

Barton County Commission Agenda Meeting Minutes

Recorded audio is available on compact disk upon request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email clerk@bartoncounty.org

Requests to be made pursuant to the Kansas Open Records Act and County Policy. Estimated cost of disk – Five Dollars (\$5.00).

September 28, 2009

The Board of Barton County Commissioners convened this 28th day of September 2009, at the Barton County Courthouse.

Members present:

Jennifer Schartz, Commissioner, 5th District, Chairman
Kenny Schremmer, Commissioner, 1st District (Chairman Pro-Tem)
Homer Kruckenberg, Commissioner, 2nd District
John Edmonds, Commissioner, 3rd District
Kirby Krier, Commissioner, 4th District
Donna Zimmerman, County Clerk
Richard Boeckman, County Counselor/Administrator

I. OPENING BUSINESS:

Commissioner Schartz called the meeting to order at 9:00 A.M.

Commissioner Edmonds moved to approve the agenda.
Commissioner Schremmer seconded the motion.
All voted aye. Motion passed.

Commissioner Schremmer moved to approve the minutes of the September 21, 2009 Regular Meeting.
Commissioner Edmonds seconded the motion.
All voted aye. Motion passed.

APPROVAL OF APPROPRIATIONS:

An Accounts Payable Register will be submitted to the Commission for the period of September 14, 2009 through September 28, 2009.

Commissioner Kruckenberg moved to approve appropriations for the period of September 14, 2009 through September 28, 2009.
Commissioner Edmonds seconded the motion.
All voted aye. Motion passed.

II. OLD BUSINESS:

A. RESOLUTION 2009-18: A Resolution to Determine the Declaration of Certain Roads as Being of Minimum Maintenance:

- Commissioner Edmonds moved to remove Resolution 2009-18 from the table.
Commissioner Krier seconded the motion.
All voted aye. Motion passed.

-After a determination to declare only a portion of the described roads on June 15, 2009 as being of minimum maintenance, the Commission will consider additional declarations under Resolution 2009-18, A Resolution to Determine the Declaration of Certain Roads as Being of Minimum Maintenance. By Kansas statutes, the Resolution, in this instance, is used as a means of public notice. Being located in Cheyenne Township, the roads include:

Road One – NE 160 Road from NE 40 Avenue to NE 70 Avenue
Road Two – NE 50 Avenue from NE 140 Road to NE 170 Road
Road Three – NE 130 Road from NE 40 Avenue to NE 70 Avenue
Road Four – NE 50 Avenue from NE 120 Road north 1.5 miles
Road Five – NE 70 Avenue from NE 130 Road south 1.5 miles*

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*By Commission action, NE 70 Avenue, between Sections 34 and 33 of Cheyenne Township, was posted as minimum maintenance.

As required by statute, the Barton County Planning Commission reviewed the declaration and voted said action down due to agricultural needs in the area.

Clark Rusco, County Engineer, and Richard Boeckman, County Counselor/Administrator, provided details and noted the Commissioners made a road trip to view these roads. It was clarified that "Minimum Maintenance" does not mean NO maintenance.

Judy Goreham, Environmental Manager, stated the Planning Commission did not recommend the "Minimum Maintenance" road designation.

Francis Debes acknowledged that the roads have not been maintained for several years, but that they had met with property owners and are working to improve the roads. He stated the board is asking for the "Minimum Maintenance" designation with "Minimum Maintenance-Travel at Your Own Risk" signage to warn travelers about the condition of the road to hopefully avoid accidents. This designation removes the township's liability.

Vic Hoffman asked how they would get the designation and signage removed if the roads were improved to an acceptable standard?

Commissioner Krier said the board could simply rescind their resolution.

Commissioner Krier moved that there would be a declaration signed that there would be minimum maintenance on these five roads in question:

- NE 160 Road from NE 40 Avenue to NE 70 Avenue
- NE 50 Avenue from NE 140 Road to NE 170 Road
- NE 130 Road from NE 40 Avenue to NE 70 Avenue
- NE 50 Avenue from NE 120 Road north 1.5 miles
- NE 70 Avenue from NE 130 Road south 1.5 miles

and that declaration would consist of putting up minimum maintenance signs at this time.

