

# 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](mailto: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).

October 21, 2016

The Board of Barton County Commissioners convened this 21st day of October 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  
Donna Zimmerman, County Clerk

*Members absent:*

Richard Boeckman, County Counselor/Administrator

## **I. OPENING BUSINESS:**

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

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

Minutes of the October 10, 2016 and the October 17, 2016 Regular Meetings were not available.

## **II. OLD BUSINESS:**

There was no old business.

## **III. NEW BUSINESS:**

### **A. RETAIN SPECIAL COUNSEL:**

-It is suggested that the Commission retain Watkins Calcara, Chtd. to provide services.

Commissioner Schartz moved to retain Watkins Calcara, Chtd. as Special Counsel to the Commission. Payment for services will be made through the Special Liability Fund unless that has been depleted and then it will come from the Finance General.  
Commissioner Schremmer seconded the motion.  
All voted aye. Motion passed.

### **B. EXECUTIVE SESSION: Attorney-Client Privilege:**

-The Commission will enter into Executive Session. The Commission may invite such parties as needed into said Session. The Commission meeting will resume in one hour.

At 9:05 A.M. Commissioner Straub moved that the Commission go into Executive Session for a period of one (1) hour. The subject to be discussed will be consultation with a special counsel on matters protected by attorney/client privilege. The reason this needs to be discussed in Executive Session is to provide that attorney/client privilege and the County's position on the matter on which this legal advice is being sought. I would ask that the County Clerk, Donna Zimmerman and the County Sheriff, Brian Bellendir, be included in that meeting and the Open Meeting will resume at 10:05 in this room.

Commissioner Davis said we need to include Mr. Glendenning.

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Commissioner Straub added to include Watkins Calcara, Alan Glendenning.  
Commissioner Schremmer seconded the motion.  
All voted aye. Motion passed.

At 10:06 A.M. Commissioner Schartz moved that we come back into Regular Session and that we take a fifteen (15) minute recess.  
Commissioner Kruckenberg seconded the motion.  
All voted aye. Motion passed.

At 10:41 A.M. Commissioner Straub moved to resume Regular Session.  
Commissioner Schartz seconded the motion.  
All voted aye. Motion passed.

Commissioner Davis thanked the public for their cooperation and asked for a motion for another short Executive Session.

At 10:42 A.M. Commissioner Straub said she would do that and just note that we'll have more information for you following this next executive session.

Commissioner Straub moved that the Commission go into Executive Session for a period of thirty (30) minutes. The subject to be discussed will be consultation with a special counsel on matters protected by attorney/client privilege. The reason this needs to be discussed in Executive Session is to provide that attorney/client privilege and the County's position on the matter on which that legal advice is being sought. To be included in this meeting, will be once again; the County Sheriff, Brian Bellendir; the County Clerk, Donna Zimmerman and Alan Glendenning from Watkins Calcara. The open meeting will resume at 11:05 A.M.

Commissioner Schremmer seconded the motion.  
All voted aye. Motion passed.

At 11:15 A.M., Commissioner Schartz moved to come out of Executive Session.  
Commissioner Straub seconded the motion.  
All voted aye. Motion passed.

## **ACTION FROM EXECUTIVE SESSION: Attorney-Client Privilege:**

Commissioner Schremmer said we requested the resignation of our County Administrator/Counselor. He has submitted his resignation effective today, subject to a buyout of his contract.

Commissioner Schremmer moved to accept his resignation effective today and the tentative buyout agreement negotiated by our special counsel.  
Commissioner Kruckenberg seconded the motion.  
All voted aye. Motion passed.

## **IV. ENDING BUSINESS:**

1. Announcements
2. Appointments

## **V. OTHER BUSINESS:**

- Comm Davis: Any questions should be directed to Mr. Glendenning.
- Steve Webster, Eagle Radio: How much was the buyout. Allen Glendenning said the Commission negotiated \$27,500. It could have been as high as \$60,000.
- Steve Webster, Eagle Radio: Is this over? Will there be any further action? Allen Glendenning said not that he was aware of.

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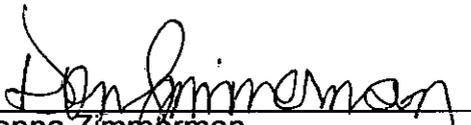
## VI. ADJOURN:

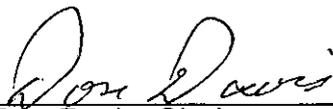
Commissioner Kruckenberg made a motion to adjourn at 11:19 A.M.

Commissioner Schartz seconded the motion.

All voted aye. Motion passed.

ATTEST:

  
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Donna Zimmerman  
Barton County Clerk

  
\_\_\_\_\_  
Don Davis, Chairman