

**Labette County Board of Commissioners
December 13, 2021**

Convene

Chairman Lonie R. Addis called the regular session of the Labette County Board of Commissioners to order at 9:01 a.m. on December 13, 2021, at the Commission Room. Attendance: Lonie R. Addis, Present, Brian C. Kinzie, Absent, Cole J. Proehl, Present.

Others Present for the Meeting

County Counselor Brian K. Johnson, and County Clerk Gena Landis.

Media Present

Ray Nolting from the Parsons Sun, Jessica Dunn from the Labette Avenue and Matt Jordan from KGGF Radio

Approval of Minutes

Commissioner Cole J. Proehl made a motion to approve the minutes of November 30, 2021 as submitted. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent), Cole J. Proehl (Yes).

Indigent Defense Agreement – Steele – 2022

Commissioner Cole J. Proehl made a motion to authorize the Board of Commissioners' signatures on an Agreement between the Labette County Board of Commissioners and Douglas R. Steele as Indigent Defense Attorney for the year of 2022 at a rate of \$3,500.00 per month plus any associated expenses. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent) Cole J. Proehl (Yes).

Indigent Defense Agreement – Adamson – 2022

Commissioner Cole J. Proehl made a motion to authorize the Board of Commissioners' signatures on an Agreement between the Labette County Board of Commissioners and W. Shane Adamson as Indigent Defense Attorney for the year of 2022 at a rate of \$3,500.00 per month plus any associated expenses. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent), Cole J. Proehl (Yes).

Indigent Defense Agreement – Brereton – 2022

Commissioner Cole J. Proehl made a motion to authorize the Board of Commissioners' signatures on an Agreement between the Labette County Board of Commissioners and Alan Brereton as Indigent Defense Attorney for the year of 2022 at a rate of \$3,500.00 per month plus any associated expenses. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent), Cole J. Proehl (Yes).

Board of Canvassers – 9:15 a.m.

Chairman Lonie R. Addis recessed the Board of Commissioners meeting at 9:15 a.m. and convened the Board of Canvassers to canvass the Special Election of December 7, 2021. Appraiser DeLinda White was appointed to replace Commissioner Brian C. Kinzie on the Board of Canvassers. The Board of Canvassers confirmed the vote count of 1417, which were counted through the DS450 Ballot Scanner. Election Clerk Becky Czapansky revealed the reasons for the twenty-five provisional ballots; fifteen provisional ballots were ordered counted.

Board of Canvassers - Recessed

Chairman Lonie R. Addis recessed the Board of Canvassers and reconvened the Board of County Commissioners at 9:39 a.m. County Clerk Gena Landis left the meeting at that time to run provisional ballots, and Payroll Clerk Amy Wilkinson took minutes.

Fair Board Update

Fair Board President David Newby updated Commissioners on a lighting project at the fairgrounds. Commissioners approved a reimbursement to the Fair Board for \$45,953.41, paid out of line item 001-095-2000 for half of the cost of the project.

Reconvene Board of Canvassers

Chairman Lonie R. Addis recessed the Board of Commissioners at 9:58 a.m. and reconvened the Board of Canvassers. The Board of Canvassers (Chairman Lonie R. Addis, Commissioner Cole J. Proehl and Appraiser DeLinda White signed off on the December 7, 2021 Special Recall Election Abstract with totals of 844 Yes votes and 591 No Votes. Chairman Lonie R Addis announced that Brian C. Kinzie was no longer qualified to serve as a Labette County commissioner through January 13th, 2025, effective December 14, 2021.

Board of Canvassers - Recessed

Chairman Lonie R. Addis recessed the Board of Canvassers and reconvened the Board of County Commissioners at 10:03 a.m.

Septic System Variance

Chairman Lonie R. Addis made a motion to grant a septic system variance, at 1494 18,000 Rd, Parsons, KS 67357. Cole J. Proehl seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent), Cole J. Proehl (Yes).

Emergency Management Performance Grant (EMPG) Grant Application - 2022

Commissioner Cole J. Proehl made a motion to authorize the chairman's signature on the Emergency Management Performance Grant (EMPG) Funds Application for 2022. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent), Cole J. Proehl (Yes).

Emergency Management Updates

Emergency Manager Charles Morse informed commissioners that the 2022 Storm Spotter Training will be held on February 15, 2022 in the Labette County High School Little Theatre.

