

## Ottawa County Board of Commissioner's Minutes

January 24, 2022

The Board of Commissioners met in regular session with First District Commissioner Dawn Wolf, Second District Commissioner Scott Mortimer, Third District Commissioner D. D. Malmberg all present.

Commissioner Wolf called the meeting to order at 8:00 am with opening prayer and flag salute. Commissioner Malmberg was present by Zoom Meeting.

Fence Viewing letter was received from Kennedy Berkley Yarnevich & Williamson was discussed. Commissioners will research and respond at a later date.

Those present were Vicki Jensen, County Clerk.

Keith Coleman, Facilities Manager reported working on subpanel at Road & Bridge, lighting at courthouse, rearranged appraisers' office. Keith is an Assistant Chief with Fire District #2 and asked about leaving for fires. All commissioners agreed 100% that Keith needs to take care of the community and go to fires as needed.

Andrew Pellant, Pre-Trial Services Coordinator, arrived to introduce Dave Irving, Supervision Officer, both are from Community Correction in Salina. Dave will be working a couple of days a week in Minneapolis.

Russ Thornton, Undersheriff gave a prisoner count of Ottawa County 3, Saline County 16, Sedgwick County 26. Russ is researching a company/ contract to fix, replace, computers, touch screen computer, electronic doors, basically anything that works electronically. Cornerstone initially installed all the equipment.

Commissioner Wolf asked about subject matter from last week's executive session. Subject was insurance.

Commissioner Malmberg asked Russ about a Lincoln County person who dumps cat feces on Hwy 18. The matter is being investigated.

Commissioner Wolf motion to take a 5-minute break. Commissioner Mortimer seconded. Motion carried 3-0.

Bob Lott came in and asked if the county would reinstitute township road grading. It was stopped 25 years ago.

Commissioner Mortimer motioned to go into executive session to discuss non-elected personnel. Commissioner Wolf seconded. Motion carried 3-0. Those present were Commissioners and Russ Thornton, Sheriff. The group returned to regular session at 9:18.

Commissioner Malmberg said we never instituted a resolution for jake brakes before signs were installed. Commissioner Malmberg will ask Richard Buck, County Attorney for a resolution.

Greg Dockins, Road & Bridge Administrator, will check with Richard for drafting a resolution for jake brakes. Greg presented Resolution 20-05 Prohibiting the Use of Minimum Maintenance Roads for Unauthorized Use which was passed on February 10, 2020, but he does not believe it was published. County Clerk will search for publication. Crews are working on trees and general road tasks.

Commissioner Wolf received a text message from Jay Wagner. Jay has received a bill for \$4,500 from the Army Corps of Engineers for making a plan to keep the river from washing out the ditch and roadway. He asked the commissioners to pay this bill. After discussion, the commissioners left it up to Greg Dockins discretion as it will come out of his budget.

Sara Hodges, Ottawa County Health Department Director and Trisha Smith, Deputy Director were asked to come discuss vaccines. Covid vaccines cannot be give one shot at a time. The vial of vaccine serum contains 20-22 doses and once the vial is punctured, it is only good for that day. To not waste the vaccine, 20-22 people must be

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scheduled for a Covid vaccine clinic. Any vaccine wasted must be reported to the state and if we continually have waste, we will no longer be able to get the vaccine.

Sara asked commissioners to approve health department personnel to share sick leave. Commissioner Wolf moved that Health Department personnel be allowed to share sick leave. Commissioner Mortimer seconded. Motion carried 3-0. Commissioner Wolf amended original motion to include "for this instance only". Commissioner Mortimer seconded. Motion carried 3-0.

Truette McQueen, Zoning Administrator, presented Special Use 007 for applicant Koch Family Revocable Trust to establish a cell tower site in Ada. Attorneys for the applicant and SBA were present along with 3 Ada residents.

