

THE PRATT COUNTY COMMISSIONERS MET IN REGULAR SESSION MONDAY, JANUARY 11, 2021 AT 4:00 P.M. IN THE COMMISSIONER ROOM, 1ST FLOOR IN THE COURTHOUSE. WITH THE FOLLOWING MEMBERS PRESENT: THOMAS W. JONES, GLENNA L. BORHO AND JOE R. REYNOLDS. TYSON EISENHAUER, COUNTY COUNSELOR, LORI VOSS, COUNTY CLERK, MARK GRABER, IT DIRECTOR, RICK SHRIVER, DWIGHT ADAMS, DOUG REH, VERNON CHINN, JEFF SLADE, LARRY RIFFEY, ROBERT SMILEY, LINDA HOEME, ANDY HOEME, CHASE GALLE, JULIE SHRIVER, GARY CONDUCT, MARJORIE BUCK AND LEVI JOHNSON, WERE ALSO PRESENT.

THE MEETING WAS OPENED WITH THE PLEDGE OF ALLEGIANCE.

TYSON EISENHAUER, COUNTY COUNSELOR, REMINDED EVERYONE THE MEETING IS BEING STREAMED OVER ZOOM AND TO PLEASE STATE YOUR NAME WHEN SPEAKING; MARK GRABER, IT DIRECTOR, WILL WATCH FOR ANY COMMENTS OR QUESTIONS FROM THE PUBLIC.

COMMISSIONER REYNOLDS MADE A MOTION TO APPROVE THE MINUTES FROM THE JANUARY 8, 2021. COMMISSIONER BORHO SECONDED. MOTION CARRIED 3-0.

JUDGE FRANCIS MEISENHEIMER, PRATT COUNTY DISTRICT COURT JUDGE, SWORE IN THE FOLLOWING ELECTED OFFICIALS, LORI VOSS, COUNTY CLERK, SHERRY WENRICH, REGISTER OF DEEDS, JIMMY WHITE, SHERIFF, TRACEY BEVERLIN, COUNTY ATTORNEY, RICK SHRIVER, COMMISSIONER, AND DWIGHT ADAMS, COMMISSIONER.

TYSON EISENHAUER, COUNTY COUNSELOR, REMINDED THE COMMISSIONERS THAT KEVIN COWAN (BOND COUNSEL) ADVISED THE COMMISSION TO KEEP THE SAME CHAIRMAN AND PBC MEMBERS SO AS TO NOT DISRUPT THE DOCUMENTS RELATED TO ISSUANCE OF BONDS TO FINANCE THE PUBLIC SAFETY BUILDING PROJECT. COMMISSIONER ADAMS MADE A MOTION TO APPOINT TOM JONES AS CHAIRMAN. COMMISSIONER SHRIVER SECONDED. MOTION CARRIED 3-0. COMMISSIONER SHIRVER MADE A MOTION TO REAPPOINT JACK KENNEDY TO THE PUBLIC BUILDING COMMISSION. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0. COMMISSIONER ADAMS MADE A MOTION TO REAPPOINT DOUG REH TO THE PUBLIC BUILDING COMMISSION. COMMISSIONER SHRIVER SECONDED. MOTION CARRIED 3-0.

COMMISSIONER SHRIVER MADE A MOTION TO MAKE THE PRATT TRIBUNE THE PRATT COUNTY OFFICIAL NEWSPAPER. COMMISSIONER ADAMS SECONDED. MOTION CARRIED. 3-0.

COMMISSIONER SHRIVER MADE A MOTION TO MADE THE PEOPLES BANK, LEGACY BANK AND FIRST STATE BANK, THE OFFICIAL DEPOSITORIES OF PRATT COUNTY. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0.

DOUG FREUND, ROAD SUPERVISOR, REPORTED HE WAS GETTING PRICES ON ROCK AND IS LOOKING AT PRICES FOR ASPHALT.

ROBERT TORRES, NOXIOUS WEED DIRECTOR, REPORTED HE HAD BEEN APPROVED BY THE KANSAS DEPARTMENT OF AGRICULTURE TO APPLY CHEMICALS IN PRATT COUNTY. ROBERT ASKED FOR A FIVE MINUTE EXECUTIVE SESSION TO DISCUSS NON-ELECTED PERSONNEL. COMMISSIONER ADAMS MADE A MOTION TO ADJOURN INTO EXECUTIVE SESSION AT 4:16 P.M. FOR FIVE MINUTES TO DISCUSS NON-ELECTED PERSONNEL. COMMISSIONER SHRIVER SECONDED. MOTION CARRIED 3-0. COMMISSIONER ADAMS MADE A MOTION AT 4:21 P.M. TO RETURN FROM EXECUTIVE SESSION. COMMISSIONER

SHRIVER SECONDED. MOTION CARRIED 3-0. COMMISSIONER ADAMS MADE A MOTION TO APPROVE A \$1.00 RAISE FOR NOXIOUS WEED EMPLOYEE JON ROACH. COMMISSIONER SHRIVER SECONDED. MOTION CARRIED 3-0.

