

THE PRATT COUNTY COMMISSIONERS MET MONDAY, NOVEMBER 7, 2016 AT 4:00 P.M. IN THE COMMISSION ROOM, COURTHOUSE, WITH THE FOLLOWING MEMBERS PRESENT: JOE REYNOLDS, DAVID L. WARD AND GLENNA L. BORHO. ALSO PRESENT WERE ROBERT SCHMISSEUR, COUNTY COUNSELOR, GALE ROSE, PRATT TRIBUNE REPORTER, SHERRY KRUSE, COUNTY CLERK AND JERRY KEENE.

THE MEETING WAS OPENED WITH THE PLEDGE OF ALLEGIANCE.

CHAIRMAN REYNOLDS OPENED BIDS FOR TWO COPIERS IN THE ROAD DEPARTMENT; DIRKS COPY PRODUCTS, KYOCERA COPYSTAR M2535DN \$971 EACH; BOLEN OFFICE SUPPLY, KYOCERA ECOSYSM2035DN \$595 EACH; NO DECISION WAS MADE SINCE DOUG FREUND, ROAD AND BRIDGE DIRECTOR, WAS NOT PRESENT FOR THE BID OPENING AND THE COMMISSIONERS WANTED HIM TO REVIEW THE BIDS; JAMES METCALFE, ROAD FOREMAN, PRESENTED A CONTRACT ON NEW SIGNAGE FOR THE SOUTH HALF OF PRATT COUNTY; FISCAL 2019 HIGH RISK RURAL ROADS FEDERAL FUNDS OF \$282,000 WILL COVER THE COST; COMMISSIONER BORHO MADE A MOTION TO REQUEST \$282,000 IN FEDERAL FUNDS FOR FISCAL 2019 HIGH RISK RURAL ROADS FOR THE SOUTH HALF OF PRATT COUNTY. COMMISSIONER WARD SECONDED THE MOTION. MOTION CARRIED 3-0.

ROBERT TORRES, NOXIOUS WEED/ENVIRONMENTAL SERVICES, REPORTED 50 PEOPLE ATTENDED THE MEETING ON NOVEMBER 1, 2016; THERE WAS LOTS OF INTEREST IN THE WATER WELL ASSESSMENTS; JESSE CAMPBELL, MIDWEST ASSISTANCE PROGRAM, CONDUCTED WATER WELL ASSESSMENTS THE NEXT DAY ON TWELVE PROPERTIES AND ELEVEN HAD JUST MINOR ISSUES; FIVE PEOPLE SIGNED UP FOR WATER WELL TESTING; SEVEN PEOPLE SIGNED UP FOR THE NEXT ASSESSMENT VISIT IN JANUARY 2017; ROBERT SAID THEY WILL BE SURVEYING TEN SECTIONS OF PRATT COUNTY THIS YEAR.

CATHERINE ROHRER, SOUTH CENTRAL KANSAS COMMUNITY CORRECTIONS DIRECTOR, REPORTED ON THE SAFETY ITEMS NEEDING REPAIRS FROM THE DEPARTMENT OF LABOR INSPECTION; GFI OUTLETS WERE INSTALLED AND FIRE EXTINGUISHERS WERE TESTED; THE BREAKER BOX WAS REPLACED SINCE THE OLD ONE WAS KNOWN TO OVERHEAT AND CATCH FIRE; ADAMS ELECTRIC DID THE WORK FOR ABOUT \$1000; CATHERINE ASKED THAT THE BILL BE PAID FROM THE CAPITAL IMPROVEMENT FUND; COMMISSIONERS AGREED TO THE REQUEST.

JERRY KEENE REPORTED HE ATTENDED THE SILVER-HAIRED LEGISLATURE AND WAS APPOINTED TO THE FINANCE COMMITTEE; HAVING A LOT OF MEETINGS BY PHONE.

