

June 18, 2018

Commissioner Carlson, Commissioner Mayo, and Commissioner Thurlow, were present at a regular meeting beginning at 8:00 a.m. The minutes were approved as printed. Payroll in the amount of \$170,103.74 was reviewed and approved by the Board. Account Payables in the amount of \$36,516.26 were reviewed and approved by the Board.

Jennifer Pfizenmaier, Teacher at Garfield School and nine 5th grade students attended the Commissioners meeting to observe what goes on in a meeting. The Board thanked the students and Mrs. Pfizenmaier for coming.

Arnie Knoettgen, County Maintenance, met with the Board to discuss the light fixtures in the Courthouse. Mr. Knoettgen would like to change the fixtures to LED lights. Commissioner Mayo stated that you can convert the current fixtures to handle the LED bulbs. You would need to purchase the ends that are non-shunted and LED bulbs. Mr. Knoettgen reported that the stone work restoration is going well. They should start replacing mortar later this week.

Ronnie Tremblay, Highway Administrator, met with the Board to give the weekly report. Mr. Tremblay reported that two of the packers are broke down and he is having difficulty finding replacement seals. Last week they completed a tanker load for chip sealing in Clifton on the Clay County side. The Department worked on tree removal, trimming of trees in several locations and started laying blacktop on the Hays Church Rd. Mr. Tremblay reported that Clay Center City has made a request for an easement on the Counties right-a-way that is north of Broughton Rd. on Redwood Rd to provide power to the new lift station and also for an easement on Overview Drive that leads to the Prairie Meadows Addition to lay water lines for Meadow Brook Addition east of town. After discussion, Commissioner Mayo made the motion to allow an easement to the City of Clay Center on the Counties right-a way to supply power to the lift station on Redwood and to lay water lines beside Overview Dr. to provide water to the new housing addition called Meadow Brook. Commissioner Thurlow seconded and the motion passed unanimously.

Marvin VanBlaricon, EMS Director, met with the Board to give the weekly report. The Board signed an Event Approval for two employees of the EMS Department to attend a Conference in Mulvane, Kansas. Region IV EMS pays for the registration for the conference and Clay County will pay for the motel rooms and meals. Last Friday the crews were over at ESA going through supplies that have been sent to the County through Homeland Security. Lots of the supplies were out dated and had to be thrown away. Mr. VanBlaricon reviewed the Physical Agility Test that is policy for any applicant that is offered a position must pass before going to work for the EMS Department. Mr. VanBlaricon has requested to do away with the test for employees. The Board instructed Mr. VanBlaricon that they would need to research this matter more and they will call KWOC, the County's Work Comp Insurance, to see what their thoughts were on this matter. The Board will make a decision at a later date on this policy.

Lori Huber, Economic Development Director, met with the Board to give the quarterly report. Ms. Huber reported that Network Kansas is redesigning their community support funding and EDG will probably receive a maximum of \$2,000 for our own use. In the past EDG have used it for the Business Expo, the

awards videos, Destination University subscription, and \$15,000 for programs certified by their Board which we've used for Young Entrepreneur Challenge, Growing Rural Businesses, Ice House Entrepreneurial Training, Economic Gardening, Destination Bootcamp and Fab Lab training. The Clay Center Action Network group continues to work on the downtown design. EDG did not qualify to be a recipient of the grant for the Landscape Architect funding so the City agreed to be the fiscal agent. EDG is currently having a contract drawn up with Schwab Eaton for the Architect services. Ms. Huber reported on several meetings that she has attended.

Rhonda Carroll, Landfill Director, met with the Board to open bids for propane. The bids for 3,000 gallons of propane were opened as follows:

Hoovers Inc. - \$1.12 per gallon - delivery included

CVA - \$1.40 per gallon - delivery included

Home Oil Services - \$1.20 per gallon – delivery included

Propane Central - \$1.179 per gallon – delivery included

After reviewing the bids, Commissioner Thurlow made the motion to accept the bid from Hoovers, Inc. for 3,000 gallons of propane at \$1.12 per gallon. Commissioner Mayo seconded and the motion passed unanimously. The Board signed an Event Approval for an employee of the Landfill to attend training in Wamego, Kansas. Ms. Carroll reported to the Board that she did go and look at the 26' box truck at Reed, Co. LLC in Wamego and thinks that would be a good truck and work well for picking up recycling. Reeds will replace a window because the current one is cracked. She is waiting on a service report from Reed's and will then make a decision to purchase or not.

