

Minutes of Proceeding
Ottawa County Board of Commissioners
July 26, 2021

Office of the Ottawa County Clerk
8:00 a.m.
Regular Session

The Board of Commissioners met in regular session with First District Commissioner Dawn Wolf, via phone, Second District Commissioner Scott Mortimer, Third District Commissioner D. D. Malmberg, and Candy Sauers, Deputy County Clerk.

JoDee Cople, Ottawa County Treasurer, and Kenny Baccus, Noxious Weed Administrator, were observers.

Commissioner Malmberg opened the meeting in prayer. Commissioner Mortimer led the group in the flag salute.

Candy Sauers, Deputy County Clerk, gave the Commissioners the minutes from July 19, 2021. Commissioner Wolf made a motion to approve the July 19, 2021, minutes. Commissioner Mortimer seconded. Motion carried, 3-0. Candy gave the Commissioners the minutes from July 21, 2021. Commissioner Mortimer made a motion to approve the July 21, 2021, minutes. Commissioner Wolf seconded. Motion carried, 3-0. Candy gave the board vouchers to review and approve. Candy spoke with the board regarding a phone call she received from Brittney Alsop. Brittany would like to know if the board would be interested in speaking to her about having a free telecom audit done. The Commissioners declined the offer at this time.

Commissioner Malmberg gave an update on how the physical review of the chiller barrel went following the special meeting on July 21, 2021. She reported that Keith Coleman, County Sheriff, thought it would be a good idea to have a backup chiller barrel in case it needed to be replaced in the future.

JoDee Cople, Ottawa County Treasurer, met with the board to give an update on the tax sale. There will not be a tax sale the week of October 18, 2021, due to a hold up in paperwork. There will be a sale this year, but a date is unclear at this time. JoDee spoke with the Commissioners about Resolution 2018-04 from Norton County, regarding tax sales. JoDee stated that the changes made in Resolution 2018-04, to have money from taxpayers on the tax sale list go to the most recent year of taxes due, does not help taxpayers. Instead, this will cause taxpayers to remain on the tax sale list after their initial payment, because the money would not be applied to the oldest year of delinquency. Commissioner Malmberg thinks that taxpayers would be more inclined to pay delinquent taxes sooner if the taxes were applied to the most current year. Commissioner Malmberg stated she feels it is unfair if taxpayers pay the oldest year first and get off the sale list because the county must pay to have a sale every year if they do not pay off taxes the following year. JoDee says that it is not really the case because once the letters go out, most people pay taxes within the first thirty days and get off the tax sale list and that interest rate covers the postage from the county. Commissioner Malmberg stated she thinks that if taxpayers get several years behind on taxes, they will not ever get caught up on payments. JoDee stated that is not the case. Commissioner Malmberg asked if it would clean up the list of people on the tax sales, if we had a sale every year? JoDee said yes. JoDee said that the Commissioners also have the option to hire out someone to do the tax sale. The Commissioners declined that option. JoDee went over the process of tax sales with the Commissioners. Katrina Pollet, Human Resources, joined the group. JoDee discussed salaries for employees in the Treasurer's office. She proposed an increase in salaries for the Treasurer's office, as both employees in her office have been here for several years and are extremely qualified. Currently JoDee's salary is \$37,830, Missy Witt, Deputy County Treasurer, is at \$16, and Renee Lyne is at \$13. She is proposing an increase to \$42,830 for her salary, \$ 17.50 per hour, for Missy, and \$14 per hour, for Renee Lyne. Katrina said that there is more than enough room left in the budget for these increases. Commissioner Malmberg asked if JoDee's salary includes her bonus from the State of Kansas for motor vehicle licensing. Katrina said that that is not part of their salary from the county and it can not be counted. Currently the salaries for employees in the Treasurer's office are lower than the starting salaries in the custodial office. Katrina said that by statute, elected officials do not need to ask the Commissioners to increase their salaries and she believes that JoDee was coming to the Commissioners with the request in transparency and on good faith. Commissioner Malmberg said that she is worried if the Commissioners continue to give cost of living increases, there will be some employees who will be overpaid. Commissioner Malmberg said she thinks they need to look at employee pay and benefits for the county as a whole. Katrina said they need to be looking at the range of other salaries that are paid outside of Ottawa County, in an apples to apples comparison. Katrina said there are companies that will come in and perform wage studies, however they are expensive, and they take months to complete in order to get a complete picture. Commissioner Malmberg would like to do her own

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wage study. Jodee stated that what she is asking is not out of line. Commissioner Malmberg would like a week to look at salaries. Katrina let the commissioners know that Jodee can still raise the salaries without their permission. Commissioner Mortimer said he agrees with the change. Commissioner Wolf would like to wait a week as well. Jodee agreed to meet with the Commissioners again on August 2, 2021. Commissioner Wolf stated she is worried that over time the salaried budgets will get out of hand. Katrina said that currently there are employees making more than the Treasurer, working on the Road and Bridge crew. Katrina said that starting salaries for elected officials need to be looked at and not compared with the salaries for the person who held the office previously. Commissioner Wolf asked what the starting wages for the new County Clerk would be. Katrina said \$33,820.