BILL HAMPTON, FIRE/RESCUE, DISCUSSED A BILL FOR TNT RAM TOOL.

COMMISSIONER SHRIVER MADE A MOTION TO ADJOURN INTO EXECUTIVE SESSION FOR FIVE MINUTES AT 4:24 P.M. TO DISCUSS NON-ELECTED PERSONNEL. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0. COMMISSIONER SHRIVER MADE A MOTION TO RETURN FROM EXECUTIVE SESSION AT 4:24 P.M. WITH NOTHING TO REPORT. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0.

TYSON EISENHAEUER, COUNTY COUNSELOR, DISCUSSED REVISITING THE BIDS FOR THE HVAC AT THE HEALTH DEPARTMENT. THE BIDDERS WERE ECK SERVICES, INTEGREN SERVICES AND WESTHOFF PLUMBING HEATING & AIR CONDITIONING. TYSON ASKED FOR A TEN MINUTE EXECUTIVE SESSION AT 4:30 P.M. TO DISCUSS ATTORNEY/CLIENT MATTER. COMMISSIONER SHRIVER MADE A MOTION TO ADJOURN INTO EXECUTIVE SESSION AT 4:30 PM TO DISCUSS ATTORNEY/CLIENT MATTER. COMMISSIONER ADAMS SECONDED THE MOTION. MOTION CARRIED 3-0. COMMISSIONER SHRIVER MADE A MOTION TO RETURN FROM EXECUTIVE SESSION AT 4:40 P.M. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0. COMMISSIONER SHRIVER MADE A MOTION TO RESCIND THE BID AWARD FROM ECK SERVICES. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0. COMMISSIONER SHRIVER MADE A MOTION TO AWARD THE HVAC BID OF \$7,095.00 FOR THE HEALTH DEPARTMENT TO INTEGREN SERVICES. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0.

CATHERINE ROHRER, SCKCCA DIRECTOR, REPORTED BACK IN JUNE, 2020 SHE HAD REQUESTED BIDS FOR CARS TO BE PAID OUT OF HER COMP GRANT. IN HER FY21 BUDGET, CARS NEED TO BE CLARIFIED RATHER IT CAN BE USED FOR A CAR, SMALL SUV OR A VAN. SHE REPORTED ONE OF THE COMMISSIONERS WILL BE NEEDED TO SERVE ON THE JUVENILE ADVISORY BOARD. THEY MEET EVERY QUARTER AND THE NEXT MEETING WILL BE THURSDAY, JANUARY 28TH, 9 A.M. ON A CONFERENCE CALL. SHE WILL CHECK BACK NEXT WEEK ON WHO WILL BE SERVING ON THIS BOARD.

DARCIE VANDERVYVER, HEALTH DIRECTOR, REPORTED SHE WILL NEED A COMMISSIONER TO SERVE ON THE COALITION BOARD. THEY MEET QUARTLY. SHE WILL CHECK BACK TO SEE WHO IS ABLE TO SERVE. SHE GAVE UPDATED COVID NUMBERS. SHE REPORTED SHE SHOULD BE RECEIVING MORE VACCINES AT THE END OF THE WEEK. THEY NEED TO FINISH PHASE I. SHE WANTED TO REMIND EVERYONE TO FILL OUT ONE COVID SURVEY, NOT ONE AT EACH HEALTH FACILITY. SHE STATED OVER 1400 HAD ALREADY TAKEN THE SURVEY. SHE STATED SHE HAD RECEIVED A BILL FROM AT&T FOR \$74,000 FOR THE CELL PHONES THAT WERE ORDERED FRAUDULENTLY. TYSON WILL CHECK INTO OUR INSURANCE POLICY TO SEE IF THIS IS COVERED.

SCOTT HARRIS, EMS DIRECTOR, ASKED FOR A TWENTY MINUTE EXECUTIVE SESSION TO DISCUSS NON-ELECTED PERSONNEL. COMMISSIONER SHRIVER MADE A MOTION TO ADJOURN INTO EXECUTIVE SESSION FOR TWENTY MINUTES AT 4:50 P.M. TO DISCUSS NON-ELECTED PERSONNEL. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0. COMMISSIONER SHRIVER MADE A MOTION AT 5:05 P.M. TO RETURN FROM EXECUTIVE SESSION. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0. COMMISSIONER SHRIVER MADE A MOTION TO APPROVE THE EMS EMPLOYEES RAISES AS FOLLOWS; BRIAN ATTEBERRY, .21, LISA CLIFTON, .24, ABBIGAIL DOHERTY, .14, BILLY HAMPTON, .30, DAVE HARBOUR, .29, JOANNA KENNEY, .17, BRIAN LAWRENCE, .21, JASON NELSON, .18, ALEX ROSENBAUM,

.26, GREG SIMPSON, .26, JARED SPRADLING, .15, AND JOSH STAHL, .19. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0.