Chuck Dunn, Sheriff, met with the Board to give the weekly report. Sheriff Dunn reported that the Department is interested in purchasing Tasers for Deputies. One Company named Axon that sells Tasers recommends the Taser 60 Unlimited plan that gives your agency the best advantage on budget and officer training. This Unlimited plan keeps the Officer's equipped and ready at all times. It has unlimited duty cartridges that means you'll never have to wonder if you have enough inventory in the event that an officer has had to deploy their weapon. The plan provides unlimited PPMs and three training cartridges per year so that you can meet certification requirements. The Taser 60 Unlimited Plan will give you approximately a 10% savings. Sheriff Dunn would like to research this matter and report back at a later date.

Marlene Stamm, NCK Environmental, met with the Board to give the quarterly report. Ms. Stamm reported that in Clay County she finalized several permits on lagoons, laterals, and the drilling of wells and continues to have new applications files for all types of sanitation permits. There were also 6 real estate inspections completed in the last quarter. The 2019 proposed budget request was presented to the Board with a minor increase in funding. The proposed budget was left for review.

Whitney Baer, Noxious Weed Director, met with the Board to give an update on the department. The Board signed an Event Approval for an employee of the Noxious Weed Department to attend training in Pittsburg, Kansas. Ms. Baer presented the Noxious Weed 2019 proposed budget and explained the amount being requested. The proposed budget was left with the Board for review.

A request for a donation of funding was received from Wakefield Pride to help fund the Wakefield Birthday Bash Event. This will be the 149th Birthday of Wakefield. This event has been held in the community for 14 years. Commissioner Thurlow made the motion to donate \$500 out of the Alcohol Fund to the Wakefield Birthday Bash. Commissioner Mayo seconded and the motion carried.

Nicci Bergeson met with the Board to discuss the issues that have involved her and her boyfriend Casey Frank at the Clay County Park. Mike Carney, Clay County Park Manager, Sheriff Dunn, and Rick James, County Attorney was also present for the meeting. Ms. Bergeson started off by telling her side of the issues that involve their camping group. They had camped in the park last year and only had one issue of the outside TV being too loud during NASCAR races and after Mr. Carney informed them, they agreed that it would not happen again. At the end of the season Ms. Bergeson had expressed to Mr. Carney that they would like to come back for the 2018 season and camp in the same spot. Sometime in April, Mr. Carney had a conversation with Mr. Frank and informed them that they would not be able to have the same spot for he had promised it to a camper that had stayed in that spot for years but had been sick and did not camp for the 2017 year. Mr. Carney stated that they could come and he would find a space for them in the park. They were disappointed in not being in the same spot but they would take the other location because there are three campers in their group and they all wanted to camp in the Park. Mr. Carney stated that he had been approached on the Wednesday before Memorial Day about two campers that were building a platform deck in between them. Mr. Carney stated that he talked to Dustin Hill concerning the deck prior to completion. Ms. Bergeson stated that Casey, his father, and another individual had worked on the deck on Wednesday and Thursday and then Ms. Bergeson and Casey put the wood floor down and finished the deck on Friday and as of Saturday morning Mr. Carney had never talked to Casey or Ms. Bergeson about any issues or not being able to keep the deck. On Saturday around noon Mr. Carney rode up on a golf cart and was not happy with the structure and told them that the deck would cause trouble with the Corp of Engineers and that they would need to remove the deck. The campers asked what the problem was and the conversation became heated with both parties. Mr. Carney stated that the Corp had completed the Park inspection on the previous Thursday and would not approve the size of the deck. The Corp has a rule that a deck or a pad cannot be larger than 10'X14'. Ms. Bergeson stated that they had made it this size to allow the two campers that were facing each other the 10' for each camper only connected in the middle. Mr. Carney left irritated still stating that the deck would need to be removed. The campers did not hear anything from Mr. Carney all weekend. On Tuesday June 5th, in the morning Mr. Carney called all three parties and informed them that the Commissioners had made a motion and had taken a vote to remove the deck and to evict all three parties from the Park and that they had to be out by Friday. Ms. Bergeson researched and read the Commission minutes from June 4th meeting that are posted on the County's webpage saying that the Board had discussed a structure located in the Park. On Tuesday afternoon, Ms. Bergeson called Kayla Wang, County Clerk and asked if there had been a motion and a vote taken to evict them out of the park. Ms. Wang stated that there had been no motion made and that a vote had not been taken on evicting them out of the park. The Board instructed Mr. Carney to get with the County Attorney that day and Mr. James would decide how to handle this issue. Mr. Carney did not meet with the County Attorney before he made the phone calls. On June the 11th, Mr. Carney again met with the Board of Commissioners with Rick James, County Attorney and Chuck Dunn, Sheriff also present. Mr. James stated that we actually have two different issues to handle. One is the deck and the other is the individuals that own the campers involved. Mr. Carey stated that he has had complaints from other