Kenny Baccus, Noxious Weed Administrator, met with the Commissioners to present a KAC update and a summer training update. Kenny said there is going to be a salary survey data system across the state for each county. It is currently in the very first stages and KAC is looking at having it completed in the first part of next year. It will cover all parts of the county to compare salaries. KAC is also trying to help health departments become major decision makers in the county regarding COVID and American Rescue Plan funding. Kenny discussed Senate Bill 40 with the Commissioners.

There was no one present for public comment from 8:45 a.m. – 9:00 a.m.

Keith Coleman, Ottawa County Sheriff, gave prisoner count of Saline County 30, Sedgwick County 10, and Ottawa County 5. Keith went over issues with the generator at the jail that went out last week. He gave quotes from Clifford Power Company. The company would charge a drive time fee of \$2,068.00, to come look at the issue, this did not include labor or parts. Additionally, they would charge more drive time fees once they diagnosed the issue and had to go get the parts to repair what was broken. Keith did research and sent an employee to pick up parts in Great Bend. It cost \$726.00 for Keith to replace the parts himself. Commissioner Malmberg asked if the Sheriff's department feels that it has support from the Commissioners. He said yes. The Commissioners discussed a letter to the editor in the paper with Keith. The group discussed the air conditioning unit.

Greg Dockins, Road & Bridge Administrator, and Chris Smith, Assistant Road and Bridge Administrator, reported on what crews were doing. Commissioner Mortimer said he has received some complaints on the roads in Delphos that need grading. Commissioner Mortimer said he is aware of the need to hire a grader operator in the Delphos area, and asked if Greg could get someone to go drag some of the roads in that area. Greg asked Commissioner Wolf for the cell phone number of Dustin Muller, so he can clarify on the extension of a driveway. Commissioner Malmberg discussed a message she received from Janet Castillo, asking the county to clean the ditches from the south of Culver to the river, to help with drainage. Greg said if they clean the ditches out to the river, when the river goes up, the area will flood. Commissioner Malmberg asked Greg to stop by and talk to Janet about the issues with the ditches in Culver. Greg said the City of Minneapolis asked if they could hire the road and bridge department to do some asphalt work on K-106 near Casey's in Minneapolis. The city is responsible for the section of K-106 that runs through town. The Commissioners declined to accept the job at this time.

Commissioner Mortimer made a motion to go into executive session to discuss confidential data at 9:40 a.m. for 5 minutes. Commissioner Wolf seconded. Motion carried, 3-0. Those present were the Commissioners, Greg Dockins, and Chris Smith. The group returned to regular session at 9:46 a.m. No decision made.

The Commissioners held a Special Use Permit Zoning Hearing, SU -005-2021, for an application for the establishment of a telecommunications tower as a Special Use in the A-1 Agriculture District, located at 643 North 100th Road, Minneapolis, Ks, 67467. Those present were Truette McQueen, Zoning Administrator, and Sam Krug, Nextlink. Commissioner Malmberg called agenda item # SU -005-2021, for the establishment of a Telecommunications tower as a Special Use in the A-1 Agriculture District. Commissioner Malmberg asked if the board members intended to disqualify themselves from discussing and voting on the case because they have conflict of interest or a particular bias on the matter. The commissioners said there were no conflicts. Commissioner Malmberg

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determined they now have a quorum of 3 present for the consideration of the case. Commissioner Malmberg asked the Deputy County Clerk if she had received any protest petitions on the case. The Deputy County Clerk said no. Commissioner Malmberg asked if there are any communications to consider on the matter other than from the planning board? No one responded. Commissioner Malmberg asked the board members if they have all received copies of the unapproved minutes of the Planning Board for July 7, 2021, which summarizes the hearing on the case? All board members said yes. Commissioner Malmberg asked the applicant and members of the public present, 1) if they feel they had a fair and impartial hearing, response was yes, and 2) after the Zoning Administrators report, she will ask if there is any new information on the case not otherwise presented. Truette gave the Zoning Administrator's report and went through the recommended conditions for Special Use-005-2021. The applicant is Steve Carlson, appearing by agent, Sam Krug, from Nextlink. The Zoning Board approved the case unanimously. Commissioner Malmberg asked if there were any questions for the Zoning Administrator from the Board Members? Commissioner Malmberg asked if the tower was big enough to put anything else on. Nextlink said it is a one-use tower, and while the option is there for Nextlink to add on to the tower, it has never been seen and it only has one use. Commissioner Malmberg asked the range of the tower. Nextlink said it can go up to 6 miles, but it is more realistically a 4-mile radius. Nextlink said they spread the towers out 8 miles apart so that there is maximum range. Commissioner Malmberg moved to accept Resolution 21-23 to adopt the findings and factors and recommendation of the Planning Board on Case No. SU -005-2021. Commissioner Mortimer seconded. Motion carried, 3-0.

