

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).

May 23, 2016

The Board of Barton County Commissioners convened this 23rd day of May 2016, at the Barton County Courthouse.

Members present:

Kenny Schremmer, Commissioner, 1st District (Chairman Pro-Tem)
Homer Kruckenberg, Commissioner, 2nd District
Don Davis, Commissioner, 3rd District, Chairman
Alicia Straub, Commissioner, 4th District
Jennifer Schartz, Commissioner, 5th District
Bev Schmeidler, Assistant Deputy County Clerk
Richard Boeckman, County Counselor/Administrator

I. OPENING BUSINESS:

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

Commissioner Straub moved to approve the agenda.

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

Minutes of the May 9, 2016 and the May 16, 2016 Regular Meetings were not available.

II. OLD BUSINESS:

There was no old business.

I. NEW BUSINESS:

A. COUNTY ENGINEER: Supplemental Agreement for Design Services on High Risk Rural Roads Signing Project #5C-4671-01:

-Barton County was approved by the Kansas Department of Transportation (KDOT) for the High Risk Rural Roads (HRRR) Sign Replacement Project #5C-4671-01 in 2015. KDOT has since prepared a supplemental agreement to raise the compensation to Kirkham-Michael, design firm, from \$18,788.19 to \$30,200.94. Barry McManaman, County Engineer, notes that the original project scope was to prepare plans for the replacement of existing signs. Added was analyzing No Passing Zones signage to assure proper location and length.

Barry McManaman, County Engineer, said the additional compensation of \$11,412.75 will be reimbursed 100% by the State.

Commissioner Schartz moved to approve the Supplemental Agreement for Design Services on High Risk Rural Roads Signing Project #5C-4671-01. As a result of the agreement, move to encumber the difference, \$11,412.75, to Kirkham-Michael. Cost to be paid from the Capital Improvement Fund, Road and Bridge line, 071-00-6335. One hundred percent of the project cost, which is \$30,200.94, will be reimbursed to the County and deposited in the Road and Bridge Fund, Budget Credits / Reimbursements. This reimbursement will need to be remitted back to the Capital Improvement account.

Commissioner Schremmer seconded the motion.

All voted aye. Motion passed.

B. COUNTY ENGINEER: Bridge Replacement Project #5C-4702-01 - Natural Gas Line:

-Kansas Gas Service (KGS) has a 4" high pressure natural gas line that needs to be lowered in order to construct the channel and rock rip rap for a bridge project east of Great Bend. The gas line is on private property, not on County right of way, therefore the cost of adjustment is the responsibility of the County. KGS has offered to split the cost with the County. Under the proposed Letter of Agreement, the County would

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responsible for one-half of the cost, that being an estimated \$28,750.00. If any additional cost is incurred, that too would be split with KGS. Money is available in the Special Bridge Fund for this project.

Barry McManaman, County Engineer, said the location is approximately one mile east of Kiowa Kitchen.

Richard Boeckman noted that McManaman negotiated the split of the cost with KGS.

Commissioner Schartz moved to approve the Letter of Agreement with Kansas Gas Service for lowering the 4" high pressure natural gas line on Bridge Replacement Project #5C-4702-01. Cost, estimated at \$28,750.00, to be paid from the Special Bridge Fund, Operating and Construction Equipment line, 003-92-6190-92.

Commissioner Schremmer seconded the motion.

All voted aye. Motion passed.

C. EMAIL SCAM: Treasurer's Office:

-Kevin Wondra, County Treasurer, was the victim of an email scam directing him to wire money. The email, which was identified as being from another County official, asked that he wire the funds on Friday, May 13, 2016. Since that time, the County has made a formal report to the Sheriff's Office, made a thorough review of the County's firewall and is working to determine if the funds will be returned.

Richard Boeckman, County Counselor/Administrator, said there had been a fair amount of publicity about the matter. Boeckman reported the County has had material deficiencies in audits the past several years due to issues in the Treasurer's office and noted the auditors recently told him the County was on the way to a clean audit this year until the email scam. Boeckman said he spoke to Liz Praeger, Alliance Insurance, to see if the County is covered for the loss and was still waiting to hear back. Boeckman said number of internal controls were violated.

Commissioner Schartz asked Boeckman to list the internal controls that were not followed. Boeckman said no one called him to inquire about the transfer, invoices are always used, there was no account number, said he does not have the authority to authorize this transfer, this amount would have needed commission approval and the funds would have been encumbered.

Sheriff Bellendir said a criminal investigation has been filed however, there are no suspects yet. There is a chance of recovering all or part of the money. As of the close of business on Friday, May 20th, the money had already been transferred to a bank in Georgia and likely has now gone through several banks. It is a theft by deception case, internet fraud case and an IC3 report has been filed with the FBI since state lines were crossed.

Commissioner Straub asked how the persons were able to send an email that appeared to come from the administrator. John Debes said they probably set up a server with a legitimate name and the officials e-mail addresses. Names, positions, etc. are available on the website. Debes said it is not an uncommon occurrence and noted the Milwaukee Bucks organization was compromised recently.

Sheriff Bellendir said the City of Great Bend also received similar e-mails like the County received.

Commissioner Schartz asked Boeckman if there were enough internal controls in place to protect us. Boeckman said the auditors feel that the appropriate controls are in place.

Commissioner Davis asked Kevin Wondra why he acted so fast when he doesn't answer Boeckman's e-mails in a timely fashion. Kevin Wondra, County Treasurer, said the e-mail looked authentic and he knew Boeckman was out of town at a seminar at the time. Wondra said he thought it was something that needed taken care of right away and noted he made an error.

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Commissioner Schartz said mistakes can be made, but this was just one in a series of mistakes from the Treasurer's Office. Schartz said she received numerous calls and comments about this issue and said in the past, a commissioner asked for Wondra's resignation and at that time, Wondra said he was thinking about it. Schartz said she guessed he was still thinking about it. Schartz said it's time for someone to be in the office that can do the job the taxpayers are paying for.

Commissioner Straub said she was not justifying it, but understands why Wondra would react this way based on the attacks made on him in the past and the level of communication in the past. Perhaps Wondra didn't feel comfortable contacting Boeckman.

Commissioner Davis said Boeckman would use better English than the language this e-mail contained.

Mary Hoisington said these people are professional scammers; it's what they do for a living. It doesn't excuse not following protocol, but these scammers are professionals.

Information Only. No Action Required.

IV. ENDING BUSINESS:

1. Announcements
2. Appointments

V. OTHER BUSINESS:

There was no other business.

VI. ADJOURN:

Commissioner Schartz made a motion to adjourn at 9:35 A.M.

Commissioner Schremmer seconded the motion.

All voted aye. Motion passed.

ATTEST:



Bev Schmeidler

Barton County Asst. Deputy Clerk



Don Davis, Chairman