip sealing down at this time.

Jason Nelson reported state inspection last week. There was a small item to fix on one ambulance and a protocol to change re QI. Jason answered questions on ambulance routing procedures. Jason discussed issues with tire wear on the ambulances and a possible solution.

Rodney Burns, auditor, of Schlotterbeck and Burns, reported a few minor findings. Three funds were in cash violation because of motor vehicle levy correction. Commissioners stated cash carryover into 2010 and projected issues. Rodney discussed purchasing cards and limiting usage to travel. Discussion followed. Rodney discussed and explained posting grant expenditures. Rodney discussed JJA adjusting one cent per fund. He stated usually they report to the state in whole numbers so to quit wasting time and paper he advised the one cent adjustments cease. Commissioners approved to discuss the adjustments with JJA to quit the adjustment.

Alan Weber reviewed some questions Commissioner Francis had on the personnel manual. He presented the energy grant which has been awarded with a \$150,000 maximum with a 60/40 match requirement.

Joe Hurla, 360 Energy Solutions, LLC, joined the meeting and spoke regarding the energy grant the county has been awarded. He outlined what they would require from the bidders re: American made materials, etc. and what would be required for grant compliance. He also discussed from which fiscal year budget the projects would need to be paid. He explained how his fees would be paid. Discussion was held on being sure the cooling tower could be completed before next summer.

Commissioner Francis moved to authorize Sherrie L Riebel, County Clerk, to sign the acceptance of the Public Projects Grant Award Agreement between the Kansas Corporation Commission and Allen County. Commissioner Works seconded. Motion passed 3-0-0.

Alan Weber requested to go into executive session to discuss land acquisition. Commissioner Francis moved to go into executive session for 5 minutes to discuss land acquisition.

Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Joyce C. Foster, Deputy County Clerk. The time is now 10:50 a.m. Commissioners reconvened at 10:55 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 10:56 a.m. Commissioners reconvened at 11:01 a.m. No action was taken.

Commissioners corrected and approved the minutes of the September 7, 2010 meeting.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$124,582.91
- d) Payroll Changes
- e) Clerk's Journal Entries 81-85

With no further business to come before the board, the meeting was adjourned until September 21, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

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Joyce Foster, Deputy Clerk

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**September 21, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary McIntosh, Commissioner Dick Works, Commissioner Robert Francis and Sherrie L. Riebel, Allen County Clerk.

Bob Johnson, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the September 14, 2010 meeting.

David Hawn, citizen, was in to check on how the fishing issue was being taken care of. Discussion followed. He requested the commission to rescind the order for no fishing or parking. Commissioners explained that when an incident happens and liability is an issue, they have to take action on it. Mr. Hawn advised he will not be attending another commission meeting but they will see him in court.

Thomas R. Williams, Allen County Sheriff, discussed fining persons whose vehicles are not legally licensed where they are registered to vote. Discussion followed. He will follow up with registered voters and motor vehicle registration and send letters and then fine.

Sheriff Williams complimented Ron Holman, House and Grounds Director, on work over and beyond his job description. Discussion followed on inmate help and appreciation of both.

Pam Beasley, Emergency Management, presented a MOU's (Memorandum of Understanding) between Monarch Cement and Allen County. There will be a mock drill next week with Monarch Cement to incorporate all emergency resources.

Commissioner Works moved to authorize Chairman McIntosh to sign the MOU with Monarch Cement. Commissioner Francis seconded, motion passed 3-0-0.

Pam explained a Kansas Vulnerable Needs Planning System Memorandum of Agreement with the State of Kansas. Discussion followed on who qualifies for special needs. The State is including this in the counties EOP (Emergency Operation Plan). Commissioner Francis moved to approve Chairman McIntosh's signature on the Memorandum of Agreement for the Vulnerable Needs Registry. Commissioner Works seconded, motion passed 3-0-0.

Bill King, Public Works Director, reported 5 supervisors are finishing the Road Scholar II Certification. He discussed some employees going on to the Road Scholar III level certification. Discussion followed.

Bill presented information for Skid Steer Loader Proposals. Mike Hough, Noxious Weed Director, James Daugherty, Foley Equipment and Matt Packer, KC Bobcat representative were present for the bid presentation. Bids were received from O'Malley for a 2010 JD 326D for \$36,295.75 with a 12 month unlimited hours warranty, 30 day delivery; Bobcat of Springfield for a S650 Bobcat for \$36,000.00 with a 36 month full coverage warranty, 30-45 day delivery; Foley for a Cat 262C for \$42,358.84 with a 12 month or 1,500 hours full machine warranty, 10-12 weeks delivery and \$23,000.00 buyback option; Foley for a Cat 252 for \$37,664.41 with a 12 month or 1,500 hours full machine warranty, 1-2 weeks delivery and \$20,620.00 buyback option; Storrer for a Gehl V270 for \$35,415.50 with a 12 month base machine or 24 month or 2000 hours on engine warranty, 45 day delivery, buy back with 1,000 hours or less in one year \$31,515.50 (Pallet forks?); K C Bobcat for a S250 Bobcat for \$33,985.900 with a 12 month unlimited warranty, 4-6 weeks delivery, no buy back option. James Daugherty, Foley Equipment, stated he was here if any questions were asked of his company. He discussed the convenience of Foley Company. Matt Packer, KC Bobcat field Sales Representative, explained his product and answered questions. Discussion followed. Commissioner Francis moved to accept the bid from KC Bobcat. Commissioner Works seconded, motion passed 3-0-0.

Jason Nelson, Allen County EMS Director, reported the air conditioner went out at the 412 N. State building. Discussion followed.

Jason has new tires on the back up unit hoping to correct a shimmy.

Jason reported his crew is purchasing pink shirts to wear during September Cancer Awareness Month.

Jason updated commission on activities that will be happening next week; one is the mock drill with Monarch and the second is a regional meeting.

Lois Fields, and Chase Brown, Liberty National Life Insurance representatives, discussed payroll deduct group term life; it will never go up in price and never down in benefits. Chase explained the details information for the life plan. There are six questions the employee ask and determine if they will get coverage. Discussion followed. He also explained accidental insurance coverage available. Discussion followed. Lois explained most employees would go with them because it is low cost. Commissioners explained they would have open enrollment in March.

Jerry Hollis, Willis representative, addressed Chairman McIntosh's concerns on insurance.

#1 We need to understand run-out protection better. Jerry explained the run-out is liability on carrying out current claims once they have sent in late bills. Discussion followed. If the county has large amounts of money, they could absorb the charges. If not, they should have run-out insurance. Individual claims and Aggregate is group claims, Jerry explained. Gary questioned if Allen County renewed with the current company would it still cover run-out charges. Jerry stated usually it is covered but would depend on the current contract. He explained if a person were advised to get Generic in comparison to Name Brand it would save monies for the county.

#2 Agents didn't understand the insurance company pays commissions, so we split ½ commissions with TPA and consultants the first year.

#3 Can't figure out why, while in a bid situation, the consultant fee was \$12,000 per year

#4 Second year requested \$18,000 and if we take it from the commissions, the TPA will just increase his charges. Jerry stated he gets paid for what he does; he may get both, may not. A company would know if he was getting both up front. Typically a TPA is not normally paid a commission. Discussion followed.

#5 What happens if we leave the consultant? The County did not have one for years and years. Are we stuck? How hard is it to change a TPA? Jerry stated you should have a stand-alone plan if that would be the case. Discussion followed.

#6 What happens to claims after we leave Self Insurance?

#7 What would the cost of run-in protection be? Need to know hard figures – compared to run-out protection? Explained: Max funding, expected funding, minimum funding? If you have high run-out the company may not want you back and or leave you with a problem. Discussion followed. He explained max funding, expected funding and minimum funding. Max funding is recommended for the front end of self-funding. If it is a bad year, some do the expected funding. It is not recommended to do minimum funding. Max funding helps build a self-funding fund. Jerry explained and discussed "lasering" on an employee.

In what ways are self-funded plans affected by Government Insurance Rules?

What do most agents do? Fee or Commissions? Jerry stated sometimes they are asked and sometimes not, depends on how much a person trusts their TPA.

What is the best size for self-funding? Why? Jerry stated typically it would be over 100 employees. Their company does not have any clients smaller than 150 employees, 98% of their clients under that have full funding. 60 days to 90 days ahead of time to collect information for changing or reviews. His company would charge nothing up front for consulting for determining the recommendations for all services - \$25,000 to \$40,000 for all services. They

would go back two to three years experience for review to determine costs. Commissioners thanked Jerry and asked that he come back to discuss more questions.

Mary Kay Heard, Yes Allen County Healthcare representative, presented information on \$5.00 bracelets for promotion and fund raising and an informational brochure on "Yes, Allen County Healthcare" paid for by members of Yes Allen County Healthcare.

Philip A. Schultze, Murray Company, Richard Lundstrom, Health Facilities Group, Dee Sell, Allen County Hospital Employees Speakers Group, Mary Kay Heard and Ken Gilpin, Yes Allen County Healthcare representatives, were present at the commission meeting. Philip reviewed information on the project delivery systems Allen County Hospital. He discussed Design-Bid-Build, Design-Build, Construction management options in detail. Philip covered criteria for success being cost, quality, time and safety. He discussed criteria for determining the best project delivery system, which has 13 items. Philip discussed relationships for contractual, communications and adversarial versus advocate. Information should combine the input of information. Early in the process improves the decision making process and fewer missteps and less time back tracking later. Philip discussed integration of design and construction expertise, checks and balances during design and construction. Philip discussed key items for valuing engineering and constructability by evaluating and being proactive rather than reactive. He discussed cost control, goals and results.

Philip discussed influence, for part 1 Assessment and Master Plan, part 2 Programming, Schematic Design and Design Development being the most important part of costs. Part 3 Construction documents, procurement, construction, and commissioning and closeout for expenditures.

Philip quoted from Terry Lambert with Newman Regional Health in Emporia, Kansas: "There has been one constant throughout each project you complete and that is the people from Murray Company always performed as advocates of Newman Regional Health. You consistently placed the best interests of this hospital at the forefront of every discussion." He stated no matter who does the hospital this should be the goal of any company.

Commissioners discussed time lines and qualifications for serving on the new Allen County Hospital Board. Discussion followed.

Richard stated the commission should have everything up and ready for things to start going as soon as the election is completed. Discussion followed. Who works with whom (Commissioners and or board) in regards to construction of the hospital was discussed. Philip stated the departments at the hospital should be included as a part of the design since they are the ones who work in the hospital and know how things should be and what needs to be corrected in design and functionality. Several questions and discussions followed.

Jim stated they have \$6,500 in pledges so far but the cost of signs and information is costly.

Commissioners discussed flu shots for county employee. Commissioner Works moved to approve the county pay for any flu shots the health department gives on a day set up by the Health Department. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners approved the following documents:

- a) Minutes of September 14, 2010
- b) Payroll Changes**

c) Journal Entries # 86 - 88

With no further business to come before the board, the meeting was adjourned until September 28, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**September 28, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the September 21, 2010 meeting.

Donald Becker, citizen, discussed the energy audit grant. He stated he is for conservation of energy, but not for remote control heat/air control. Discussion followed on reasons why. Don explained heat transfer calculations.