Commissioner Mortimer moved to go into executive session to discuss confidential data related to financial affairs at 10:22 a.m. for 5 minutes. Commissioner Wolf seconded. Motion Carried, 3-0. Those present were the Commissioners and Candy Sauers. The group returned to regular session at 10:28 a.m. Decision made to move \$125,000 from employee benefits to the insurance claim fund.

Commissioner Mortimer moved to go into executive session to discuss non-elected personnel at 10:45 a.m. for 15 minutes. Commissioner Wolf seconded. Motion Carried, 3-0. Those present were the Commissioners, and Katrina Pollet. The group returned to regular session at 11:00 a.m. No decision made.

The Commissioners met with Dan Eshelman, Glass Services, to discuss the replacement of windows in the courthouse. The Commissioners asked Keith Coleman, Ottawa County Sheriff, to join the conversation. Dan presented blueprints to the Commissioners to accommodate a new window system at the courthouse. Dan said that the new window system will have to be deeper than the current system to meet wind load conditions. The space where the windows are reduced would be pretreated wood wrapped in metal to match the new look of the courthouse. Dan would like to remove a section of the walls to see what is underneath, to further understand the structure and how the new system would sit in the walls. Commissioner Mortimer asked what the estimate for that would be. Dan said he could not give a bid for the new windows that would be anywhere near accurate until he pulls out the section. The group looked under the faceplates for the windows. Dan said he would like to have Manko windows come look at the current windows. Dan asked the Commissioners to start thinking about building colors, types of glass, and how or if they would like windows to open. Commissioner Mortimer asked Dan to set a time when when Manko Windows would be able to come to the courthouse, and let him know.

Commissioner Malmberg asked Keith Coleman about the Minneapolis Fire Department budget.

Richard Buck, County Attorney, presented Resolution 21-24 to the Commissioners to establish a Law Equipment Reserve Fund for the Sheriff's department. Commissioner Mortimer made a motion to pass Resolution 21-24 to Establish a Law Equipment Reserve Fund. Commissioner Wolf seconded. Motion Carried, 3-0. Richard spoke with the Commissioners about their request for a Capital Reserve fund. The Commissioners must adopt a multi-year capital improvement plan before the fund can be established. The Commissioners would like to see input for a plan from Katrina Pollet and Marie Ballou. The group discussed a priority list for the plan. Katrina Pollet, Human Resources, joined the group. She presented the multi-year plan that was created. Commissioner Wolf made a motion to adopt the multi-year capital improvement plan as discussed with the department heads on July 12, 2021,

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memorialized in the document with a project name of Ottawa County Courthouse, that provides for capital expenditures for fiscal years 2021-2025, subject to reprioritization by the board of Commissioners. Commissioner Mortimer seconded. Motion Carried, 3-0. Richard spoke with the Commissioners about funds for larger trials done in Ottawa County. The group asked Richard about the timeline for a tax sale. Richard said it will be pushed back a month, due to only having the district court judge here one time per month. The Commissioners asked for a copy of the checklist for the tax sale process.

Commissioner Mortimer made a motion to go into executive session to discuss attorney/client matters at 12:36 p.m. for 10 minutes. Commissioner Wolf seconded. Motion carried, 3-0. Those present were the Commissioners and Richard Buck, County Attorney. The group returned to regular session at 12:46 p.m. No decision made.

Commissioner Mortimer made a motion to go into executive session to discuss non-elected personnel at 12:52 p.m. for 15 minutes. Commissioner Wolf seconded. Motion Carried, 3-0. Those present were the Commissioners and Katrina Pollet. The group returned to regular session at 1:07 p.m. No decision made.

Katrina Pollet, Human Resources, sent a copy of the notes Commissioner Malmberg took during the Commissioner meeting to Commissioner Wolf. Katrina said she has had candidates for the county clerks position call her and ask about benefits, salaries, and the computer systems utilized in the Clerk's office. She stated the Chairman for the Ottawa County Republican Committee has asked her to come to the meet and greet on Thursday, July 29, 2021, to answer questions.

With no further business before the board Commissioner Mortimer moved to adjourn the meeting at 1:12 p.m. Commissioner Wolf seconded. Motion carried, 3-0.