



Atchison County Commission Meeting

Atchison County Courthouse  
423 North 5th St  
Atchison, Kansas 66002  
[June 7, 2016]  
AGENDA

Commissioner Jeff Schuele, 1st District

Commissioner Eric Noll, 2nd District

Chairman Henry W. Pohl, 3rd District

1. Call To Order

The County Commission is called to order by the Chairman

2. Presentation And Approval Of Claims

3. Pledge Of Allegiance

4. Reading And Approval Of Minutes

Approval of Minutes from Last commission meeting

4.1. Commission Minutes, May 31, 2016

*\*Disclaimer-This document represents the "unofficial" minutes of the Atchison County Board of Commissioners. At this point it is a working document and does not become official until the Board approves the minutes at a subsequent meeting. It is to be used for informational purposes only.*

Documents: [05312016.PDF](#)

5. Commissioner Comments And Committee Reports

6. Reports Of Elected Officials And Department Heads

7. New Business Before The Board

8. Old Or Unfinished Business Before The Board

9. County Counselor Updates

10. Public Comment

11. Executive Sessions ( Time Reserved For Executive Sessions)

12. Presentation Of Petitions, Memorials, And Remonstrance's
13. Introduction And Consideration Of Resolutions
14. Notices And Communications
15. Adjournment

Tuesday, May 31, 2016

Pursuant to the law the board met in regular session at 1:00 pm on the 1<sup>st</sup> floor of the courthouse with Chairman Bill Pohl calling the meeting to order, along with Commissioners Eric Noll and Jeff Schuele present. County Counselor Pat Henderson was present with County Clerk Pauline Lee recording the minutes.

Board recited the pledge of allegiance before the meeting.

The minutes of May 31<sup>st</sup> were reviewed, Commissioner Schuele wanted the actual amount of budget request for Guidance center to be put in minutes of \$72,000 and Commissioner Noll asked that on page 1 committee reports that when he talked about Joint Communication and replacing the phone system estimated cost \$110,000 and split it from getting \$5000 for the old pagers and radios. He also wanted it changed on page 2 Seth Howard, that deputy checked on Cheyenne Road. Commissioner Noll made the motion to approve as corrected, Commissioner Schuele second with Chairman Pohl calling for a vote, all voted aye, motion carried, 3-0.

Committee reports: none to report

No new business before the board.

Seth Howard, Road and Bridge Superintendent appeared and talked to the board about salt shed, he is going to get a couple quotes on the shed, looking at a 50x70 building, his department will be able to demolition the old building themselves.

Seth talked to the board about speed limits on Broadway Street from 286<sup>th</sup> rd on the south side of Lancaster City Limits and also McPherson Road from 214<sup>th</sup> Road to Front St or 230<sup>th</sup> Road in Cummings.

Chairman Pohl and Commissioner Schuele both said that 20 mph limit that there were would be any difference in speeds on the stretch of road on Lancaster City limits, County Counselor Pat Henderson said that it would be better to notify Lancaster City Council to see if they would annex that portion of road or at least talk to them about the speed limit.

Seth told the board that he talked to residences along McPherson Road and that they would like to see a lower speed limit sign.

Board said that they would like to table the Lancaster Broadway Street speed limit until they visit with the City Council and to go ahead with lowering the speed limit on McPherson Road from 214 Road on the south to Front St/230<sup>th</sup> Road on the north to 45 miles per hour, Commissioner Schuele made the motion with Commissioner Noll second and Chairman Pohl calling for a vote, all voted aye, motion carried, 3-0.

Melissa Crane, County Appraiser appeared to give the board a monthly update on her department. They had 45 informal hearings, still wrapping up payment under protest, they have some going on to BOTA small claims. Michelle Phillips is finalizing personal property for June 15<sup>th</sup>, also she will be meeting with Trey Cocking, City Manager, Justin Pregont, Public Works and Becky Anderson, Finance Director on tomorrow, June 1<sup>st</sup> to discuss the Neighborhood Revitalization plans. Also she will be attending the Kansas County Appraisers Association annual conference next week, they are doing clean up on Orion so that they can certify June 15<sup>th</sup>. Melissa said that she is waiting on some legislation that the legislatures will act on in their Sine Die day, before she finalizes her 2017 budget.

Derek David with Midwest Fertilizer appear before for the board about getting a letter from the board that Atchison County is not zoned, they are looking at moving their anhydrous bulk tanks from Winchester and from Nortonville and adding another tank, Mr. David said that the Kansas Department of Ag told them that they need to update their facility or close, so that is why they are relocating, plus they have to be 1,000 feet from a public gathering and why they went west. Commissioner Noll and Chairman Pohl said had no problem but want the County Counselor to look over everything before they approve a letter

Joe Bowen, Maintenance appeared before the board upon the request of Chairman Pohl, Chairman Pohl wanted to know about the cabinet in Commission Room, Joe told the board that he was waiting to see if they could move the AT&T equipment, Board said cannot be moved, Joe said he would get a quote on what it would cost to do a cabinet. Chairman Pohl asked Joe about the hallway leading into Driver's License, not fixed yet, lot of public use the Driver's License room, Joe was putting it off will move it up on priority list. Chairman Pohl also brought up about the walk way between Courthouse and Law Enforcement, leak problem, Joe said that the Law Enforcement Roof needs a new roof, thought they could do both at the same time, Joe felt that they could get a better bid if it was thrown in with the Law Enforcement roof. They will wait on audit to see where they are on money before doing anything on roof. Chairman Pohl said that he went downstairs to the men's restroom and that it was filthy, that the whole courthouse needed extra cleaning. Chairman Pohl also said that he felt that Joe needed to be located at the courthouse.