Jim Grice, Attorney for the applicant spoke to commissioners about the need. The tower was designed to carry three carriers, the initial carrier is AT&T. Patrick Edwards, SBA attorney for the cell tower currently in Ada, expressed that there is opposition. Ada is different than other communities, Ada is a community where people move to get away from everything. Mike Clever, Ada resident, asked commissioners if anyone had contacted Fish & Game about effect on bald eagles, turkey buzzards, other wildlife. Justin Anderson, Parallel Infrastructure, said that his company does a wildlife survey. Mitch Taylor thanked commissioners for the time they have put into this project. Mitch had many good points in opposition of the tower concerning property value decrease because of limited buyers, aesthetics, and .

Commissioner Malmberg motioned to disapprove the special use permit; Commissioner Mortimer seconded. Commissioner Wolf stated that this has been a very tough decision, as she trusted the zoning board and also wanted the residents to be happy. Proceed to vote, Commissioner Malmberg yea, Commissioner Mortimer yea, Truette McQueen interrupted and asked the commissioners to follow the outline for special use and choose one of the choices provided under the state statutes for board action. Commissioner Malmberg moved to rescind her motion to disapprove the permit. Commissioner Mortimer seconded. Motion carried 3-0.

Commissioner Wolf motioned by a 2/3 majority vote, to override the Planning Board's recommendation and disapprove Case No. SU 007-2021. Commissioner Mortimer seconded. No discussion. Commissioner Malmberg yea, Commissioner Mortimer yea, Commissioner Wolf nay. Motion carried 2-1.

Commissioner Mortimer motioned to go into executive session to discuss non-elected personnel. Commissioner Wolf seconded. Motion carried 3-0. Those present were Commissioners and Truette McQueen. The group returned to regular session at 10:56.

Truette McQueen requested that Kim Winsett be able to donate sick leave to another employee. Commissioner Wolf motioned to approve the request for Kim Winsett to be able to donate sick leave to another employee for this pay period. Commissioner Mortimer seconded. Motion carried 3-0.

Commissioner Malmberg ask Vicki Jensen, County Clerk if she had an accounting of JoDee Copple's paycheck that was doubled in September and paid back in December. Vicki does not have this information. Commissioner Malmberg will ask JoDee for a full accounting and documentation of her September and December paychecks.

Conference call with Joe Serrano, Bond Council, to discuss Industrial Revenue Bonds, Tax Abatements and Sales Tax Exemptions for construction for Lava Angus Processing. Joe had presented the commissioners original offer to Lava Angus Processing which, in short, was 65% over 10 years with workforce and other stipulations. Lava Angus countered with 90% for 10 years. After discussion, Commissioner Wolf and Commissioner Mortimer agreed to raising to the IRB to 75% for 10 years, with Commissioner Wolf stating she doesn't want to go over 75%. Commissioner Malmberg did not agree. Other stipulations include 25% of the workforce must be Ottawa County residents and starting wages must be \$22.00 + benefits. Commissioner Malmberg asked if processing local beef was still a "make it or break it deal" because at one time all commissioners had agreed that if Lava Angus could not

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process local beef in the same manner as Glasco or Clay Center that the deal was off. Commissioner Mortimer stated that he reserved the right to change his mind. Joe will present this counteroffer to Lava Angus Processing.

Commissioners discussed the resolutions for 2022 salary and hourly pay adjustments.

Minutes from January 18, 2022 were reviewed. Commissioner Mortimer motioned to approve the minutes. Commissioner Wolf seconded. Motion carried, 3-0.

With no further business before the board Commissioner Wolf moved to adjourn the meeting at 12:53 pm. Commissioner Mortimer seconded. Motion carried, 3-0.

ADOPTED this 31<sup>st</sup> day of January 2022.

BOARD OF COUNTY COMMISSIONERS  
OF OTTAWA COUNTY, KANSAS

\_\_\_\_\_  
Dawn Wolf, Member

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D.D. Malmberg, Chairman

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Scott Mortimer, Member

ATTEST:

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Vicki L. Jensen, County Clerk