Sherrie requested to shred 2006 Claim Vouchers, 2006 Added & Abatement Taxes, 2006 Daily Work, 2006 Payroll Duplicate Checks, 2006 Bank Statements, 2006 Treasurers Daily Statements, 2006 Check Register, 2006 Motor Vehicle Daily Audits, as per Local Government Records Management Manual dated 07/14/98. "The General Records Retention and Disposition Schedule has been authorized by the State Records Board in accordance with K.S.A. 75-3504 and has been adopted by the board a K.A.R. 53-2-115, an administrative regulation having the force of law." Commissioner Francis moved to approve the shredding. Commissioner Works seconded, motion passed 3-0-0.

Bill King, Public Works Director, requested an executive session. Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 8:56 a.m. Commissioners reconvened at 9:01 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Bill King, Public Works Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:01a.m. Commissioners reconvened at 9:06 a.m. No action was taken.

Bill reported work at the airport started yesterday. FFA is paying 95% of the cost of the apron project with the county being responsible for the rest. Discussion followed. Bill stated the airport



has more use than 5 years ago. Over the last few years, fuel sales have gone from 5,000 to 80,000 gallons. Allgeier, Martin and Associates, Inc are the engineers for the project.

Bill discussed hangar rent and businesses coming in. He explained in detail.

Bill reported the county's building on 502 N. State is zoned industrial. He would like to have the Rotary move the paper drive to 502 N. State. Discussion followed on work that would need to be done before a recycling center would be able to go into the building. Commissioners discussed other options for use of the building.

Chairman McIntosh mentioned that Sunset Oil Company might consider \$800.00 but was not really a formal offer for rent on the building.

Bill stated the crusher is up and running. They are chip-sealing roads this week while the weather is good. Discussion followed on landfill water.

Kris Weide, Heather Curry, Jim Huskey and Jessica Peters all of the Allen County Together Leadership Class, explained their plan to put together a community project. They want to do a recycling project and would like to use the 502 N. State building as a collection site. They would recycle cardboard, computer paper and plastic, not glass initially. Kris stated they have contacted VIN out of the Kansas City Area to take the recyclable items. This company will not charge for the big collection boxes. Discussion followed. Kris discussed financing. The group has no funds to start and discussion followed. VIN will be paying for the items delivered. Jim stated recycling would sustain it, but you do it because it is the right thing to do. Grants available were discussed. Discussion followed with several ideas and options. Their intentions are not to be the long-term people running the recycle center, but someone else would take it over after the awareness is raised. As special-use permit would be required and that would take 30-60 days to get. Recycle One was running, but did not survive. The group stated Dan Willis would be able to explain why it didn't survive. Jessica said their goal would be to talk to the cities and work with them on having recycle bins for each home. Discussion followed. Their ad hoc group is for one more month, but the group will be working together longer because they want to. Commissioners stated they would like to see a budget.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Commissioners asked if the Allen County Together Leadership Class had looked into the fishing project. They stated they had, but they felt they were able to focus on only one project. They felt the recycling would benefit the entire county.

Dina Morrison, 31<sup>st</sup> District Court Clerk, mentioned the Historical Society is getting the courts old duplicate journal books and requested the commission allow the roller shelves to be donated with journals. Discussion followed. Commissioner Works moved to give the roller shelves to the Historical Society. Commissioner Francis seconded, motion passed 3-0-0.

Ron Holman, Allen County House and Grounds Director, joined the meeting.

Johnnie Womack, citizen, discussed trying to get businesses in the Klein building. He stated Ray Maloney purchased the building for a business or will scrap it out. He asked the commission what could be done to attract industry into that building. Discussion followed.

Jana Taylor, Iola Area Chamber of Commerce, discussed Farm City Days to be held October 16, 2010. She asked permission to use the lawn. The car show will not have the cars on the grass.

Jana stated she has two trailers that want to be on the grass with the rest of the food vendors. She said the stage has wheels and they are trying to get a stage built. Discussion followed on weather. They have ordered several portable potties, so there is not a need to open the courthouse. Commissioners stated Ron would make the call for not allowing wheels on the grass if it is too wet.

Bill Shirley, City of Iola Commissioner, discussed hospital land. Alan Weber, Allen County Counselor, reported KDHE is being contacted to look at proposed land. Discussion followed. Chairman McIntosh asked about hiring an appraiser to appraise the land. Alan stated it should be after KDHE evaluates. Discussion followed.

Alan drafted a right of way resolution for utilities for review by commissioners. Discussion followed on criteria. Current ones will not have to be changed but new ones will have to follow county criteria. Discussion followed.

**RESOLUTION NO.201008  
ALLEN COUNTY, KANSAS**

**A RESOLUTION PRESCRIBING THE TERMS AND CONDITIONS FOR THE USE OF THE COUNTY ROAD RIGHT-OF-WAY BY UTILITIES**

**WHEREAS**, The use of the county road right-of-way is allowed by law for various providers of utility services; and

**WHEREAS**, enacting this resolution to provide a legal framework for authorizing use of the right-of-way by utilities is necessary to protect the public health, safety and welfare.

**NOW THEREFORE**, be it resolved by the Board of County Commissioners of Allen County, Kansas as follows:

**Section 1. Definitions.**

(a) "Public right-of-way" means only the area of real property in which county has a dedicated or acquired right-of-way interest in the real property. It shall include the area on, below or above the present and future streets, alleys, avenues, roads, highways, parkways or boulevards dedicated or acquired as right-of-way. The term does not include the airwaves above a right-of-way with regard to wireless telecommunications or other nonwire telecommunications or broadcast service nor does it include easements obtained by utilities or private easements in platted subdivisions or tracts.

(b) "Occupant" means any person, firm, corporation, association, utility, or entity, which enters upon the right-of-way of the county, or in any manner establishes a physical presence on, upon, in or over the right-of-way of the county, for the purpose of installing, constructing, maintaining or operating lines, conduits, wires, fiber optic wires, cables, pipes, pipelines, poles, towers, vaults or appliances, or related facilities or appurtenances thereto.

(c) "Provider" means any entity providing utility services and includes an "occupant".

(d) "County" means Allen County, Kansas

**Section 2. Authorization From County Required.**

(a) No person, firm, corporation, association, utility, or entity, shall enter upon the right-of-way of the county, or in any manner establish a physical presence on, upon, in or over the right-of-way of the county, for the purpose of installing, constructing, maintaining or operating lines, conduits, wires, fiber optic wires, cables, pipes, pipelines, poles, towers, vaults or appliances, or related facilities or appurtenances thereto, without the express written permission of the county. The permission of the county shall be granted by a permit agreement executed by county and occupant.

(b) Nothing in this resolution shall be interpreted as granting a provider the authority to construct, maintain or operate any facility or related appurtenance on property owned by a county outside of the public right-of-way.

(c) The county shall process each valid and administratively complete permit for use of the right-of-way within 30 days.

**Section 3. Health, Safety, and Welfare Regulations.** The authority of a provider to use and occupy the public right-of-way shall always be subject and subordinate to the reasonable public health, safety and welfare needs, requirements and regulations of the county.

**Section 4. Specific Portions of Right-of-Way Restricted.** (a) The county shall have the authority to prohibit the use or occupation of a specific portion of public right-of-way by a provider due to a reasonable public interest necessitated by public health, safety and welfare so long as the authority is exercised in a competitively neutral manner and is not unreasonable or discriminatory. A reasonable public interest shall include the following: (1) The prohibition is based upon the recommendation of an engineer or the county Director of public works, and is related to public health, safety and welfare and is nondiscriminatory among providers, including incumbent providers; (2) the provider has rejected a reasonable, competitively neutral and nondiscriminatory justification offered by the county for requiring an alternate method or alternate route that will result in neither unreasonable additional installation expense nor a diminution of service quality; (3) the county reasonably determines, after affording the provider reasonable notice and an opportunity to be heard, that a denial is necessary to protect the public health and safety and is imposed on a competitively neutral and nondiscriminatory basis; or (4) the specific portion of the public right-of-way for which the provider seeks use and occupancy is environmentally sensitive as defined by state or federal law or lies within a previously designated historic district as defined by local, state or federal law.

(b) If the county denies a request to use or occupy a specific portion of the public right-of-way, the requester shall be served a notice of such denial by first class mail. The notice shall indicate that the requester shall have 10 days from the date of receipt of the notice to request a public hearing by the county commission concerning the denial. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the denial before the county commission. The hearing shall be held by the county commission within 30 days after the filing of the request therefore, and the potential occupant shall be advised by the county of the time and place of the hearing. Following the public hearing, the county commission will render its decision within 20 days.

**Section 5. Compliance With, Manual of Uniform Traffic Control Devices.** Any occupant of the public right-of-way shall comply with the provisions of Standards and Guides for Temporary Traffic Control, Part VI of the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways, published by the U.S. Department of Transportation, Federal Highway Administration, 2009 Edition, which is incorporated herein by reference as if fully set forth herein.

**Section 6. Additional Requirements.** (a) All utilities installed on the county right-of-way shall, as far as is practical, be installed on the outer edge of the right-of-way, away from the road surface. Final placement and installation requirements for utilities shall be determined by the Director of public works and shall be set forth in the permit.

(b) Any utility equipment or other utility property which is placed above ground level shall be installed on the outer edge of the county right-of-way so as not to interfere with county operations, including mowing, and shall be conspicuously marked so as to be clearly visible in tall grass. Failure to locate and mark above-ground utility equipment or other utility property (whether placed on the right-of-way before or after the effective date of this resolution) shall place all risk of loss for damage to such property upon the occupant. County will bear no responsibility for any damage or loss to improperly located or inadequately marked utility equipment or other utility property caused by county operations including mowing.

(c) Terms and conditions set forth in the utility permits shall be in addition to and not in lieu of the requirements set forth herein.

**Section 7. Emergencies.** If there is an emergency necessitating response work or repair, any person, firm, corporation, association, utility, or entity which has been granted permission to occupy the public right-of-way may begin that repair or emergency response work or take any action required under the circumstances, provided that the person, firm, corporation, association, utility, or entity notifies the county

promptly after beginning the work and timely thereafter meets any permit or other requirement had there not been such an emergency.

**Section 8. Repair.** Any occupant of the public right-of-way is hereby required to repair all damage to a public right-of-way caused by the activities of that occupant, or of any agent affiliate, employee, or subcontractor of that occupant, while occupying, installing, repairing or maintaining facilities in a public right-of-way and to return the right-of-way, to its functional equivalence before the damage pursuant to the reasonable requirements and specifications of the county. If the occupant fails to make the repairs required by the county, the county may make those repairs and charge the occupant the cost of those repairs.

**Section 9. Relocation.** Whenever requested by the county, in order to accomplish construction and maintenance activities directly related to improvements for the health, safety and welfare of the public, an occupant promptly shall remove its facilities from the public right-of-way or shall relocate or adjust its facilities within the public right-of-way at no cost to the county. Such relocation or adjustment shall be completed as soon as reasonably possible within the time set forth in any request by the county for such relocation or adjustment. Any damages suffered by the county or its contractors as a result of such occupant's failure to timely relocate or adjust its facilities shall be borne by such occupant.

**Section 10. Fees.** No permit fees will be assessed against occupants of the public right-of-way at this time. The county commission reserves the right to enact reasonable permit fees including annual renewal fees in the future. Providers/occupants will be responsible to pay for any repair and restoration costs associated with repairing and restoring the public right-of-way because of damage caused by the provider, its assigns, contractors, and/or subcontractors in the right-of-way.

**Section 11. Indemnity.** (a) Occupants shall indemnify and hold the county and its officers and employees harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees (including reasonable attorney fees and costs of defense), proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including personal or bodily injury (including death), property damage or other harm for which recovery of damages is sought, to the extent that it is found by a court of competent jurisdiction to be caused by the negligence of the occupant, any agent, officer, director, representative, employee, affiliate or subcontractor of the provider, or their respective officers, agents, employees, directors or representatives, while installing, repairing or maintaining facilities in a public right-of-way.

