

Tuesday, February 23, 2021

Pursuant to law, the Atchison County Commission Board met in Regular Session at 1:00 pm. Each of the Commissioners appeared by video conferencing using the Zoom platform. A link to the meeting was made available to the public prior to the meeting. In addition, public attendance was available in the Commission meeting room on the 1st floor of the courthouse, 423 N 5th St., Atchison. Chairman Jack Bower called the meeting to order with Commissioner Eric Noll, Commissioner Casey Quinn, and County Counselor Patrick Henderson present for the meeting. County Clerk Michelle Phillips recorded the minutes. All participants attended via Zoom due to the EMERGENCY ORDER OF THE LOCAL HEALTH OFFICER 2020-14 prohibiting mass gatherings.

Commissioner Noll recited the pledge of allegiance to start the meeting.

***Public Comment:**

Mike Kuckelman appeared via the Zoom platform to discuss the Atchison County Social Media Policy. On January 14, 2021, he wrote to the Board and raised concerns that the County had deleted comments on social media. Kuckelman urged transparency, as well as, updating the County’s policy.

Minutes of the February 16, 2021 meeting were reviewed with no corrections noted. Commissioner Noll made the motion to approve the minutes. Commissioner Quinn seconded the motion. Chairman Bower called for a vote. The motion passed 3-0.

***Reports of Elected Officials and Department Heads:**

Kimberly Glover, Road & Bridge Administrative Assistant, appeared for approval of the 2021 Noxious Weed Management Plan. This item was tabled from the February 16, 2021 meeting. Commissioner Quinn made a motion to approve the 2021 Noxious Weed Management Plan. Commissioner Noll seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

Joe Snyder, Road & Bridge Superintendent, appeared before the Board to discuss the bid opening from the January 23, 2021 meeting for the culvert repair/replacement projects. The following bids were received:

Location	Diameter	Length	Material	Construction	Units	Pruett Construction Bid Amounts	King's Construction Bid Amounts
Osborne Road N of 310th Road	36"	100'	CMP & Bands (provided by Co.)	Remove & Replace	1 LS	\$ 9,555.00	\$ 12,500.00
Labette Road S of 326th Road	48"	50'	CMP & Bands (provided by Co.)	Remove & Replace	1 LS	\$ 8,255.00	\$ 9,800.00
Neosho Road S of 262 Road	30"	40'	CMP & Bands (provided by Co.)	Repair	1 LS	\$ 5,335.00	\$ 5,700.00
302nd Road E of K7 Hwy	72"	30'	2 CMP & Bands (provided by Co.)	Repair	1 LS	\$ 17,960.00	\$ 22,500.00
River Road N of 230th Road	48"	60'	CMP & Bands (provided by Co.)	Repair or Replace	1 LS	\$ 7,540.00	\$ 17,500.00
						\$ 48,645.00	\$ 68,000.00

Superintendent Snyder told the Board his recommendation would be to accept the bid of Pruet Construction in the amount of \$48,645.00. Commissioner Quinn made a motion to accept the bid for Pruet Construction based on Superintendent Snyder’s recommendation.

Commissioner Noll seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

***New Business Before the Board:**

The Board was presented a grant application for a courthouse grant from the Kansas Historical Society for preservation of the courthouse. Commissioner Noll made a motion to approve that the Chairman sign the application. Commissioner Quinn seconded the motion. Commissioner Quinn wanted to make sure that all the departments that were going to need to get information for the application were made aware of what was needed. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

