

Thomas County Commission – REGULAR

October 30, 2020

CALL TO ORDER

Chairman Mike Baughn called the REGULAR Commissioners Meeting to order at 9:00 a.m. in the Commissioners room of the Thomas County Courthouse on Friday, October 30, 2020 with Commissioner Francis Britton (attending via GoTo), Commissioner Brad Flipse, County Clerk Shelly Harms, Judge Kevin Berens, Jim Harms, Road Supervisor Clair Schrock, Sheriff Tom Nickols, Treasurer Layn Bruggeman, Commissioner elect Brian Luedke, Landfill Director Travis Williby, and County Attorney Rachel Lamm.

AGENDA: *Commissioner Brad Flipse moved to approve the agenda as prepared by County Clerk Shelly Harms; the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

COURTHOUSE ENERGY EFFICIENCY / REHABILITATION: Judge Kevin Berens appeared before the County Commissioners to raise his concerns with the timing of the Willdan Energy project. The timing the Commissioners chose for the Courthouse project with the Criminal Justice Center project as well was not thought through. It's disruptive, noisy and the dirt / dust could cause damage to video equipment. Judge Berens asked that work be shut down (not feasible), find work site for all courts staff (10) to relocate to, move in modular (portable office space). Willdan's agreed shutting down the project would not be feasible. Judge Berens is going to gather cost of relocating all courts staff, while Willdan's is going to find out what the impact would be financially to shut the project down until next spring.

RESOLUTION 2020-19: *Commissioner Brad Flipse moved to approve Resolution 2020-19 as prepared by Gilmore & Bell; the motion was seconded by Commissioner Francis Britton; with no further discussion the motion carried unanimously.*

FINANCING FOR DOOSAN WHEEL LOADER: Landfill Director Travis Williby appeared before the County Commissioners to discuss getting sealed bids from local banks on financing the purchase of the Doosan Wheel Loader. The Commissioners advised Mr. Williby to send out notices to all the banks requesting them to submit an interest rate sealed bid to the County Clerk's office with sealed bids to be opened on November 23rd at 9 a.m.

MAGISTRATE / MUNICIPAL JUDGE RELOCATION: Magistrate Judge / Municipal Judge Rick Ress appeared before the County Commissioners at their request to help with once the Criminal Justice Center is completed where would Judge Ress be working from. Judge Ress really had no idea because he's not been included in any of the decision making regarding the C.J.C. Prior Judge Williby, prior City Mayor and prior Commissioners some thirty-eight (38) years ago had Judge Ress (municipal court) move into the Courthouse.

GENERAL PUBLIC TRANSPORTATION SUPPORT LETTER: *Commissioner Brad Flipse moved to approve submitting a support letter to KDOT in requesting funding to assist with the operation of the Thomas County General Public Transportation service for 2021; the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

THE SUNDERLAND FOUNDATION GRANT REQUEST: *Commissioner Francis Britton moved (via GoTo) to approve the letter and application requesting financial assistance for the rehabilitation of the historical Thomas County Courthouse, included was expense budget & timeline, revenue, project description, and history of Courthouse; the motion was seconded by commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

KLPG MEMBERSHIP LETTER AND DUES: *Commissioner Brad Flipse moved to continue membership with KLPK and authorized the membership dues; the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

AP PAYMENT REGISTER(S): *Chairman Mike Baughn moved to authorize the payment of the following AP Payment Registers following a review of all invoices: Courthouse General - \$317,909.25 / Criminal Justice Center - \$161.22 / Road & Bridge - \$9,147.87 / Noxious Weed - \$71.74; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

OCTOBER PAYROLL: *Commissioner Brad Flipse moved to approve the \$415,190.60 county payroll for October; the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

OCTOBER 19 COMMISSION MINUTES: *Commissioner Brad Flipse moved to approve the Monday, October 19, 2020 Commission minutes as prepared by County Clerk Shelly Harms; the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

LACEY TOWNSHIP CLERK APPOINTMENT: *Commissioner Brad Flipse moved to appoint Pete Ziegelmeier, II to fulfill the remaining term of Lacey Township Clerk effective immediately; the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

COUNTY-WIDE HOUSING STUDY / COMPREHENSIVE STUDY: Economic Development Director Vernon Hurd appeared before the County Commissioners to discuss the need for a housing study in Thomas County because housing is becoming problematic in Thomas County. The study would cost \$36,860 and if shared the County would pay \$12,250 with the City of Colby and Economic Development matching. *Commissioner Brad Flipse moved to authorize the study and Thomas County funding \$12,250 towards the cost of the study coming out of Fund 100-100-36095 (Special Projects); the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

MISCELLANEOUS ITEMS: Notice from NW LEGP and market update from Secure Energy.