(b) The indemnity provided by this subsection does not apply to any liability resulting from the negligence of the county, its officers, employees, contractors or subcontractors. If an occupant and the county are found jointly liable by a court of competent jurisdiction, liability shall be apportioned comparatively in accordance with the laws of this state without, however, waiving any governmental immunity available to the county under state law and without waiving any defenses of the parties under state or federal law.

(c) This section is solely for the benefit of the county and occupant and does not create or grant any rights, contractual or otherwise, to any other person or entity.

**Section 12. Claim Notification.** Occupants shall promptly advise the county in writing of any known claim or demand against the occupant or the county related to or arising out of the occupant's activities in a public right-of-way.

**Section 13. Penalty Provision.** Any person, firm, corporation, association, utility, or entity, or agent, contractor or subcontractor thereof, violating any provision of this article, shall be guilty of a misdemeanor offense, and shall upon conviction be subject to a maximum fine of \$200.00. Each day of violation shall constitute a separate and distinct offense.

**RESOLVED THIS 28<sup>th</sup> DAY OF September, 2010.**

Commissioner Works moved to approve Resolution 201008. Commissioner Francis seconded, motion passed 3-0-0.

Alan asked about letting architects submit drawings and information for the hospital before the election. Discussion followed on other key persons or companies.

Alan discussed Ray Maloney asking about taxes on the Klein Building. Alan stated Commissioners do not have the authority to lower taxes unless it has a new business going into it. There would then be certain statutes guiding them. Discussion followed.

Gerry Hollis, Willis, continued his discussion with the commission concerning insurance. He reviewed the information he presented last week. Gerry discussed when a good time to go into renewal is and research on the claims. Discussion followed in detail on several different items. Willis can set up a PPO if the county would have the hospital. He explained the process. Willis has the ability to give training to staff and on-going updates are available. Commissioners approved a review of Allen County's Health Care.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, and Sherrie L. Riebel, Allen County Clerk. Commissioner Francis excluded himself from the discussion. The time is now 12:21 p.m. Commissioners reconvened at 12:26 p.m. No action was taken.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$131,991.69
- b) Payroll Changes
- c) Journal Entries #89-90

With no further business to come before the board, the meeting was adjourned until October 5, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**October 5, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk. Chairperson Gary G McIntosh was absent.

Anne Kazmierczak, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the September 28, 2010 meeting.

Bill King, Public Works Director, discussed current road projects. Discussion followed.

Bill discussed the Services to the Elderly van's condition. It is having major issues and will need to go to Wichita to Kansas Truck Services to be fixed. Discussion followed. The county will see about getting the SEK Mental Health van to use again while the county van is out of service.

Commissioners reviewed Resolution 201009.

**Resolution #201009**

**ALLEN COUNTY EMERGENCY TELEPHONE SERVICE**

WHEREAS, K.S.A. 12-5301, et seq., authorizes the governing body to enact by resolution or ordinance provisions for the implementation of an emergency telephone service for reporting police, fire, medical or other emergency situations; and

WHEREAS, the Board of County Commissioners of Allen County, Kansas approved a resolution on the 24<sup>th</sup> day of June, 1988 to provide for emergency telephone services utilizing the three (3) digit number 911 for reporting police, fire, medical or other emergency situations; and

WHEREAS, the Board of County Commissioners of Allen County, Kansas, originally imposed a tax in an amount not to exceed two percent (2%) of the tariff rate defined in K.S.A. 12-5301 to pay the costs of such emergency telephone services within Allen County;

AND WHEREAS, the governing body is now authorized and has been imposing a tax in an amount not to exceed \$.75 per month per exchange access line in those portions of the governing body's jurisdiction for which emergency telephone service has been contracted to pay the costs thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Allen County, Kansas, that:

1. That the tax imposed for the purpose of providing 911 Service within Allen County shall continue to be in the amount of \$.75 per month per exchange access line in accordance with K.S.A. 12-5302, et seq.
2. That the Board of County Commissioners of Allen County, Kansas shall be authorized to continue the contract and enter into any other contracts directly with providers of emergency telephone service or an other public agencies in accordance with K.S.A. 23-5304, if the same is deemed to be the most appropriate procedure.

That this resolution shall take effect from and after its publication in the lola Register.

PASSED AND APPROVED, this 5<sup>th</sup> day of October 2010, for the calendar year 2011.

Commissioner Works moved to approve Resolution 201009. Commissioner Francis seconded, motion passed 2-0-0.

Angie Murphy, 911 Communications Director, and Alan Weber, Allen County Counselor, joined the meeting. Angie needed an executive session. Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 2-0-0. Those in the room will be Commissioner Works, Angie Murphy, Allen County 911 Communications Director, Alan Weber, Allen County Counselor and Sherrie L.

Riebel, Allen County Clerk. The time is now 9:34 a.m. Commissioners reconvened at 9:39 a.m. No action was taken.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Jason Nelson, EMS Director, discussed revenues for ambulance fund. Discussion followed on comparison from last year to this year.

Thomas R. Williams, Allen County Sheriff, left the meeting.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 2-0-0. Those in the room will be Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:54 a.m. Commissioners reconvened at 9:59 a.m. No action was taken.

Jason discussed garage doors for the station at 412 N. State.

Jason reported Allen County EMS Department would be doing CPR training at Moran Manor and Kids Kingdom.

Alan discussed the personnel policy. He will be finalizing it within the next few weeks.

Alan discussed the proposed description for the Allen County Hospital Board of Trustees. Discussion followed. No action was taken at this time.

Commissioners approved the following documents.

- a) Clerk's Vouchers Totaling \$264,197.62
- b) Payroll Changes
- c) Journal Entries #91-93

With no further business to come before the board, the meeting was adjourned until October 12, 2010, at 8:30 a.m. in the Commission room of the courthouse.

absent  
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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, Allen County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**October 12, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Dick Works, Commissioner Robert A. Francis, Commissioner Gary G. McIntosh and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 5, 2010 meeting.

Alfred Link, Veteran's Day Committee representative, requested the courthouse to be open for restroom use on November 13, 2010 from 10:00 a.m. to 1:00 p.m. Commissioners approved.

Ron Holman, House and Grounds Director, discussed purchasing benches for around the bandstand. Discussion followed. Commissioners approved for Ron to purchase one to see about strength and tipping.

Sherrie updated the commission on the Service to the Elderly van. It is back from Kansas Truck & Equipment in Wichita, where it had air conditioning worked on.

Commissioners received a nomination from the City of Moran to appoint Jerry Wallis to represent the City of Moran on the Southeast Kansas Regional Planning Commission board. Commissioner Works moved to appoint Jerry Wallis to serve on the SEKRPC. Commissioner Francis seconded, motion passed 3-0-0.

Sherrie presented proposed 2011 Holiday's from department heads for Allen County for approval.

**8 Hour Employees:**

NEW YEAR'S DAY	FRIDAY, DECEMBER 31, 2010
MARTIN LUTHER KING DAY	MONDAY, JANUARY 17, 2011
PRESIDENTS DAY (IN-SERVICE)	MONDAY, FEBRUARY 21, 2011
MEMORIAL DAY	MONDAY, MAY 30, 2011
INDEPENDENCE DAY	MONDAY, JULY 4, 2011
LABOR DAY	MONDAY, SEPTEMBER 5, 2011
COLUMBUS DAY	MONDAY, OCTOBER 10, 2011
VETERAN'S DAY	FRIDAY, NOVEMBER 11, 2011
THANKSGIVING DAY	THURSDAY, NOVEMBER 24, 2011
DAY AFTER THANKSGIVING	FRIDAY, NOVEMBER 25, 2011
CHRISTMAS DAY	MONDAY, DECEMBER 26, 2011

**Landfill employees:**

NEW YEAR'S DAY	SATURDAY, JANUARY 1, 2011
MARTIN LUTHER KING DAY	MONDAY, JANUARY 17, 2011
PRESIDENTS DAY (IN-SERVICE)	MONDAY, FEBRUARY 21, 2011
MEMORIAL DAY	MONDAY, MAY 30, 2011
INDEPENDENCE DAY	MONDAY, JULY 4, 2011
LABOR DAY	MONDAY, SEPTEMBER 5, 2011
COLUMBUS DAY	MONDAY, OCTOBER 10, 2011
VETERAN'S DAY	FRIDAY, NOVEMBER 11, 2011
THANKSGIVING DAY	THURSDAY, NOVEMBER 24, 2011
DAY AFTER THANKSGIVING	FRIDAY, NOVEMBER 25, 2011
CHRISTMAS DAY	MONDAY, DECEMBER 26, 2011

**All 12 & 24 hour and dispatch employees**

NEW YEAR'S DAY	SATURDAY, JANUARY 1, 2011
MARTIN LUTHER KING DAY	MONDAY, JANUARY 17, 2011



PRESIDENTS DAY	(IN-SERVICE)	MONDAY, FEBRUARY 21, 2011
MEMORIAL DAY		MONDAY, MAY 30, 2011
INDEPENDENCE DAY		MONDAY, JULY 4, 2011
LABOR DAY		MONDAY, SEPTEMBER 5, 2011
COLUMBUS DAY		MONDAY, OCTOBER 10, 2011
VETERAN'S DAY		FRIDAY, NOVEMBER 11, 2011
THANKSGIVING DAY		THURSDAY, NOVEMBER 24, 2011
DAY AFTER THANKSGIVING		FRIDAY, NOVEMBER 25, 2011
CHRISTMAS DAY		SUNDAY, DECEMBER 25, 2011

Commissioners reviewed. Commissioner Francis moved to approve the list of holidays for 2011. Commissioner Works seconded, motion passed 3-0-0.

Bill King, Public Works Director, discussed work at the Allen County Regional Airport. They are working on the apron project.

Bill reported on the bridge project on old US Highway 169 south of Humboldt near the Allen County/Neosho County line. He mentioned if it isn't completed by December 1, 2010 it will be early spring before contractors can finish the project.

Bill visited with the commission on road projects his crews are busy working on. Discussion followed on the road reclaimer equipment.

Bill discussed pulling personal vehicles out after a large snow. Commissioner stated the Public Works Department is not in the business of towing. People will need to call towing businesses instead of the county this winter.

Jason Nelson, EMS Director, reported on his class for new scope of practice on the legislation passing SB262. He explained the changes and what it means to employees that are EMT's. Discussion followed.

Jason reported he, Angie Murphy, 911 Dispatch Director, and Bryan Murphy, Undersheriff, will be attending a class in Pittsburg tomorrow for discussion on narrow band radios to be in compliance if the county doesn't purchase 800 MHz radios.

Jason reported his crews will be in the Farm/City Days parade this Saturday.

Commissioners discussed the proposed hospital board. They want to have individuals from all over the county and of all ages. They are still accepting persons who are interested in serving to notify one of them. The commissioners have been given a suggested set of criteria that will help them in selecting board members.

Alan Weber, Allen County Counselor, discussed indigent funerals. Commissioners discussed Labette County's policy. Discussion followed. Alan will visit with Labette County's counselor about their policy.

Commissioners discussed zoning for planting trees when people build and then plant trees for landscaping. Alan will check into this.

Alan discussed the proposed changes to the personnel policy. Discussion followed. No action was taken.

Alan discussed the floor at the Iola Senior Center. Discussion followed.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:14 a.m. Commissioners reconvened at 10:24 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 10:24 a.m. Commissioners reconvened at 10:34 a.m. No action was taken.

