

**Labette County Board of Commissioners
February 03, 2020**

Convene

Chairman Lonie R. Addis called the regular session of the Labette County Board of Commissioners to order at 9:00 a.m. on February 3, 2020 at the Commission Room. Attendance: Lonie R. Addis, Present: T. Douglas Allen, Present: Fred E. Vail, Present.

Others Present for the Meeting

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

Media present

Ray Nolting from the Parsons Sun, Rena Russell from the Labette Avenue.

Approval of Minutes

Commissioner T. Douglas Allen made a motion to approve the minutes of January 31, 2020 as submitted. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Abstain).

Resolution 2020-10-A Adopting NRP Interlocal Agreement

Commissioner T. Douglas Allen made a motion to authorize the Chairman's signature on Resolution 2020-10-A, adopting a Neighborhood Revitalization Plan and an Interlocal Agreement between the City of Oswego, Labette Community College, USD 505, Oak Hill Cemetery Association, and Labette County. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes).

Labette Center for Mental Health Services, Inc. – Agreement

Commissioner T. Douglas Allen made a motion to authorize the Board of Commissioners signatures on the Agreement for Services between the Board of County Commissioners of Labette County and the Labette Center for Mental Health Services Inc.; Commissioners have agreed to levy taxes not in excess of 0.934 mill for 2020 to pay for mental health services for residents of the county. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes).

SEK Juvenile Detention Fourth Quarter Report

Chairman Lonie R. Addis gave a brief report on the SEK Juvenile Detention Fourth Quarter.

Overweight Permit

Public Works Director Sandy Krider discussed a request for an over-weight permit from Anderson Trucking, for Scott Road in Parsons, KS. Starting March 16th, they will begin hauling nacelles out of GPI. There will be 483 loads, the heaviest being approximately 258,000 pounds. Due to concerns that the overweight loads will cause road damage, Ms. Krider was instructed to contact Anderson Trucking to request additional rock for Scott Road, the exit route from GPI, to help defray costs of maintenance to the road.

Overweight Permit Fee Increase

Commissioner T. Douglas Allen made a motion to increase the fee for permits to move buildings or structures, on public highways from \$50.00 to \$100.00 per permit. Entities will be required to fill out the Inspection Form and pay the fee for each overweight load. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes).

Charles Morse Sanitation Officer – Labette County Advisory Board Meeting Update

Sanitation Officer Charles Morse met with Commissioners to discuss the Labette County Advisory Committee's latest meeting, which was held in Altamont last week. Mr. Morse indicated that there have been less than a dozen citizens in attendance at their recent meetings, and around 30 people watched live on Facebook. He also announced that the Storm Spotter Class will be held on February 11th, at 6:30 p.m. in the LCHS Little Theatre, Altamont, KS.

Court Services Discussion

County Attorney Stephen Jones discussed a possible change in the duties of his office with regard to Court Services and criminal background checks.

Appellate Rate Change

Commissioner T. Douglas Allen made a motion to change the County Attorney's appellate rate from \$62.00 per hour to \$100.00 per hour. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes).

Executive Session

Commissioner T. Douglas Allen made a motion to go into executive session for security reasons. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes). Others present were County Counselor Brian Johnson, County Attorney Stephen Jones, and Sheriff Darren Eichinger, for a period of thirty minutes to reconvene at 10:43 a.m.

Executive Session

Commissioner T. Douglas Allen made a motion to go into executive session for security reasons. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes). Others present were County Counselor Brian Johnson, County Attorney Stephen Jones, and Sheriff Darren Eichinger, for a period of fifteen minutes to reconvene at 10:59 a.m.

Executive Session

Commissioner T. Douglas Allen made a motion to go into executive session for security reasons. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes). Others present were County Counselor Brian Johnson, County Attorney Stephen Jones, and Sheriff Darren Eichinger, for a period of 10 minutes to reconvene at 11:20 a.m.