Wes Lanter, Emergency Management/IT Director, previously presented an update to the Board on the Health Officer's EMERGENCY ORDER OF LOCAL HEALTH OFFICER 2020-14, which will expire on March 30, 2021. Pursuant to the new Health Officer's EMERGENCY ORDER OF LOCAL HEALTH OFFICER 2020-15, the mass gathering event numbers have been increased from 20 to 40. This will also affect some restaurants in the County, increasing capacity limits from 20 customers per 1,000 sq. feet up to 40 customers per 1,000 sq. feet. There was reference to the Governor's Executive Order 20-52, issued 7-3-2020, providing a state-wide mask mandate. The Order also makes it clear that masks are to cover the nose and mouth. The Order includes some exclusions for Federal, State and Local Government, Religious gatherings in which social distancing can be practiced, hospitals and medical facilities. Commissioner Noll made a motion to approve the updated order to expire on May 25, 2021. Chairman Bower seconded the motion. Discussion was held, Commissioner Quinn asked that the order not be for a 3-month period, but would prefer a 30-day update from the Health Officer. Chairman Bower called for a vote, all voted. The motion passed 2-1 with Commissioner Quinn voting no.

Michelle Phillips, County Clerk, presented the Board with an invoice from The Kansas Association of Counties, Topeka, KS, for the 2021 Annual Membership Dues including the 2021 Subscription to the Webinar Wednesdays program in the amount of \$4,246.73. Commissioner Quinn moved to approve the annual membership dues. Chairman Bower seconded the motion. Discussion was held, Commissioner Noll was not pleased with the representation from KAC in the past. Commissioner Quinn noted that she was very pleased with some of the recent trainings she has had through the organization. Chairman Bower called for a vote, all voted. The motion passed 2-1 with Commissioner Noll voting no.

***County Counselor Updates**

County Counselor Patrick Henderson, mentioned to the Board that there was a court hearing on the tax sale last Monday, February 22, 2021, at which the court granted judgment. There are roughly 50 tracks that will be remaining in the sale. Counselor Henderson stated that there are issues on 2 properties that he is working on getting resolved. The Notice of Sale for a Tax Sale must be published for 3 consecutive weeks, with

the sale date at least 30 days after the first publication. The earliest date for the sale would be the first week of April.

There was presented a Resolution entitled:

A RESOLUTION ESTABLISHING A MEETING SCHEDULE
FOR THE BOARD OF COUNTY COMMISSIONERS OF
ATCHISON COUNTY, KANSAS

Commissioner Noll moved that the Resolution be adopted to hold the regular work shop sessions on Tuesdays starting at 10:00 am, and the regular open meetings on Tuesdays starting at 1:00pm. The motion was seconded by Commissioner Quinn. Chairman Bower called for a vote, all voted aye. The motion passed 3-0. Chairman Bower declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2021-1478 and was signed by the Commissioners and attested by the County Clerk.

***Executive Session**

Commissioner Noll moved that the Board of County Commissioners recess into executive session at 1:35 pm to discuss personnel matters of nonelected personnel, as allowed by K.S.A. 75-4319(b) (1). The executive session will be conducted in a “Breakout Room” using the Zoom Platform. The Board will come out of the executive session at 1:45 pm, via the Zoom meeting in process. Those present will be: the three Commissioners, County Counselor Patrick Henderson, and Jamie Madison, HR Director. Commissioner Quinn seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

There was no action taken.

***Public Comment:**

Mike Kuckelman appeared and announced that legislation has been introduced in Kansas concerning reimbursement of lost revenue to businesses in the that that were impacted by the COVID-19 pandemic. Mr. Kuckelman expressed his concern of the losses that local businesses have endured due to the pandemic. Mr. Kuckelman stated that businesses that were not able to operate at full capacity may be able to bring claims based upon the 5th Amendment’s takings clause.

***Commissioner Comments and Committee Reports:**

Commissioner Quinn commented that several citizens reached out to her concerning her performance as a new Commissioner. She went through a listing of things she has worked on since the last meeting.

Add, abate, escapes for real estate and personal property taxes were presented to be approved.

Commissioner Noll made the motion to adjourn at 1:59 pm. Commissioner Quinn seconded the motion. Chairman Bower called for a vote, all voted aye. The motion passed 3-0.

*Note: Once approved these minutes will be the official minutes of the Board of County Commissioners. Regular meetings of the Board of County Commissioners are video-recorded. The video of these meeting is generally available for supplementation of the minutes. The videos can be located under the Government tab at www.atchisoncountyks.org.

Attest: Michelle Phillips, County Clerk