Bill Shirley, City of Iola Commissioner, and Thomas R. Williams, Allen County Sheriff, stopped in to say hello.

Chairman McIntosh mentioned each commissioner will pick seven individuals to serve as Allen County Hospital Board of Trustees and compare with each other to narrow the decision. He stated the Allen County Hospital Board of Trustees would be set up on four year terms with the first being four appointed to a two year term and three to a four year term. Discussion followed.

Commissioner Shirley discussed going door-to-door, educating persons on the hospital issue. He was in Moran last evening and Humboldt area this evening.

Alan discussed real estate issues and agents with commissioners. KDHE is doing the environmental evaluation. They won't be here until after November 1, 2010. Some of the lands have a clear evaluation.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$117,018.94
- b) Payroll Changes
- c) Journal Entries #94-95

With no further business to come before the board, the meeting was adjourned until October 19, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**October 19, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 12, 2010 meeting.

Ron Holman, Allen County House and Grounds Director, reported on Farm City Days. He stated several civic groups and National Guard helped clean up around the square.

Gordon Conger, citizen, reported he would be interested in serving on the Allen County Hospital Board of Trustees. Discussion followed. Commissioners have not finalized a list of prospective persons at this time. They would hope to announce a board after the November 2 election.

Bill King, Public Works Director, reported on a KDOT map and meeting with a KDOT representative. He reported Kansas Highway 224 into Humboldt from Highway 169 will no longer be a highway west of the railroad track. Discussion followed on what that means for the City of Humboldt and Allen County.

Bill discussed making signs for Allen County. Discussion followed.

Bill reported on chip and seal projects. He said that if he orders MC800 oil for the roads he has to keep the oil because the company won't take it back this time of year, so he would either have to wait until spring or order now and hope it doesn't rain.

Alan Weber, Allen County Counselor, Thomas Williams, Allen County Sheriff, Pam Beasley, Emergency Manager, Sandra Drake, Allen County Appraiser, Sharon Utley, Allen County Treasurer, Bill King, Allen County Public Works Director, Jerry Hathaway, Allen County Attorney, Cara Barkdoll, Allen County Register of Deeds, and Sherrie L. Riebel, Allen County Clerk, expressed their appreciation to the Commissioners for their service to Allen County employees and residents.

Alan discussed the Allen County Personnel Policy. Discussion followed. Commissioners had reviewed a draft copy. Alan explained some of the changes. Commissioner Francis moved to approve the personnel policy as updated. Commissioner Works seconded, motion passed 3-0-0.

Alan discussed drug court grant. He stated the judge will be reviewing other counties that have the grant currently. The grant is to research drug problems in Allen County. The grant was for \$(ask Alan)

Barbara and Richard Culbertson joined the meeting. Discussion followed on election. The Culbertson's left.

Angela Henry, Safe Base Executive Director, reported on the outcome of the Health Fair. Some of the changes could be due to low enrollment. She reported USD #256 had 204 out of 383 students enrolled, USD #257 had 459 out of 1,341, USD #258 had 193 out of 523 for a total of 856 students. Angela reported Allen County and Allen County Health Care Foundation had donated 50/50 on the support for the health fair. They had \$1,027.21 remaining and so Angela presented a refund check for Allen County's portion.

Angela thanked the commissioners for Allen County's help on the memory garden. Discussion followed on ongoing costs of the garden.

Bill discussed hosting the SEK Regional Commissioner, Road Officials and KDOT officials. He will look at Thursdays in April and May.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$ 195,505.66
- b) Payroll Changes
- c) Journal Entries #96-100

With no further business to come before the board, the meeting was adjourned until October 26, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**October 26, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 19, 2010 meeting.

Jason Nelson, Allen County EMS Director, discussed vehicle maintenance. The International has a coolant tank out. Jason will be going to Topeka to pick up parts. The backup unit had a compressor go out. That vehicle is at Twin Motors Ford being fixed.

Jason has received notice from Steve Sutton, State EMS Director, that the Kraft Grant has opened back up. Jason plans to apply for 3 power cots that run \$13,000. He stated they should help cut down on work comp claims for lifting.

Jason stated his concern on what the heat and air will cost through the winter. Commissioners stated there might be a possibility of using a portion of the energy audit grant on this building.

Jason reported he has hired an EMT-I full time. He came highly recommended by Sam Murrow a current MICT.

Jason mentioned his crew covered Woodson County Friday after a fatal accident occurred north of Yates Center. One of their ambulances was down and the other had to go to Topeka with a patient.

Sherrie received only one bid for re-roofing LaHarpe Senior Center; it was from Boren's Roofing Inc. Their bid was for \$3,475. Insurance has been received towards the roof. Commissioner Works moved to accept the bid from Boren's Roofing Inc to have the roof fixed before snow flies. Commissioner Francis seconded, motion passed 3-0-0.

Bill King, Public Works Director, discussed conditions of Allen County roads. Discussion followed. Bill stated it is easy to have a solution when you don't know the problems.

Bill presented bids for pipe. He had sent out five requests and only received one back. J.R. Crow & Company bid \$21.00 per foot for 16" steel, \$31.50 per foot for 26" steel, \$36.00 per foot for 30" steel. Bill reported he had requested 28" and 32" steel instead of 26" and 30" but the company could not find any so an alternate proposal was given. Discussion followed. Commissioner Francis moved to approve the purchase of pipe from J.R. Crow & Company. Commissioner Works seconded, motion passed 3-0-0.

Bill discussed the Region 4 County Commissioner and KDOT Highway officials meeting. April 21, 2011 is the tentative date for the meeting in Chanute at the KDOT office. Bill will send out a memo ahead of time so people can book the date.

Bill reported they are chip sealing Delaware Road and finishing up Nebraska Road. They will work towards the parking lot at 410 and 412 N. State if any oil is left.

Bill reported the new skid steer loader was delivered yesterday.

Thomas R. Williams, Allen County Sheriff, reported he is introducing a policy in the jail that all mail will be on postcards not sealed envelopes effective November 1, 2010. This concerns the in-coming and the out-coming mail. The only sealed envelopes will be from legal attorneys. Discussion followed. The main reason is finances.

Pam Beasley, Emergency Management, reported CodeRED would be coming up for renewal December 2010. She explained meeting with several providers and explained her concerns. Alan stated companies lock in their prices for 5 years and discussion followed on terms and opt out agreements. Sheriff Williams discussed how it affects the community. Pam discussed what persons would have to do if they were to change companies. Sheriff Williams reported his meeting with 911 Committee. He explained issues with CodeRED. Pam compared the companies. Bids were received from ADT for \$8,362.50 (price based on 5,575 house hold user at \$1.50 each) and CodeRED for \$11,343.50 (\$7,781.00 and \$3,562.50 for weather). Discussion followed on comparable services, pros and cons on changing. Commissioners will take this under consideration after more information is gathered.

Pam explained the vulnerable needs database is being developed. Discussion followed on who is being targeted.

Sheriff Williams reported on the large-scale exercise at Monarch and will report on it if the commission would like. Discussion followed.

Alan Weber, Allen County Counselor, reported KDHE has approved for them to do the Brownfield assessment for the three core properties considered for a hospital. Discussion followed.

Alan discussed Neighborhood Revitalization for Iola. Discussion followed on exemptions inside the zone if an owner has good cause on failing to file. Commissioners will not need to take action but the City of Iola Commission will.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel and counsel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen

County Counselor, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:52 a.m. Commissioners reconvened at 9:57 a.m. No action was taken.

Alan reported he has been checking on indigent funerals.

Angie Murphy, 911 Communications Director, joined the meeting. CodeRED money has come out of her budget in the past. Commissioner Works had some questions regarding this.

Angie told the Commission that there has been tremendous success with bringing 911 education into the school systems. Children are learning the appropriate use of 911.

Angie discussed 911 "standards". All of her staff is certified. There seems to be different standards for different counties. There will be new protocol next year.

Angie mentioned there is a grant that would hopefully allow the department to make some equipment upgrades. They have a nightly backup of all data.

Angie discussed the area 911 departments in comparison to Allen County. She also discussed narrow band radio, which they had discussed at a 911 Committee meeting.

Rhonda Fernandez, PIC (Professional Insurance Consultants), reviewed aggregate reports from April 1, 2009 to March 31, 2010, aggregate reports from April 1, 2010 to September 30, 2010, Medical and Dental reports, and the MedTrak Prescription Drug report. Discussion followed on stop loss and claims.

Rhonda addressed questions Chairman McIntosh had submitted. Discussion followed.

Commissioner Works moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, and Commissioner Francis. The time is now 12:02 p.m. Commissioners reconvened at 12:12 p.m. No action was taken.

Commissioners approved the following documents:

- a) Payroll Changes
- b) Journal Entries 101-102
- c) Clerk's Vouchers Totaling \$84,969.80

With no further business to come before the board, the meeting was adjourned until November 2, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the October 26, 2010, meeting.

Ron Boren, Boren Roofing, discussed the bid commissioners approved last week for the LaHarpe Senior Center roof. There were a couple of updates he had bid on that he asked about. He discussed three tab and color. Discussion followed. Ron explained to update to Tamko Heritage brand shingles for an extra \$480 and/or upgrade OMNI ridge vent \$135. Commissioners chose to update the bid to Leatherwood color for Heritage shingles and to put in the ridge vent.

Ron mentioned the Rotary asked him to look at the roof on the old clock in the front courtyard. He stated there are some items that need attention. Ron said he is going to fix it for free as his donation to the county. Commissioners thanked him for his time and costs.

Bill King, Public Works Director, discussed animals at the landfill. He stated for the animal shelter to accept animals they have to pay \$20.00. Discussion followed on different options. Until something can be done, he will take them to animal shelter.

Bill mentioned he was going to chip and seal the ambulance station parking lot. Discussion followed.

Bill discussed the bridge project south on old 169 at the Allen/Neosho County line. The hopes are that they will have it open by Thanksgiving. Discussion followed.

Commissioners discussed future plans with Bill concerning the Public Works department.

Bill talked to the commission about recycling and future plans. He stated he would prefer it to be located at the landfill if a recycling center were to be created.

Commissioners discussed cleaning out the building at 502 N. State so it could be sold. Commissioners stated it would have to go up for sealed bid if it is to be sold. Discussion followed on items Bill will take care of concerning the building.

Sharon K. Utey, Allen County Treasurer, presented a comparison on unpaid taxes at the end of the year.

<u>Year</u>	<u>Adj. Beg. Abstract</u>	<u>Unpaid taxes</u>	<u>per cent unpaid</u>
2006	\$11,517,434.69	\$210,320.74	.018
2007	\$12,107,375.54	\$284,765.67	.023
2008	\$13,183,852.14	\$322,431.20	.024
2009	\$14,021,257.02	\$275,497.75	.019

Sharon reported on publication costs: Real Estate publication - \$3,430.00; Personal Property publication - \$594.25; and delinquent tax publication - \$4,024.25.

Sharon requested to recover three chairs in the Treasurer's office. She presented bids from Heigle's for \$200.00 to recover. Sharon is trying to get the same fabric from the company where the chairs were purchased. Commissioners approved.

Alan Weber, Allen County Counselor, discussed expanding language for authority for the PBC board. Discussion followed.

Commissioners discussed terms for the proposed hospital board of trustees. Alan stated the law is 2, 3 or 4 years. Commissioners requested Alan see what other hospital board of trustee's terms run.

Alan stated once the election is completed he will have a sales tax resolution ready for Friday after the canvass.