Emergency Manager Charles Morse asked commissioners about purchasing a generator for the new air trailer so fire fighters can have light in it. Commissioners agreed to spend \$600.00 for a generator, paid out of the Emergency Management Fund and will check to see if ARPA funds could apply. Mr. Morse also updated commissioners on the recent Four Corners Conference that he attended. He also discussed the possibility of purchasing a drone that could be utilized by several departments. Commissioners will explore the possibility of purchasing the drone with ARPA funds. Commissioners also approved out of state travel for Mr. Morse to Durant Oklahoma for a conference.

Recess

Commissioners recessed their meeting for ten minutes, and reconvened at 10:30 a.m.

EMC Insurance Renewal

Bob Wood from Wood-Dulohery Insurance presented the Commissioners with the new 2022 renewal premiums from EMC Insurance for the Commercial Property, Commercial General Liability, Crime, Commercial Inland Marine, Commercial Automobile Coverage, Workers Compensation, Umbrella and Cyber. The current premium is \$276,621.00, and the renewal premium for 2022 is \$297,397.00.

Commissioner Cole J. Proehl made a motion to renew with Wood Dulohery and EMC Insurance, for \$297,397.00, with the understanding that these amounts may fluctuate once various adjustments are made. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent) Cole J. Proehl (Yes).

Kansas Opioids Memorandum of Understanding

Cole J. Proehl made a motion to authorize the Chairman's signature on a Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties to maximize and facilitate the distribution of the proceeds of national settlement agreements allocated to the State of Kansas and its Political Subdivisions. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent) Cole J. Proehl (Yes).

Settlement Participation Form

Cole J. Proehl made a motion to authorize the Chairman's signature on a Settlement Participation Form to elect to participate in the Distributor Settlement. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent) Cole J. Proehl (Yes).

Settlement Participation Form

Cole J. Proehl made a motion to authorize the Chairman's signature on a Settlement Participation Form to elect to participate in the Janssen Settlement. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent) Cole J. Proehl (Yes).

Resolution 2021-45-L

Commissioner Cole J. Proehl made a motion to authorize the Chairman's signature on Resolution 2021-45-L to assign all litigation authority to the Attorney General according to HB2079 and authorize the Chairman's signature on the attached Agreement to Release and Assign Claims. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent) Cole J. Proehl (Yes).

Blue Cross Blue Shield of Kansas – 2022 Renewal Agreement

Commissioner Cole J. Proehl made a motion to authorize the chairman's signature on the 2022 Blue Cross Blue Shield of Kansas Agreement which consists of ASO – Summary of Charges Option A, ASO – Summary of Charges Option B, Agreement to Provide Administrative Services for a Self-Funded Health Benefit Plan, Attachment A, the Stop Loss Agreement, Group Application/Certification, Amendment to Stop Loss Contract, and Addendum to Agreement to Provide Administrative Services. Commissioners Agreed not to cover domestic partners in county insurance. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent), Cole J. Proehl (Yes).

Accounts Payable

Chairman Lonie R. Addis made a motion to approve the following checks: Accounts Payable check numbers 26261 through 26410 in the amount of \$156,808.18. Lonie R. Addis seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent), Cole J. Proehl (Yes).

Higher Calling Quote #5910

Commissioners approved a quote for \$1,537.50 from Higher Calling Technologies for enhanced email hosting with email protection & defense consisting of 35 monthly Microsoft 365 Business Standard Licenses and 67 monthly Microsoft 365 Business Basic License w/Defense. This is a 12-month commitment billed monthly.

Executive Session

Chairman Lonie R. Addis made a motion to go into executive session for consultation with our attorney, a matter protected by the attorney-client privilege. To protect the privilege and the board's position (in litigation, potential litigation, administrative proceedings, etc.) Cole J. Proehl seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), Brian C. Kinzie (Absent) Cole J. Proehl (Yes). Also present was County Counselor Brian K. Johnson and County Clerk Gena Landis for ten minutes to reconvene at 11:40 a.m.

Public Comment

Several Labette County residents asked questions of, or made comments to Commissioners.

Adjournment

There being no further business before the Board of Commissioners, the meeting adjourned at 12:02 a.m., until 9:00 a.m., Wednesday, December 15, 2021.

Attest

County Clerk, Gena Landis

Chairman, Lonie R. Addis