Commissioner Schuele told the board that Andrea Clements, Live Well Live Atchison emailed him with a copy of a support letter for the board to sign for a grant from Blue Cross Blue Shield of Kansas Pathways to a Healthy Kansas, Commissioner Schuele made the motion to sign the support letter to Live Well Live Atchison for the Blue Cross Blue Shield of Kansas Pathways to a Healthy Kansas Grant, Commissioner Noll second with Chairman Pohl calling for a vote, all voted aye, motion carried, 3-0.

Board discussed the letter that they received last week on reappointing Judge Martin Asher to the Community Corrections advisory board, County Counselor Pat Henderson said that Judge Asher confirmed he would serve again. Commissioner Noll made a motion to reappoint Martin Asher to the Community Corrections Advisory board for another two year term, from July 1, 2016 to July 1, 2018, Commissioner Schuele second with Chairman Pohl calling for a vote, all voted aye, motion carried, 3-0.

Pat Henderson, County Counselor told the board he did not have anything to report.

Board reviewed Resolution No. 2016-1420 on a Tobacco-free recreation facilities within Atchison County, which includes Atchison County Lake, Atchison County Sports Complex and Memorial Hall, Commissioner Schuele made a motion to adopt Resolution 2016-1420 as presented Commissioner Noll second it with Chairman Pohl calling for a vote, all voted aye, motion carried 3-0.

Resolution No. 2016-1420

**RESOLUTION CONCERNING  
TOBACCO-FREE RECREATION FACILITIES  
WITHIN ATCHISON COUNTY**

WHEREAS, the US Surgeon General has stated that there is NO SAFE LEVEL OF EXPOSURE to second-hand smoke, whether indoors or outdoors, and that children's exposure to second-hand smoke causes increased risk of sudden infant death syndrome, lower respiratory infections, middle ear diseases, more severe asthma, respiratory symptoms and slowed lung growth and is responsible for the premature deaths of over 430,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases; and

WHEREAS, secondhand smoke is responsible for over 50,000 deaths among nonsmokers each year; and

WHEREAS, tobacco kills more Americans each year than alcohol, cocaine, heroin, homicide, and suicide, accidents, fire and AIDS combined; and

WHEREAS, 80% of smokers started smoking before the age of 18, and the average initiation age is 12 years old; and

WHEREAS, every day an estimated 3,900 young people under the age of 18 try their first cigarette and one-third of these children will die prematurely from tobacco related illnesses; and

WHEREAS, the tobacco industry advertises at and sponsors recreational events to foster a connection between tobacco use and recreation; and

WHEREAS, to help role model non-smoking behavior to children and youth; to provide children, youth and their families with a safe, smoke-free environment;

WHEREAS, Atchison County wishes to provide recreational facilities free of the influence and harmful effects of any tobacco product;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Atchison County, Kansas:

1. No person shall use any form of tobacco or electronic cigarettes at or on any County-owned or operated recreational facility, including, without limitation, the Atchison County Lake, the Atchison County Sports Complex, and Memorial Hall.

2. This resolution shall apply to all forms of tobacco including, but not limited to, cigarettes, pipes, cigars, chewing tobacco, water pipes or snuff.
3. This resolution shall apply to electronic cigarettes whether or not they are a tobacco product, or similar products that produce a smoke, mist, vapor, or aerosol, with the exception of products which meet the definition of a medical device in section 201(h) of the Federal Food, Drug and Cosmetic Act, such as nebulizers.
4. Appropriate signage shall be posted to designate said tobacco-free areas;
5. Any person in violation of this Resolution may be subject to immediate ejection from the recreation facility.
6. The Atchison County Commission hereby authorizes its elected and appointed officials to make periodic observations of tobacco-free areas to monitor compliance and promote awareness of this Resolution.

THIS RESOLUTION shall become effective upon publication once in the official County newspaper.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Atchison County, Kansas, this 31st day of May, 2016.

Henry W. Pohl, Chairman

Jeffery D. Schuele, Commissioner

Eric Noll, Commissioner

Attest: Pauline M. Lee, Atchison County Clerk

Bills for the week were approved.

Board received notification that the EMS building was approved for exemption.

Commissioner Schuele made a motion to adjourn at 3:25 pm with Commissioner Noll second and Chairman Pohl calling for a vote, all voted aye, motion carried, 3-0.

Attest: Pauline M Lee, County Clerk