Alan discussed if the building at 502 N. State could be sold by sealed bid or auctioned off.

Chairman McIntosh discussed the Humboldt Senior Center. Discussion followed. Commissioner Works will contact Mr. Zillner to check the foundation.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:35 a.m. Commissioners reconvened at 9:40 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:40 a.m. Commissioners reconvened at 9:45 a.m. No action was taken.

Commissioner Francis moved to go into executive session for 5 minutes for attorney client discussion. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:45 a.m. Commissioners reconvened at 9:50 a.m. No action was taken.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Jason Nelson, Allen County EMS Director, reported on the Kraf grant. He has requested \$37,000 that will purchase 3 power cots. The grant will be a 75/25 match grant.

Jason discussed staff hours. He is requesting 48 hours on and off 96 hours because several employees drive a distance to work. Jason discussed pros and cons on the decision. He asked the commission for their thoughts. Commissioners would like to take under consideration.

Jason reported he is fully staffed at this point in time. Discussion followed.

Alan requested the commissioners to amend the personnel policy on the cell phone policy. Discussion followed. Commissioner Works moved to amend the cell phone policy. Commissioner Francis seconded, motion passed 3-0-0.



Commissioners approved the following documents:

- a) Payroll Changes
- d) Journal Entries 103
- d) Clerk's Vouchers Totaling \$84969.80

With no further business to come before the board, the meeting was recessed until November 5, 2010 in the Commission Room of the courthouse after the 8:00 canvass.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**November 5, 2010**

The Allen County Board of Commissioners met in a special session at 8:00 a.m. with Chairperson Gary McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk, for the purpose of canvassing the 2010 November General Election.

Bob Johnson, Iola Register representative, was present for canvassing.

Commissioners reviewed the election and found no discrepancies. Therefore, results were finalized.

With no further business to come before the board, the meeting was adjourned until 9:00 a.m. November 5, 2010, in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**November 5, 2010**

The Allen County Board of Commissioners met in a special session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Robert A. Francis, Commissioner Dick Works, and Sherrie L. Riebel, Allen County Clerk, for the purpose of receiving a recommendation from the Hospital Facilities Commission.

Bob Johnson, Iola Register representative, Alan Weber, Allen County Counselor, Cliff Ralsin, Humboldt Union representative, Bill King, Public Works Director, Paula Sell, Joyce Heismeyer,

Patty McGuffin and Larry Peterson, Allen County Hospital representatives, and Judy Brigham, City of Iola Administrator, were present for the meeting.

Alan discussed the Allen County Hospital Board of Trustees terms and resolutions. Commissioner Francis moved to retain Mark Thompson, Seigfreid, Bingham and Gee to retain for hospital counsel,. Commissioner Works seconded, motion passed 3-0-0.

Harry Lee, Sean McReynolds, Debbie Roe, Tom Miller, Karen Gilpin, Jay Kretzmeier, and Patti Boyd, were named as the prospective Allen County Hospital Board of Trustees. Commissioners advised persons present that all the prospective board has been contacted. Alan will have a resolution to do at Tuesday's meeting.

Discussion followed.

Commissioners stated they would make a final decision at their Tuesday meeting.

Bill King, Allen County Public Works Director, presented an Employee Contract-Professional Employee Public Works Director. The contract is a three year rolling contract. It details duties, responsibilities, compensation, benefits and terms of contract.

With no further business to come before the board, the meeting was adjourned until November 9, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**November 9, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Ron Holman, Allen County House and Grounds Director, reported he has received the bench ordered earlier. Commissioners went to view the bench. They requested Ron see how it does through the winter before ordering more.

Bill King, Public Works Director, reported contractors are laying asphalt on the bridge project on the Allen/Neosho County line.

Bill stated they are on schedule with the apron project at the Allen County Regional Airport.

Bill reported there is a road they ran the reclaimer on by Bayard. They are going to let it set for the winter and finish it in the spring.

Bill reported there are several of his supervisors that will be receiving a certification from KAC next week.

Bill explained 4 tier diesel motors in comparison to regular motors on motor graders. The 4 tier motors are in compliance with the Clean Air Act. Discussion followed.

Terry Call, Mapping, discussed a 911 call and locating persons. He explained he would be able to show it on the 911 maps if the commission approved. Terry stated he wants to put a sign at the end of a City of Moran street. Discussion followed on county's naming county roads, not individuals.

Jason Nelson, Allen County EMS Director, discussed budgeted line items and different ways of saving money.

Jason reported his vehicle has to have a new catalytic converter. Discussion followed. He also discussed issues with other department vehicles.

Jason reported one employee is taking Training Officer 1 and will be taking Training Officer 2 when he finishes 1. He will be offering classes for fire departments throughout the county. Discussion followed. Commissioners will have a letter drafted to send to each chief as well as the 911 Board. Discussion followed on first responders.

Jason presented information on calls; hospital to hospital 275, hospital to nursing homes 17, emergency 402, dry runs 293 for a total of 987. Cash received year to date \$482,911.31 compared to last years at this time \$443,542.03 for a difference of \$39,369.28. Discussion followed.

Commissioner Works moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:35 a.m. Commissioners reconvened at 9:40 a.m. No action was taken.

Jason discussed the request to change shift hours. Discussion followed on options. Commissioners stated he could try it to see how it works for three months.

Thomas R. Williams, Allen County Sheriff and Pam Beasley, Emergency Manager, presented information relating to CodeRED and ADT weather systems. Pam explained what other counties are doing. There are currently 5053 citizens on CodeRED. Discussion followed. Pam had received information back from Elk, Bourbon, Neosho, Cowley and Chautauqua Counties. Commissioners reviewed costs presented at October 26 meeting from ADT for \$8,362.50 (price based on 5,575 house hold user at \$1.50 each) and CodeRED for \$11,343.50 (\$7,781.00 and \$3,562.50 for weather). Sheriff Williams suggested not changing from CodeRED and keep what the county knows works. He mentioned if something changes, sometime it causes unforeseen problems. Discussion followed on offering it to schools. Pam stated customer service is very valuable, and if she has to enter phone numbers it will cost her hours to enter all in. She stated it would probably break even if putting a pencil to it.

Pam discussed the CERT class. She reported there are 6 people still taking the training; some had dropped out due to time. She presented inventory that is currently in the CERT vehicle. Discussion followed.

Larry Tucker, City of Humboldt Administrator, discussed the Neighborhood Revitalization Program for the City of Humboldt. Larry explained NRP. He explained the City of Humboldt would like to change the territory from the east side to the west side of the city. He stated they would take the entire west side of Humboldt from Ninth Street west, with the exception of the current downtown area (10<sup>th</sup> Street from Neosho Street to Cherokee Street). Discussion followed on why the City of Humboldt wants to change the area; 20 properties have been demolished in the last few years which open several vacant lots available for building. Larry discussed growth and opportunities for the City of Humboldt. Larry's request is to get a Interlocal agreement with Allen County. Alan stated it is the exact same plan as last one only with a new area. Larry stated he would like to start the new one on February 1, 2010, which would overlap the current plan of March 1, 2011 and area. The City of Humboldt has already taken action to rebate the new taxes to the tax payer when they apply for NRP in the City of Humboldt. Discussion followed on regulations of the NRP. Commissioner Works moved to approve and authorize Chairman McIntosh sign the new NRP with the City of Humboldt. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners discussed the senior housing project the City of Humboldt is working on. Discussion followed.

Commissioners reviewed Resolution 201010.

RESOLUTION NO. 201010  
ALLEN COUNTY, KANSAS

A RESOLUTION ENACTING A ONE-QUARTER CENT SALES TAX FOR HEALTHCARE SERVICES IN ALLEN COUNTY, KANSAS

WHEREAS, The Allen County Commissioners determined that a one-quarter cent sales tax is necessary to provide funding for a new hospital facility and called an election thereon; and

WHEREAS, the question of imposing the sales tax was placed on the ballot at the election held on November 2, 2010 at which time a majority of the electors of Allen County voted to impose such a tax.

NOW THEREFORE, be it resolved by the Board of County Commissioners that there is hereby imposed a county-wide sales tax in the amount of one-quarter of one percent (0.25%) effective January 1<sup>st</sup>, 2011, or as soon thereafter as legally permitted, and continuing for a term of 10 years for the purpose of providing healthcare services in Allen County. This additional sales tax revenue will be used by Allen County to take over all of the operations of the Allen County Hospital, to operate the Hospital and to fund the replacement of the current Allen County Hospital facility with a new facility.

RESOLVED THIS 9<sup>th</sup> DAY OF NOVEMBER, 2010.

Commissioner Francis moved to adopt Resolution 201010. Commissioner Works seconded, motion passed 3-0-0.

Commissioners reviewed Resolution No. 201011 and 201012.

RESOLUTION NO. 201011  
ALLEN COUNTY, KANSAS

A RESOLUTION PROVIDING FOR THE ASSUMPTION OF ALL OF THE POWERS, DUTIES AND FUNCTIONS OF ELM TOWNSHIP BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS

WHEREAS, The Township Board of Elm Township did resolve to transfer all of the powers, duties and functions of the township to the Board of County Commissioners of Allen County, Kansas; and

WHEREAS, a majority of the electors of said township voted in favor thereof at the election held November 2, 2010.

NOW THEREFORE, be it resolved by the Board of County Commissioners that the Elm Township Board shall forthwith deliver to the Allen County Clerk any and all unused monies along with any and all other assets and property of such township. Upon the delivery of such money and property, all powers, duties and functions of Elm Township shall be vested in and administered by the Board of County Commissioners. The County Clerk is directed to deposit any such monies into the county general fund.

RESOLVED THIS 9th DAY OF November, 2010.

And

RESOLUTION NO. 201012  
ALLEN COUNTY, KANSAS

A RESOLUTION PROVIDING FOR THE ASSUMPTION OF ALL OF THE POWERS, DUTIES AND FUNCTIONS OF CARLYLE TOWNSHIP BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS

WHEREAS, The Township Board of Carlyle Township did resolve to transfer all of the powers, duties and functions of the township to the Board of County Commissioners of Allen County, Kansas; and

WHEREAS, a majority of the electors of said township voted in favor thereof at the election held November 2, 2010.

NOW THEREFORE, be it resolved by the Board of County Commissioners that the Carlyle Township Board shall forthwith deliver to the Allen County Clerk any and all unused monies along with any and all other assets and property of such township. Upon the delivery of such money and property, all powers, duties and functions of Carlyle Township shall be vested in and administered by the Board of County Commissioners. The County Clerk is directed to deposit any such monies into the county general fund.

RESOLVED THIS 9th DAY OF November, 2010.

Commissioner Works moved to approve Resolutions 201011 and 201012. Commissioner Francis seconded, motion passed 3-0-0.

Alan discussed an engagement letter with Mark Thompson, Siegfried, Bingham, Levy, Selzer & Gee for a specialized attorney in hospital construction. Commissioner Works moved to authorize Chairman McIntosh's signature on the engagement letter with Mark Thompson. Commissioner Francis seconded, motion passed 3-0-0.

Alan discussed what lands are going to be appraised for the hospital. Discussion followed.

Alan discussed the drug court grant. He explained the judge would like to hire EnVisage Consulting Inc. to do this research.

EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
ALLEN COUNTY, KANSAS  
HELD ON NOVEMBER 9, 2010

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Alan Weber, Allen County Counselor, presented to the Commissioners Grant Award Agreement 735-FY10-2077 between Health Care Foundation of Greater Kansas City and Allen County, Kansas for funding a Drug Court feasibility study. The grant award will provide Allen County with \$16,641 to be used to hire a consultant to conduct the study. In-kind services are to be provided as our local match by Allen County District Judge Daniel Creitz, Allen County Sheriff Tom Williams, and County Attorney Jerry Hathaway.