AGREEMENT WITH MILLER CONSTRUCTION SERVICES, LLC: *Commissioner Brad Flipse moved to approve signing an 'Agreement' between Thomas County, Kansas "Owner" and Miller Construction Services, LLC "Contractor" for the construction of North Nashville Ave and East Third St., Street Improvement with work commencing on or before April 19, 2021 and completed within thirty (30) days; the motion was seconded by Commissioner Francis Britton (via GoTo); with no further discussion the motion carried unanimously.*

TELEHANDLER FOR HANGING VETERAN FLAGS: *Commissioner Francis Britton moved (via GoTo) to allow the County's telehandler be used to assist with hanging the Veterans Memorial Flags along Range Ave.; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

COUNTY APPRAISER AND STAFF: County Appraiser Bruce Webb appeared before the County Commissioners so that he could be informed directly from them and Willdan that the Appraiser's office would need to have everything out of their office space by Friday, November 13th so that the abatement of asbestos can begin November 16th. The Appraiser's office has been offered to use the County Commissioners November 16-19, 2020.

LIGHTING FIXTURES, CEILING FANS AND TOILETS: *Chairman Mike Baughn moved that all lighting fixtures be scrapped, ceiling fans offered at a minimal cost and toilets be offered free to county employees during the renovation of the Courthouse; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

ASSISTANT COUNTY ATTORNEY STATUS: County Attorney Rachel Lamm appeared before the County Commissioner to put a stop to rumors that Assistant County Attorney is working and living in Chanute, KS. Mr. Young does have a full-time job in Chanute, but is still working for Thomas County / Attorney seven (7) days a week. County Attorney Lamm has been in contact with both Chairman Mike Baughn and County Clerk Shelly Harms regarding Mr. Young's status. Ms. Lamm ended with that if there are questions she would much rather prefer a phone call instead of discussing rumors without her present to defend her office and staff.

CASES FILED WITHIN THOMAS COUNTY BY COUNTY ATTORNEY: County Attorney Rachel Lamm appeared to answer questions regarding the number of cases filed thus far and possible numbers throughout the remainder of 2020. Due to COVID-19 the Supreme Court shut down ALL hearings at Courthouses between March and approximately September, which redirected other things to the County Attorney's desk. There is a major back log of cases due to COVID-19. As far as transitioning to the new County Attorney elect, nothing has been discussed yet. January 11, 2021 is when all elected officials will be sworn in.

COUNTY STARTING WAGES (ROAD & BRIDGE): Road & Bridge Supervisor Clair Schrock submitted a proposal of starting county wages for his department, Commissioner Francis Britton submitted his draft. With trying to hire new help, no one is willing to accept a position with the current starting hourly wage of \$14 per hour. Mr. Schrock is recommending \$15 per hour starting, while \$14.75 is the recommendation of Commissioner Britton. Commissioner Brad Flipse would like to see who all working with Thomas County is making \$14 or less an hour so he can determine the impact raising wages would be. *Chairman Mike Baughn moved to table this to allow for further study (November 16th); the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

EXECUTIVE SESSION: *Chairman Mike Baughn moved to go into EXECUTIVE SESSION at 11:25 a.m. for thirty (30) minutes to discuss Attorney-Client privilege (contractual review) with Commissioner Flipse, County Attorney Rachel Lamm, Commissioner Elect Brian Luedke, and Commissioner Francis Britton (via telephone conference) and to return to OPEN SESSION at 11:50 a.m. in the County Commissioners room; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

OPEN SESSION: *With no binding action taken Chairman Mike Baughn moved to return to OPEN SESSION at 11:50 a.m. in the Commissioners room; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

EXECUTIVE SESSION: *Chairman Mike Baughn moved to go into EXECUTIVE SESSION at 11:50 a.m. for fifteen (15) minutes to discuss Attorney-Client privilege (contractual review) with Commissioner Flipse, County Attorney Rachel Lamm, Commissioner Elect Brian Luedke, and Commissioner Francis Britton (via telephone conference) and to return to OPEN SESSION at 12:05 p.m. in the County Commissioners room; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

OPEN SESSION: *With no binding action taken Chairman Mike Baughn moved to return to OPEN SESSION at 12:05 p.m. in the Commissioners room; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

EXECUTIVE SESSION: *Chairman Mike Baughn moved to go into EXECUTIVE SESSION at 12:07 p.m. for fifteen (15) minutes to discuss Attorney-Client privilege (contractual review) with Commissioner Flipse, County Attorney Rachel Lamm, Commissioner Elect Brian Luedke, and Commissioner Francis Britton (via telephone conference) and to return to OPEN SESSION at 12:20 p.m. in the County Commissioners room; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

OPEN SESSION: *With no binding action taken Chairman Mike Baughn moved to return to OPEN SESSION at 12:20 p.m. in the Commissioners room; the motion was seconded by Commissioner Brad Flipse; with no further discussion the motion carried unanimously.*

ADJOURN: *With no further business Commissioner Brad Flipse moved to adjourn at 12:21 p.m.; the motion was seconded by Commissioner Francis Britton (via telephone conference); with no further discussion the motion carried unanimously.*

Attest:

Shelly A. Harms, County Clerk

Shelly A. Harms
Dated: November 9, 2020



Thomas County Board of Commissioners

Mike Baughn
Mike Baughn, Chairman

Brad Flipse
Brad Flipse, Member

Francis Britton
Francis Britton, Member