Press Release

T. Douglas Allen made a motion to authorize publication of the following press release.



**Board of Commissioners
Labette County**

P.O. Box 387
Oswego, KS 67356
620-795-2138
620-421-5255
www.labettecounty.com

Lonie R. Addis Dist. 1
640 Iowa St.
Oswego, KS 67356
620-795-2826

Frederick E. Vail Dist. 2
650 7,000 Rd
Edna, Ks 67342
620-423-5575

T. Douglas Allen Dist. 3
725 Main St.
Parsons, KS 67357
620-617-0004

Since 1867

PRESS RELEASE+++++

The County Commission is taking action that we really do not want to take, but have been given no alternative by presiding Judge Oliver Kent Lynch.

No one in Labette County was given notice or consulted when judge Lynch moved the court from the Parsons Judicial Center to the Oswego Courthouse.

Last week we had a conference that included the Commission, the Sheriff, the Chief of Police and City Administrator from Parsons, and the County Attorney. We told the judge the negative impact his decision had on our respective budgets, totaling at a minimum about \$250,000 or so over the next year in increased costs, primarily in security costs.

While Judge Lynch has the power to assign Judges, under Kansas State Law, the **County and Sheriff are responsible for security**. This change by Judge Lynch, requires the County of Labette to run full Court security at TWO locations for the safety of the public, jurors, witnesses and court staff. It also means the County Attorney must staff Oswego for all types of criminal proceedings.

The Commission's decision is not made lightly, but if we do not make immediate and sweeping changes this financial burden falls directly on the taxpayers of Labette County. We are open to discussing alternative solutions with the presiding judge.

These changes are made, unfortunately, due to the press of time (the Sheriff is already expending overtime to staff both locations) with the same courtesy and notice Judge Lynch gave us.

The Commission is forced to close the Parsons Judicial Center to the public except when court is actually in session. This will take effect Weds, 2-5-2020. This may involve a rescheduling of Court dates. We hope this will be temporary, but Judge Lynch gave us no hint as to a timeline.

We realize this is an imposition and inconvenience on the citizens of Labette County, but absent finding a quarter of a million dollars to run two separate court houses we have no choice if we are to keep taxes at their current level, which are already too high.

The commission believes different areas of government should work together to achieve the goal of service to our citizens. We have been unable to do so in this situation; the 11th Judicial District being uncooperative.

Unfortunately, the Judiciary in Kansas sometimes acts without consideration of, or respect for, elected official's duties.

Fred E. Vail seconded the motion.

T. Douglas Allen added an amendment to the previous motion, that the press release be posted on the Judicial Center doors when it is closed to the public. Fred E. Vail seconded the amendment. The motion and amendment passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Yes), Fred E. Vail (Yes).

Design Group Architects LTD – Courthouse Security - Oswego

Design Group Architects President Ed Kurtz and Associate Terry Hardman met with Commissioners to present the plans for each department in the Courthouse that will be upgrading security. After addressing Commissioners, Mr. Kurtz and Mr. Hardman did a walk through each department with Commissioner Allen. Commissioner Allen left the meeting at that time and was absent for the remainder of the Commission meeting.

Executive Session

Commissioner Lonie R. Addis made a motion to go into executive session for non-elected personnel. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Absent), Fred E. Vail (Yes). Others present were County Counselor Brian K. Johnson, County Clerk Gena Landis, and Accounts Payable Clerk Lorrie Boulware, for a period of ten minutes to reconvene at 12:05 p.m.

Abatement List

Chairman Lonie R. Addis made a motion for the Clerk's Office to discontinue the abatement list for the Appraiser. It will now be provided within the Appraiser's Office. Fred E. Vail seconded the motion. The motion passed by vote: Lonie R. Addis (Yes), T. Douglas Allen (Absent), Fred E. Vail (Yes).

Adjournment

There being no further business before the Board of Commissioners, the meeting adjourned at 12:10 p.m. until 9:00 a.m. Monday, February 10, 2020.

Attest

County Clerk Gena Landis

Chairman, Lonie R. Addis