Counselor Weber asked the commissioners to authorize the Chairman to execute the agreement. Thereupon Commissioner Works moved that the chairman be authorized to execute said agreement. The motion was seconded by Commissioner Francis. Upon a vote, the motion unanimously passed.

Thereupon, the Chairman executed the Grant Award Agreement.

Commissioners discussed terms of the Allen County Hospital Trustees Board.

Commissioners reviewed Resolution 201013.

RESOLUTION NO.201013  
ALLEN COUNTY, KANSAS

A RESOLUTION FOR THE PURPOSE OF SETTING THE NUMBER  
AND TERM OF THE BOARD OF TRUSTEES OF ALLEN COUNTY HOSPITAL

WHEREAS, the creation of the Allen County Hospital was authorized by vote of the citizens of Allen county in October of 1947 and was established with a five (5) member board of trustees, later increased to seven (7) members; and

WHEREAS, the County Commissioners of Allen County plan to work with the current hospital tenant to transfer all of the operations of the hospital to the control of Allen County and thereafter to build a new hospital facility; and

WHEREAS, the Board of County Commissioners believe that it is in the best interest of the hospital and that the goals set out above can best be realized by the appointment of a new board of hospital trustees with seven (7) members to provide for full representation across the county; and

WHEREAS, the Board of County Commissioners believe that the hospital will be best served if the hospital trustees are appointed to terms of 3 years, to be calendar years, with the initial terms of appointment to be staggered and set at 1, 2 and 3 years as provided below.

NOW THEREFORE, be it resolved by the Board of County Commissioners as follows:

The membership of the Board of Trustees of the Allen County Hospital is hereby set at 7 members, all of whom shall be citizens of Allen County, Kansas. Hospital trustees shall be appointed as necessary by a majority vote of the County Commission.

It is further resolved that each Hospital Trustee shall serve a term of 3 years (unless earlier removed by a majority vote of the County Commission) with the initial terms of appointment to be staggered and set at 1, 2 and 3 years.

It is further resolved that the terms, term limits, conditions of removal and overall authority of the hospital trustees will be governed by bylaws to be adopted by the hospital trustees and approved by the Board of County Commissioners.

It is further resolved that the following individuals are hereby appointed to serve as Hospital Trustees for the initial terms indicated below and for such additional terms thereafter as the County Commissioners may deem appropriate and in accord with the hospital bylaws:

One Year Term commencing November 9, 2010 and ending December 31, 2011:

Harry Lee  
Debbie Roe

Two Year Term commencing November 9, 2010 and ending December 31, 2012:

Sean McReynolds  
Patti Boyd

Three Year Term commencing November 9, 2010 and ending December 31, 2013:

Jay Kretzmeier  
Tom Miller  
Karen Gilpin

RESOLVED THIS 9th DAY OF November 2010.

Commissioner Francis moved to approve Resolution 201013. Commissioner Works seconded, motion passed 3-0-0

Commissioners will not be meeting November 16, 2010 so they may attend Kansas Association of Counties Annual Conference.

Commissioners approved the following documents:

- a) Journal Entries 104 & 105
- b) Payroll Changes

With no further business to come before the board, the meeting was recessed until 7:00 p.m. Tuesday, November 9, 2010.

The Allen county Commissioners attended the organizational meeting of the new Allen County Hospital Board of Trustees held in the courthouse assembly room on Tuesday, November 9<sup>th</sup> at 7:00 pm. In attendance were Chairman Gary G. McIntosh, Commissioner Robert Francis and Commissioner Dick Works. Also in attendance were Alan Weber, county counselor; Hospital trustees Harry Lee, Debbie Roe, Sean McReynolds, Patti Boyd, Jay Kretzmeier, Tom Miller and Karen Gilpin; HFG representatives, Steve Lewallen and Phil Schultze; financial advisor, Chuck Wells; health care counsel Mark Thompson; former Hospital Facilities Commissioners, Mary Ann Arnott, Mary Kay Heard and Barbara Culbertson. Other persons in attendance were Karen Lee, Susan Lynn, Brian Wolfe, Joyce Lee, Angela Henry, Denny Apt and Gary Parker.

Presentations were made by Chuck Wells and Mark Thompson regarding the steps the trustees will need to take to move the hospital project along. General discussion and questions and answers followed. The Commissioners took no action at the meeting. The meeting was adjourned at 9:00 pm.

Commissioners adjourned until November 23, 2010, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, Allen County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**November 23, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the November 9, 2010 meeting.

Sherrie discussed the commissioners touring the Allen County Animal Rescue facility later today.

Sherrie reminded the commission that Walt Regehr's position on the SEK Mental Health Board needs reappointed or another person appointed to such position.

Sherrie reported a meeting will be held on December 11, 2010 at the Yates Center grade school at 1:00 p.m. to nominate a senate replacement for Derek Schmidt who won the Attorney Generals race on November 2, 2010. This will mainly be for County Central Committee people.

Sherrie asked the commission to approve the sick payout to 10 employees who have over 720 hours for 2010 on December 3. Commissioners approved.

Commissioners also approved \$50 and \$35 for employees in lieu of a turkey to be paid out on December 3, 2010.

Daniel Creitz, 31<sup>st</sup> Judicial District Judge, Thomas R. Williams, Allen County Sheriff, Alan Weber, Allen County Counselor, discussed the drug court. Judge Creitz thanked the commission for their support and help on the grant. The monies have been received to assess the need of a drug court. Judge Creitz reported he would be hiring Connie (Coltrane) Satzler's firm, EnVisage Consulting, Inc. to do the feasibility study research. The agreement is from December 2, 2010 to October 30, 2011. He explained differences in drug courts; Shawnee County, Lyon County and Sedgwick County. Discussion followed. The grant funds are for only Allen County, not the 31<sup>st</sup> Judicial District which could create some issues to consider. Most of these are based on SB123 (mandatory drug training) from a few years back. Judge Creitz discussed how some of the other counties are running their drug courts. Several judges, attorneys' and interested parties will be visiting other counties gathering information. Major problem with drug courts are monies. Judge Creitz stated he felt there is a great need for a drug court in Allen County. He explained some of the training available through this drug court. Judge Creitz stated they are still studying it and looking at it, no decisions have been made at this time. This is drug only, not alcohol. Meth is the 90% of the drugs. Commissioner Francis moved to accept the agreement between EnVisage Consulting, Inc. and Allen County. Commissioner Works seconded, motion passed 3-0-0.

Bill King, Public Works Director, presented his department heads that have completed Certification from Kansas Association of Counties. They are Jeremy Hopkins, Road Supervisor, Eula Hutton, Landfill Supervisor, Kim Riebel, Office Manger, Mitch Garner, Airport Supervisor, were present to receive certificates from Chairman McIntosh. Scott Reeder, Special Bridge Supervisor, also received a certificate, but was absent. All these employees will also be receiving Road Scholar II certificates.

Bill discussed the airport apron project.

Bill presented a list of Allen County's motor graders. Currently Allen County has seven with the oldest being 1995 and the newest 2004. He stated he will be trading in the 1995 140H Motor Grader and will send out bid specifications to companies. Discussion followed.

Bill stated the compactor from the landfill was purchased in 2005 and needs to be replaced. Discussion followed on replacing this machine as well. If trade is not a factor in the pricing, he would like to keep it in the second area at the landfill. Discussion followed on tier 2 engines verses tier 3.

Bill discussed equipment that is currently in the shop. Discussion followed.



Chairman McIntosh discussed a private fence at the new park, the City of lola put in at Elm Creek. He suggested Public Works help in the installation. Discussion followed.

Commissioners stated not to worry about cleaning up the building at 520 N. State, but fix the building so that birds cannot get in.

Allen County Health Care Foundation will be raising monies for the Allen County Hospital. Jim Gilpin has agreed to help the committee with interviews.

Alan had sent out an RFP to appraisers, he had only received back one from Keller & Associates for \$15,000 for nine tracts. Commissioners declined the bid. They will look at local appraisers and also present this to the Allen County Hospital Board of Trustees meeting.

Alan reported on items that the Allen County Hospital Board of Trustees will be discussing at their meeting this evening.

Alan Weber, Allen County Counselor, presented a Charter Resolution 201014.

EXCERPT OF MINUTES OF A MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS OF  
ALLEN COUNTY, KANSAS  
HELD ON NOVEMBER 23rd, 2010

The Board of County Commissioners met in regular session at the usual meeting place in the County, at 8:30 a.m., the following members being present and participating, to-wit: Gary McIntosh, Chairman, Commissioner Dick Works and Commissioner Robert Francis. Absent: None

The Chairman declared that a quorum was present and called the meeting to order.

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(Other Proceedings)

Thereupon, there was presented a Charter Resolution entitled:

**A CHARTER RESOLUTION OF ALLEN COUNTY, KANSAS EXEMPTING SUCH COUNTY FROM THE PROVISIONS OF K.S.A. 12-1758 AND K.S.A. 12-1767b RELATING TO PUBLIC BUILDING COMMISSIONS AND THE ISSUANCE OF REVENUE BONDS THEREBY AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING THERETO.**

**CHARTER RESOLUTION NO. 201014**

A CHARTER RESOLUTION OF ALLEN COUNTY, KANSAS EXEMPTING SUCH COUNTY FROM THE PROVISIONS OF K.S.A. 12-1758 AND K.S.A. 12-1767b RELATING TO PUBLIC BUILDING COMMISSIONS AND THE ISSUANCE OF REVENUE BONDS THEREBY AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING THERETO.

WHEREAS, K.S.A. 19-101 to 19-101c, inclusive, as amended (the "Act") provide that counties may exercise certain home rule powers, including adopting charter resolutions which exempt such counties from enactments of the Kansas Legislature as long as such powers are not limited as provided in the Act; and

WHEREAS, Allen County, Kansas (the "County") is a county as defined in the Act, duly created and organized under the laws of the State of Kansas (the "State"); and

WHEREAS, K.S.A. 12-1758 and K.S.A. 12-1767b are a part of an enactment of the Kansas Legislature (K.S.A. 12-1757 *et. seq.*) relating to public building commissions and the issuance thereby of revenue bonds, which enactment is applicable to the County, and is subject to modification by charter resolution; and

WHEREAS, the governing body of the County desires, by charter resolution, to exempt the County from the provisions of K.S.A. 12-1758 and K.S.A. 12-1767b, and to provide substitute and additional provisions therefor in order to provide (a) additional and alternative methods for financing certain public buildings in the County and (b) an alternative method of authorizing the issuance of revenue bonds by the public building commission, once organized.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, KANSAS AS FOLLOWS:

Section 1. Exemption-K.S.A. 12-1758. The County, by the power vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it, the provisions of K.S.A. 12-1758 and does hereby provide the following substitute and additional provisions in place thereof:

(a) The County, by ordinary resolution, may create a public building commission for the purposes of acquiring a site or sites for and constructing, reconstructing, equipping and furnishing, or purchasing or otherwise acquiring, a building or buildings or other facilities of a revenue producing character. Such building or buildings or facilities shall be maintained and operated for (i) a county courthouse, (ii) housing and accommodation of county offices or other county business, including, without limitation, law enforcement and detention facilities, (iii) housing and accommodation of city offices or other city business, and administrative offices for school districts, (vi) health care facilities, (vii) housing, accommodations and parking facilities for offices of state and federal agencies or (viii) such other purposes as are commonly carried on in connection with such County, city, school district, state or federal facilities.