campers about noise complaints and inappropriate behavior going on in that campsite and the deck had currently not been removed. Mr. Carney stated that he just wanted them removed from the camp grounds. Commissioner Mayo asked Mr. Carney why he did not meet with the County Attorney before he called the campers and told them that the Board had voted to evict them when that was not true. Mr. Carney stated that he had tried to bluff them because he just wanted them out of the park. Commissioner Mayo stated that now we have a real issue to handle. Ms. Bergeson stated that they had no confrontation with Mr. Carney that weekend. She said that Mr. Carney was saying that he got a violation on his inspection from the Corp of Engineers about the deck. Ms. Bergeson said that she also researched this matter and he did not receive a violation in the inspection. Last week the Commissioner made a motion to take down the deck and evict the three campers from the park. The Board instructed Mr. Carney to stay away from this group and to not talk to them. A letter was written by the Rick James, County Attorney, and was delivered by Mr. Carney and a Sheriff's Deputy on Saturday June 16th in the morning. There were several discussions exchanged between the individuals and Mr. Carney on Saturday. Mr. Carney did call Law Enforcement to handle a couple of the issues that he had. Ms. Bergeson asked what the inappropriate behavior complaints meant in the letter that was delivered. Commissioner Mayo stated that Mr. Carney informed the Board that he had received complaints from other campers about nudity, language, and noise complaints. Ms. Bergeson spoke up and said that she knew nothing about any complaints except the loud TV last year and that they have not done that again. Commissioner Mayo asked Mr. Carney if he had visited with the individual at this campsite about these complaints. Mr. Carney stated that he had not talked to them about the complaints. Commissioner Mayo asked Mr. Carney how he expected them to correct the issues if they knew nothing about them and how can you have it as part of the eviction if they didn't know about the complaints that they are being blamed for. Commissioner Mayo stated that he feels that this is poor business when you haven't even informed them of the complaints. Mr. James said that he assumed Mr. Carney had visited with the individuals about the complaints or he would not have included them in the letter that he drew up. Ms. Bergeson said that the only time they have had communication this year with Mr. Carney is over the deck. Commissioner Thurlow stated that we know that the deck is an issue and needs to be removed. Ms. Bergeson said that they have no problem removing the deck and that it would be done this week. She also stated that they really would like to stay and camp in the park and would cause no issues. She said that she just feels that Mr. Carney does not care for them and keeps targeting their 3 campers with issues that have not happened. She doesn't want any trouble and would like to make things right. Mr. Carney said that they would start over and try to get along. Commissioner Carlson stated that he really doesn't care for the saying that is on one of the campers either. This is a family oriented park and the letters need to be removed. Ms. Bergeson said that they would try to remove the letters but that they have been on the camper a long time and it may still show from being faded on the siding. Ms. Bergeson also stated that they would be removing one camper out of the park to go to the Country Stampede and was told that she could not bring it back in the park. She would like to know if she would be able to bring it back in to the campsite that it is currently at. Mr. James stated that the decision is really in the Commissioners court. This meeting continues to be a lot of he says she says. Commissioner Mayo made a motion to remove the deck on Tuesday and Wednesday and to void the eviction. The eviction needs to go away since you were not able to fix the complaints because you were not informed of them. The camper that is pulled out for the Stampede will be able to pull back into the site that it has been and to remove the sticker saying off of the camper. Commissioner Thurlow seconded and the motion passed unanimously. Ms. Bergeson said to Mr. Carney that if he has any problems then they need to be told and

she stated that they would like to come back for the 2019 season to camp. Mr. Carney stated that they are considered transit campers and it may not be the same spot but that he would have a spot for them next year. Mr. Carney also stated that when the park can afford more pads they would start pouring them for campers.

The Board adjourned the meeting at 1:25 p.m.

Eric A. Carlson, Chairman

Attest: Kayla Wang, County Clerk
June 25, 2018
Clay Center, Kansas