COMMISSIONER WARD MADE A MOTION TO APPROVE THE MINUTES OF THE OCTOBER 31, 2016 MEETING. COMMISSIONER BORHO SECONDED THE MOTION. MOTION CARRIED 3-0.

ROBERT SCHMISSEUR, COUNTY COUNSELOR, DISCUSSED A PETITION FILED TO OPEN A ROAD ON NE 150<sup>TH</sup> AVE THE FIRST HALF MILE SOUTH OF THE INTERSECTION AT NE 90<sup>TH</sup> ST AND NE 150<sup>TH</sup> AVE; THE PETITION DOES NOT MEET STATUTORY GUIDELINES AND DID NOT INCLUDE ANY ADJOINING LANDOWNERS OR PROPERTY LINES; IN HIS OPINION THEY DID NOT USE LEGAL COUNSEL; RENO COUNTY HAS A TOWNSHIP ROAD SYSTEM; PRATT COUNTY COULD SPEND A LOT OF MONEY OPENING A ROAD.

COMMISSIONER WARD MADE A MOTION TO APPROVE PAYMENT VOUCHERS OF NOVEMBER 7, 2016. COMMISSIONER BORHO SECONDED THE MOTION. MOTION CARRIED 3-0.

ROBERT SCHMISSEUR, COUNTY COUNSELOR, DISCUSSED A DISPUTE INVOLVING THE ORIGINAL FINANCING OF GATEWAY ETHANOL; PRATT COUNTY AND GATEWAY ETHANOL CREATED A PROPERTY

TAX REBATE AGREEMENT WHICH WAS SIGNED OFF BY PRATT COUNTY TAXING ENTITIES INVOLVED; DOUGHTERY ULTIMATELY PURCHASED THE PLANT AND IN 2012 SOLD IT TO SCOLAR GRAIN WHO THEN TRANSFERRED TO ETHANOL GROUPS THAT FORMED PRATT ENERGY LLC; PRATT ENERGY LLC APPLIED FOR AN ECONOMIC DEVELOPMENT EXEMPTION THAT WAS APPROVED BY THE STATE BOARD OF TAX APPEALS; AN AGREEMENT WAS NEGOCIATED BETWEEN DOUGHTERY FUNDING ATTORNEY'S, TREVOR WOHLFORD AND ROBERT SCHMISSEUR; DOUGHTERY HAS AGREED TO ACCEPT PAYMENT OF \$215,000 AND DISMISS ANY COMPLAINTS; MR. SCHMISSEUR STATED PRATT COUNTY DID NOTHING WRONG AND RECOMMENDED THAT THE BOARD OF COUNTY COMMISSIONERS APPROVE THE SETTLEMENT THAT'S BEEN NEGOCIATED; COMMISSIONER BORHO MADE A MOTION TO SETTLE THE DISPUTE WITH DOUGHTERY FUNDING LLC FOR \$215,000. COMMISSIONER WARD SECONDED THE MOTION. MOTION CARRIED 3-0.

COMMISSIONER BORHO MADE A MOTION AT 5:22 P.M. TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS NON-ELECTED PERSONNEL FOR FIFTEEN MINUTES. COMMISSIONER WARD SECONDED THE MOTION. MOTION CARRIED 3-0. COMMISSIONER BORHO MADE A MOTION AT 5:37 P.M. TO RETURN FROM EXECUTIVE SESSION WITH NOTHING TO REPORT. COMMISSIONER WARD SECONDED THE MOTION. MOTION CARRIED 3-0.

COMMISSIONER WARD MADE A MOTION AT 6:10 P.M. TO ADJOURN THE MEETING. COMMISSIONER BORHO SECONDED THE MOTION. MOTION CARRIED 3-0. MEETING ADJOURNED.

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JOE REYNOLDS                      CHAIRMAN

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DAVID L. WARD                      MEMBER

ATTEST:

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SHERRY KRUSE, COUNTY CLERK

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GLENN L. BORHO                      MEMBER