(b) A public building commission created by the County may acquire fee simple title or a leasehold interest in land and facilities adjacent to or near any educational institution under the supervision and/or control of the state board of regents or may acquire by lease, land and facilities constituting a part of the campus of any such institution. Any public building commission may construct, reconstruct, equip and furnish such facilities on such land and lease such land and facilities to the official governing body of such institution. Any such lease entered into shall pledge the net revenue from such land and facilities to payment of bonds issued to pay costs of such facilities.

Section 2. Exemption-K.S.A. 12-1767b. The County, by the power vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1767b and does hereby provide substitute and additional provisions in place thereof as follows:

(a) Any revenue bonds proposed to be issued by a public building commission created by the County shall be issued as provided in K.S.A. 10-1201 *et seq.* and amendments thereto, except to the extent that such statutes are in conflict with

this Charter Resolution or K.S.A. 12-1757 *et seq.*, or both. Before any revenue bonds are authorized or issued under the provisions of this Charter Resolution and K.S.A. 12-1757 *et seq.*, the public building commission shall adopt a resolution specifying the amount of such bonds and the purpose of the issuance thereof.

(b) Such resolution shall be published once a week for two consecutive weeks in the official County newspaper or in a newspaper having general circulation in a city if the lease is with such city. The resolution may provide, and shall provide, if the lease is with a city, school district or political subdivision other than the County, that if within 30 days after the last date of publication of the resolution a petition in opposition to the resolution, signed by not less than 5% of the electors of the County or by not less than 5% of the electors of the city, school district or political subdivision other than the County, if the lease is with such entity, is filed with the county election officer, the board of county commissioners shall submit the question to the voters at an election called for that purpose or at the next general election.

(c) No construction or acquisition contract shall be let or approved by a public building commission until after the expiration of the protest period provided under this section, provided that, with respect to revenue bonds authorized by a resolution not subject to the protest provisions described in subsection (b) of this Section, the public building commission may let or approve a construction or acquisition contract upon completion of the publications required by such subsection (b).

Section 3. Severability. If any provision or section of this Charter Resolution is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Resolution. In such instance, this Charter Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 4. Effective Date. This Charter Resolution shall be published once a week for two consecutive weeks in the official County newspaper, and shall take effect sixty (60) days after final publication, unless a petition signed by a number of electors of the County equal to not less than two percent (2%) of the number of electors who voted at the last preceding November general election or 100 electors, whichever is greater, shall be filed in the office of the County Clerk, demanding that this Charter Resolution be submitted to a vote of the electors, in which event this Charter Resolution shall take effect when approved by a majority of the electors voting at an election held for such a purpose.

ADOPTED by the Board of County Commissioners of Allen County, Kansas by unanimous vote of the elected members thereof on November 23rd, 2010.

Thereupon, Commissioner Francis moved that said Charter Resolution be adopted. The motion was seconded by Commissioner Works. Said Charter Resolution was duly read and considered, and upon being put, the motion for the adoption of said Charter Resolution was carried by the vote of the Board of County Commissioners, the vote being as follows:

Yea: 3 Nay: 0

Thereupon, the Chairman declared said Charter Resolution duly adopted and the Charter Resolution was then duly numbered Charter Resolution No. 201014 and was signed by the Board of County Commissioners and attested by the County Clerk.

Alan discussed advancing fees for the hospital board of trustees. Discussion followed. Alan will do some investigating on costs.

Gary discussed health insurance. Alan was requested to send out RFP for insurance consultant broker for services in 2011.

Commissioners reviewed the annual report for Elm Township. Elm Township turned funds over to the Allen County Commission.

Commissioners are going to visit the Allen County Animal Rescue facility in LaHarpe.

Commissioners approved to transfer \$50,000 into Health Insurance Fund.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$
- b) Clerk's Vouchers Totaling \$
- c) Payroll Changes
- d) Journal Entries
- e) Abatements – Specials \$

With no further business to come before the board, the meeting was adjourned until November 30, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**November 30, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, and Cliff Ralston, Humboldt Union, was present to observe the meeting.

Commissioners corrected and approved the minutes of the November 23, 2010 meeting.

Ron Holman, Allen County House and Grounds Director, discussed ordering more benches. Discussion followed. Commissioners requested Ron to check on the ones made in Cloud County to see if they are comparable in style, sturdiness and cost to the one he had previously ordered.

Bill King, Public Works Director, reported the windows are fixed at 502 N. State so that birds will quit flying in.

Bill requested to carry over 48 hours of vacation. Commissioner Works moved to approve the carry-over with the hours to be used within 6 months. Commissioner Francis seconded, motion passed 3-0-0.

Bill reported the bobcat trailer has been received.

Bill stated Public Works is ready for the winter weather. He reported it is currently snowing on the east side of the county, just flurries. Discussion followed on how the salt works with pea rock, equipment ready and the fleet available.

Bill mentioned more road projects they are currently doing work on.

Tom Brigham, citizen, requested to name his driveway Jayhawk Lane. Terry Call, 911 GIS mapping, Jason Nelson, Allen County EMS Director, and Alan Weber, Allen County Counselor were present for discussion. Tom explained what other counties are doing since 911 addressing has been established. This is a private lane, not a county road. Tom stated he was sure the post office would not let him name his address unless the county changed theirs. Terry stated because of the 911 Resolution the address from the county would be 2320 N. Dakota Road, Lots 1 & 2. Discussion followed on limitation of building codes and subdivision regulations.

Alan Weber, Allen County Counselor, reported on what the Allen County Hospital Trustees Board is working on. They are working on land acquisitions and appraisals.

Thomas R. Williams, Allen County Sheriff, presented bids for a vehicle. Bids were received from Kansas Partners for a Chrysler Ram 1500 for \$19,004.16 and a Ford F150 for \$20,355.54 and he will check with Twin Motor Ford to see if they have a Ford for around \$19,000. Commissioner Works moved to authorize to purchase a new patrol truck in the range not to exceed \$21,000. Commissioner Francis seconded, motion passed 3-0-0.

Alan discussed insurance broker RFP's.

Jason reported on vehicle maintenance. Discussion followed on individual vehicles.

Jason reported on his staff teaching CPR classes around the area.

Jason reported Wal-Mart had donated \$1,000 to his department. He has purchased two laptops with some of the money. He would like to purchase a projector with the rest of the donation. He presented bids for \$310 to \$429. Commissioners approved him to purchase a projector.

Jason reported the time and money the department will be saving by using laptops.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 9:58 a.m. Commissioners reconvened at 10:03 a.m. No action was taken.

Commissioners discussed Allen County Hospital proposal from HCA that the trustees declined. Discussion followed.

Sandra Drake, Allen County Appraiser, discussed GIS mapping that needs adjustments to the new ortho imagery. She received a quote from R & S Digital, which will be around \$38,000. The \$38,000 will be because the rural area will be \$2.75 per parcel and urban area will be \$4.00 per parcel. The completed project will comply with NMAS for 100 and 400 scale mapping. She could re-fly them but not sure they would still fit on the earlier maps. Discussion followed. Commissioners stated she does have budget to do this but have a contract with R & S Digital for final pay on completion of project. She will have R & S Digital work up a contract.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$165,121.54
- b) Payroll Changes
- c) Journal Entries #110 & 111

With no further business to come before the board, the meeting was adjourned until December 7, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**December 7, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, Allen County Clerk

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the November 30, 2010 meeting.

Ron Holman, Allen County House and Grounds Director, presented information on an 8 foot bench for \$299.00 includes shipping. They weigh 230 pounds per bench which are heavier than the one purchased earlier as well as lower. Commissioners approve Ron to purchase a couple of benches to see how they hold up. Ron will get a 6' and an 8' bench. Ron reported a grant is available to help with the cost of new benches.

Sherrie reviewed end of year funds and budget as of November 30, 2010. She will work up an amended budget for 173 fund.

Commissioners approved for Isabell Plier, Services to the Elderly Van driver to drive after hours for the purpose of letting the elderly riders see Christmas lights.

Angie Murphy, 911 Communications Director, shared she received a letter approving the 2011 Kansas Wireless Enhanced 911 grant she had applied for. The grant will totally cover 8 hours of training, room alert system, 12 headsets, radio system and console components, data

restoration, one year service agreement for radios, and 12 monthly fees for ongoing trunk and tower fees for a total of \$222,233.043. Discussion followed on opportunities this presents for the county. This will be available from January 1, 2011 to December 31, 2011.

Angie reported she is still waiting on the state for a reimbursement check for \$58,706.37 on previous grants.

Angie reported 911 classes for 1<sup>st</sup> through 3<sup>rd</sup> graders in every school in Allen County. Discussion followed on contents of class. \$100 was donated from the lola Masonic Lodge to go towards this program.

Jason Nelson, Allen County EMS Director, requested an employee carry over personal time. Commissioners declined to carry over personal time and requested the employee to take a day off.

Alan Weber, Allen County Counselor, reported underwriters will be interviewed this evening at the Hospital Trustees meeting.

Alan reported the City of lola is working on a draft of the sales tax resolution to support the hospital.

Alan discussed the Energy Audit Grant. Allen County has to publish for bids for the different sections of the grant.

Commissioner Works moved to go into executive session for 10 minutes to discuss non-elected personnel. Commissioner Francis seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Alan Weber, Allen County Counselor and Sherrie L. Riebel, Allen County Clerk. The time is now 9:40 a.m. Commissioners reconvened at 9:50 a.m. No action was taken.

Commissioners reviewed a contract with R & S Digital for \$38,000 for mapping adjustments. The charge for the rural area is \$2.75 per parcel and the urban area is \$4.00 per parcel. Commissioner Francis moved to accept the contract. Commissioner Works seconded, motion passed 3-0-0.

Steve Smith, Universal Construction Company, wanted to let the commission know his company was responding to the RFP sent out by the Hospital Trustee Board. Discussion followed. He presented and reviewed information on his company.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$232,130.58
- b) Payroll Changes
- c) Abatements

PP Value	0	\$	19.28	Year 2009
PP Value	31,387	\$	7,827.58	Year 2010
RE Value	52,794	\$	10,128.90	Year 2009
RE Value	102,655	\$	17,004.16	Year 2010
Oil Value	5826	\$	726.78	Year 2009
Oil Value	377,732	\$	51,914.60	Year 2010
TR Value	8,804	\$	8,804	Year 2010

With no further business to come before the board, the meeting was adjourned until December 14, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, Allen County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**December 14, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the December 7, 2010 meeting.

Jason Nelson, Allen County EMS Director, discussed end of year budget.

Jason reported he had an estimate done yesterday on the ambulance that hit a deer coming back from a transfer.

Sherrie discussed the Extension Fund for 2010 and 2011.

Bill King, Public Works Director, reported the bridge on the county line will be open on Friday, December 17, 2010. The Sheriff's department is ticketing persons going around barricades.

Bill reported the airport apron project is finishing up.

Bill stated he would be having class for his employees on Friday.

Jim Harris, Berry Tractor, was present for bids. Bill presented bills for the landfill compactor. Bids were received from Berry Tractor for a 2010 Bomag BC 772RB-2 for \$411,471 with \$50,000 trade allowance for a difference of \$361,471 total with standard machine 12 months or 2,000 warranty or standard Engine 24 months or 5,000 hours warranty with a 2 week delivery date; Foley Equipment did not submit a bid. Bill explained he wanted to keep the old machine and purchase the compactor outright which would help save the new machine. There are two places at the landfill that would cause the compactor to run back and forth so keeping the old would save wear on the new. Discussion followed. The last compactor was purchased in 2005 for a cost of \$384,152.