Commissioner Schartz seconded the motion.

Commissioner Schartz, Commissioner Krier and Commissioner Kruckenberg voted aye.

Commissioner Edmonds and Commissioner Schremmer voted nay.

Motion passed 3 – 2.

B. SHERIFF'S OFFICE: Heating and Air System – Administrative Building:

- Commissioner Krier moved that Item B: Sheriff's Office Heating and Air System, be taken off the table.

Commissioner Kruckenberg seconded the motion.

All voted aye.

-After a system failure, the Sheriff's Office requested bids for the replacement of the current heating and air system in the Administrative Building. With various factors being considered, Sheriff Greg Armstrong recommends that the \$8,469.00 bid submitted by Campbell's Refrigeration be approved. This bid includes two 80,000 BTU 95.5% efficiency furnaces and two 4-ton condensers. The project is further recommended for payment through the Capital Improvement Fund. This item was tabled on both May 26 and June 1, 2009.

Undersheriff Holiday said they asked Campbell's Refrigeration to re-submit their bid since their original bid had expired. Commissioner Schartz questioned the need to go back to all vendors who originally bid the project. Holiday explained that the new bid had increased and that the next closest bid was \$500 or more than Campbell's Refrigeration's bid.

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Commissioner Schremmer moved to approve the \$8,469.00 bid from Campbell's Refrigeration for a heating and air system for the Sheriff's Office Administrative Building. Quoted price to be paid from the Capital Improvement Fund, Building Improvements line, 45-10-4710.

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

IV. NEW BUSINESS:

A. RESOLUTION 2009-25: Barton County Nuisance Code and Rescinding Resolution 2007-10, Same, Adopted July 16, 2007:

-In 2005, a Resolution was adopted that allowed for the abatement of nuisances, to include inoperable vehicles, salvage material, garbage, weeds and other noxious vegetation. In addition, to assure the continued relief from such nuisances, those persons found to have violated the well being of others through the collection of nuisances upon private property can be penalized through the court system. The Resolution was then amended in 2007. Since that time, various entities have worked together to make revisions to the regulations, including Farm Bureau representatives.

Richard Boeckman, County Counselor/Administrator, presented details on the proposed updates. Farm Bureau recommended certain changes as they apply to agriculture use. There was discussion on who would enforce the nuisance code, but determined that the new revisions as recommended by Farm Bureau would be adopted now and discuss enforcement later.

Commissioner Edmonds moved to adopt Resolution 2009-25, Barton County Nuisance Code and Rescinding Resolution 2007-10, Same, Adopted July 16, 2007.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

B. COMMITTEE ASSIGNMENTS: Update:

-As a part of their public service, the Commissioners often sit on various boards and committees. This educational item has been scheduled so that each Commissioner can report, as appropriate, on the happenings of their individual assignments.

- Comm Krier: No assignments at this time.
- Comm Schremmer: No updates. SDSI meets this Wednesday. The Gov's Comm. meets next month.
- Comm Schartz: Nothing to report.
- Comm Kruckenberg: Humane Society-little dogs won't shut up & big dogs eat too much.
- Comm Edmonds: Nothing to report.

Information Only. No Action Required.

V. ENDING BUSINESS:

1. Announcements
2. Appointments

VI. OTHER BUSINESS:

- Richard Boeckman: Long awaited courthouse chiller project is on-going.
- Comm Krier: Signage is good at Dubuque dead-end by cemetery, but people drive on through. Asked Clark Rusco to put up plastic reflectors in addition to the signage.

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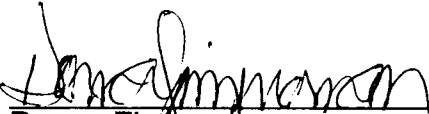
VII. ADJOURN:

Commissioner Schremmer made a motion to adjourn at 10:00 A.M.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

ATTEST:



Donna Zimmerman
Barton County Clerk



Jennifer Schartz, Chairman