Bill presented bids for motor grader. Bids were received from Berry Tractor for 2010 Komatsu 6D 655 fir \$188,825 with a \$54,000 trade allowance for a total of \$134,825, 5 year or 5,000 hours full premier machine warranty, 4 weeks delivery and has a Henke Scarified; Foley Equipment presented no bid; and J.R. Lewis put a bid in on the old 1995 CAT motor grader of \$15,555.55. Discussion followed. Jim reported on Berry Tractor service.



Sharon K. Utley, Allen County Treasurer, reported on Sales Tax projection for December 2010.

Commissioner Works moved to accept the bid from Berry Tractor for the 2010 Komatsu with the trade allowance for a final cost of \$134,825 out of Public Works Fund. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to accept the bid from Berry Tractor for the 2010 Bomag and keep the old one for the cost of \$411,471 to be paid for out of landfill fund. Commissioner Works seconded, motion passed 3-0-0.

Sherrie requested to purchase a computer from Advantage Computer for \$699. Commissioner Works moved to approve the purchase. Commissioner Francis seconded, motion passed 3-0-0. Sherrie discussed virus protection for the servers. Advantage Computer presented a bid for Trend Micro for 37 computers for a cost of \$1,110 for a three-year contract. Commissioner Francis moved to approve the purchase of virus protection. Commissioner Works seconded, motion passed 3-0-0.

Commissioners reviewed the Wireless 911 Fund. Commissioner Francis moved to have a hearing for 2010 Budget Amendment for 173 Wireless 911 Fund. Commissioner Works seconded, motion passed 3-0-0.

Commissioners reviewed and discussed the adult misdemeanor and guardian-ad-litem contracts. Bret Heim presented a renewal letter from Immel, Works & Heim, P.A. for 2011 for the same cost as 2010 Adult Misdemeanor Contract which was \$3016.66 per month Commissioner Francis moved to approve the contract with Immel, Works & Heim. Commissioner Works seconded, motion passed 3-0-0.

Commissioners discussed the bids for the Guardian-ad-Litem contract. Apt Law Office, LLC presented a contract for \$3,500 per month plus \$375 for overhead. Termination of parental rights hearings and appeals would be billed on an hourly basis of \$75.00 per hour not to exceed \$2,750.00. Discussion followed. Commissioner Works moved to approve the bid from Apt Law Office, Chairman Francis seconded, motion passed 2-0-1. Commissioner Francis abstained.

Alan reported his computer crashed and he is purchasing another one from Advantage Computer for \$699.

Alan discussed flood property that the county owns. Some of the land the neighbors are leasing and some the county needs to exempt. There are three properties being located at 390 New Hampshire, Iola, 1190 US Highway 54, Iola, and 286 1200 Street, Humboldt that need to be exempted. Commissioner Francis moved to file for exemption on the three pieces of property. Commissioner Works seconded, motion passed 3-0-0.

Alan reported on Bond Counsel which the Hospital Board of Trustees selected. Discussion followed. Commissioner Works moved to authorize the Chairman's signature on an engagement letter with UMB for underwriter for bond purposes. Commissioner Francis seconded, motion passed 3-0-0.

Alan discussed meeting with Phil Young, JJA and DOC Administrator. Alan explained a letter he drafted for transferring the duties. Commissioners reviewed the letter. Commissioner Works moved to authorize Chairman McIntosh's signature on the letter. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners reviewed appraisal bids that will be presented to the Allen County Hospital Board of Trustees. Discussion followed.

Commissioners discussed an assessment contract on training for fundraising for the hospital. Discussion followed.

Commissioners reviewed, approved and signed a letter of support for the transportation providers of the Coordinated Transit District #10 in the application to the Kansas Department of Transportation for capital assistance and/or continued operating assistance under Section 16 or 18 grant. Allen County is a 5310 classification on the Elderly Van.

Commissioners discussed year-end appointments and reappointments.

Commissioners discussed employee raises and health insurance costs. Commissioners did not take action on any raises due to unknown cost of health insurance increases. Discussion followed on insurance.

Commissioners reviewed the public works inventory.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$77,025.30
- d) Payroll Changes
- e) Journal Entries 115-119
- f) Abatements 2009 Oil 674 \$ 85.82
- 2010 PP 2505 445.20
- RE 8673 1289.40
- Oil 40322 5518.46
- TR 49 6.00

With no further business to come before the board, the meeting was adjourned until December 21, 2010 at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS      OFFICE OF THE ALLEN COUNTY CLERK      December 21, 2010**

The Allen County Board of Commissioners met in regular session at 8:30 a.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the December 14, 2010.

Ron Holman, Allen County House & Grounds Director, requested the Chairman's signature for the Waste Tire Grant Program to purchase benches for around the bandstand. Commissioner Works moved to authorize Chairman McIntosh's signature on the Waste Tire Grant Program 2011 application. Commissioner Francis seconded, motion passed 3-0-0.

Paul Sorenson expressed his appreciation of the commission and county clerk for their services to Allen County.

Sherrie discussed clarification on whether new employee physicals should be paid from Inmate Medical or from the jail department funds. Discussion followed. Commissioners requested to have a journal entry reimbursing the inmate medical fund.

Bill King, Public Works Director, presented his yearend report and CD for review at the commissioner's leisure.

Bill discussed the Association of County Commissioners & Highway Officials of Southeast Kansas annual meeting that will be held April 21, 2011. Allen County is responsible for hosting and planning the meeting. Bill asked for ideas for speakers. Discussion followed.

Thomas R. Williams, Allen County Sheriff, joined the meeting.

Bill discussed finances, equipment and road work scheduled for 2011.

Sheriff Williams discussed vehicles for his department. Discussion followed. Commissioners requested he wait until 2011 to purchase the vehicles.

Jason Nelson, Allen County EMS Director, reported on a deer damaged ambulance.

Angie Murphy, Allen County 911 Director, requested to purchase Windows software for three consoles, it would be around \$600. Discussion followed on the need. Commissioners approved.

Angie discussed future goals for the back section of the 911 building. Commissioners expressed that it should be used for training center or they are up for options to be discussed. Discussion followed.

Rhonda Fernandez, Professional Insurance Consultant (PIC) and Dennis Call, Benefit Management Insurance (BMI), Alan Weber, Allen County Counselor, discussed insurance. Rhonda explained Allen County is 21% over what was projected for 2010 putting us in an aggregate state. Dennis explained the accommodation fund for aggregate conditions. Discussion followed. Dennis presented the county with a check for \$12,287 to go back into the health fund. Discussion followed on wellness plans for employees.

Commissioners approved the following documents:

- a) Clerk's Vouchers
- b) Payroll Changes
- c) Journal Entry 120
- d) Abatements PP Value      3026    \$448.26    Year 2010  
   RE Value      6134    \$882.92    Year 2010

TR Value 172 \$ 46.38 Year 2010  
Oil Value 28,973 \$4,146.70 Year 2010

With no further business to come before the board, the meeting was adjourned until December 30, 2010, at 2:00 p.m. in the Commission room of the courthouse for the purpose of yearend business.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner

**IOLA, KANSAS**

**OFFICE OF THE ALLEN COUNTY CLERK**

**December 30, 2010**

The Allen County Board of Commissioners met in a yearend session at 1:00 p.m. with Chairperson Gary G. McIntosh, Commissioner Dick Works, Commissioner Robert A. Francis and Sherrie L. Riebel, County Clerk.

Bob Johnson, Iola Register representative, was present to observe the meeting.

Commissioners corrected and approved the minutes of the December 21, 2010 meeting.

Jerry Hathaway, Allen County Attorney, reported his resignation as of January 15, 2011. He explained the process of the changes.

Commissioner Francis moved to go into executive session for 5 minutes to discuss non-elected personnel and again for another 5 minute for non-elected personnel. Commissioner Works seconded, motion passed 3-0-0. Those in the room will be Chairman McIntosh, Commissioner Works, Commissioner Francis, Jason Nelson, Allen County EMS Director, and Sherrie L. Riebel, Allen County Clerk. The time is now 1:05 a.m. Commissioners reconvened at 1:15 a.m. No action was taken.

Commissioners approved a journal entry transferring \$25,000 from the general fund to the ambulance fund to complete 2010 yearend expenses.

Alan discussed where the Hospital Trustees are on building the hospital. Discussion followed. The Healthcare Foundation is starting work on the fund raising for the hospital. ACH is scheduled to visit with the trustees later in January.

Sandra Drake, Allen County Appraiser, discussed Neighborhood Revitalization within Allen County municipalities.

Bill King, Public Works Director, joined the meeting.

Sherrie presented a pawn license for approval for Linda A. O'Connor. Commissioners approved the license.

Sharon K. Utley, Allen County Treasurer, presented information on sales tax for 2010. Ad valorem tax is up about .02% more than 2009. Discussion followed. Sharon presented investments for 2010.

Commissioner Francis moved to reappoint Ken Gilpin, Tom Nevans and Neal Barclay to Allen County Revolving Loan Committee. Commissioner Works seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Andy Dunlap and Commissioner Dick Works as his alternate to the Regional Planning Revolving Loan Committee. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Works moved to reappoint Gary McIntosh to Resource, Conservation and Development Committee. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Beverly Middleton and Verna Devine to the Southeast Kansas Area Agency on Aging Board. Commissioner Works seconded, motion passed 3-0-0.

Commissioner Works moved to reappoint Sandra Hildinger to the SEK-AAA Advisory Council Members. Commissioner Francis seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Commissioner Gary McIntosh and Bill King, alternate, to the Southeast Kansas Solid Waste Operating Authority and Operating Authority Board of Directors. Commissioner Works seconded, motion passed 3-0-0.

Commissioner Francis moved to reappoint Dick Works, to the Executive Committee of the Southeast Kansas Regional Planning Commission. Commissioner McIntosh seconded, motion passed 3-0-0.

Commissioner Works moved to reappoint Walt Regehr, Jr. to serve on the SEK Mental Health Board for a term of two years. Commissioner Francis seconded, motion passed 3-0-0.

Chairman McIntosh opened the hearing for the amended budget for the Wireless Telephone fund at 2:00 p.m. No public was present for discussion. Commissioner Works moved to approve the amended budget as published. Commissioner Francis seconded, motion passed 3-0-0.

Commissioners approved for the Services to the Elderly van to run on Friday, December 31, 2010.

Commissioners reviewed Allen County District Court's inventory as of December 2010.

Sharon reported all yearend financial reports have been completed.

Commissioners approved the following documents:

- a) Clerk's Vouchers Totaling \$130,002.00
- b) Payroll Changes
- c) Journal Entries #121-127
- d) Abatements: PP      Value      314      \$      38.14 Year 2008

	Value	302	\$ 39.12 Year 2009
	Value	7426	\$ 1078.60 Year 2010
RE	Value	146006	\$19955.10 Year 2010
TR	Value	911	\$ 111.88 Year 2010
Oil	Value	1	\$ .12 Year 2008
Oil	Value	8771	\$ 1218.94 Year 2009
Oil	Value	13237	\$ 1957.56 Year 2010
Gas	Value	1446	\$ 193.62 Year 2010

With no further business to come before the board, the meeting was adjourned until January 4, 2011, at 8:30 a.m. in the Commission room of the courthouse.

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Gary G. McIntosh, Chairperson

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Dick Works, Commissioner

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Sherrie L. Riebel, County Clerk

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Robert A. Francis, Commissioner