LARRY RIFFEY ASKED IF THERE ARE OPTIONS TO USING OTHER SURVEY REVIEWERS OTHER THAN THE COUNTY DESIGNATED FIRM OF KIRKHAM MICHAEL. COMMISSIONER JONES ASKED HIM TO CALL THE CLERK'S OFFICE AND MAKE AN APPOINTMENT TO GET ON THE AGENDA TO DISCUSS THIS.

COMMISSIONER ADAMS MADE A MOTION TO SUSPEND THE PUBLIC SAFETY BUILDING FOR 30 DAYS OR LESS. THERE BEING NO SECOND. MOTION DID NOT PASS.

TYSON EISENHAUER, COUNTY COUNSELOR, READ ALOUD MULTIPLE ARTICLES OF THE GENERAL CONDITIONS FOR CONTRACT CONSTRUCTION, INCLUDING THOSE GOVERNING SUSPENSION AND TERMINATION OF THE CONTRACT. HE THEN INFORMED THE COMMISSIONERS THAT THE ARCHITECT'S ROUGH ESTIMATE OF THE MINIMUM COSTS ASSOCIATED WITH TERMINATION OF THE CONTRACT WAS 1.5 TO 2 MILLION DOLLARS, AND STRESSED THAT THE ESTIMATE WAS ROUGH AND A MINIMUM. HE FURTHER WARNED THAT ANY SUSPENSION OR TERMINATION OF THE CONTRACT WOULD LIKELY RESULT IN LITIGATION AND STRONGLY RECOMMENDED THAT THE COMMISSIONERS NOT SUSPEND OR TERMINATE THE CONTRACT. TYSON FURTHER EXPLAINED THE STEPS TAKEN BY THE PREVIOUS COMMISSION AND PBC ON THE PROJECT, INCLUDING THE PBC'S INTENT RESOLUTION, VOTING OF BOTH THE COMMISSION AND PBC TO LET THE CONTRACT FOR CONSTRUCTION, AND RESOLUTIONS BY THE COMMISSION AND PBC RELATING TO ISSUANCE OF BONDS TO FINANCE THE PROJECT. RATHER THAN SUSPENDING THE CONTRACT, TYSON RECOMMENDED THAT THE COMMISSIONERS AND PBC CALL A SPECIAL MEETING WITH THE ARCHITECT AND GENERAL CONTRACTOR SO AS TO ADDRESS ANY QUESTIONS OR CONCERNS.

LINDA HOEME STATED IT SHOULD HAVE BEEN PUT TO A VOTE. TYSON EISENHAUER, COUNTY COUNSELOR STATED IT WENT THROUGH THE PBC INSTEAD OF A PROTEST PETITION.

COMMISSIONER SHRIVER MADE A MOTION TO ADJOURN INTO EXECUTIVE SESSION AT 5:31 P.M. FOR TEN MINUTES TO DISCUSS ATTORNEY/CLIENT MATTER. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0. COMMISSIONER SHRIVER MADE A MOTION TO RETURN FROM EXECUTIVE SESSION AT 5:40 P.M. WITH NOTHING TO REPORT. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0.

ROBERT SMILEY STATED IF IT WAS REBID THE COSTS WOULD DEFINITELY BE HIGHER. HE STATED THE BUILDING WILL HELP MANY BUSINESSES IN THE COMMUNITY. HE SAID HIS SUPPLIES FOR THE CONCRETE WORK ARE ALREADY ORDERED. COVID CAUSING PROBLEMS WITH SUPPLY AND DEMAND, SO THE COSTS WOULD DEFINITELY GO UP.

COMMISSIONER ADAMS ASKED IF THE BUILDING COULD BE SCALED BACK, TYSON STATED ANY MATERIAL CHANGES IT WILL HAVE TO BE REBID AND IT WILL BE HARDER FOR PRATT COUNTY TO GET A GOOD NUMBER OF BIDS IF THIS PROJECT IS SUSPENDED OR TERMINATED AND STARTING OVER.

ROBERT SMILEY STATED THERE IS GOING TO BE A PROGRESS REPORT WEDNESDAY, JANUARY 13, 2021 AT 10:00 A.M. ON SITE. IT WOULD BE A GOOD FOR ONE COMMISSIONER TO ATTEND AND THEN REPORT BACK AT THE NEXT COMMISSIONER MEETING. COMMISSIONER JONES RECOMMENDED COMMISSIONER SHRIVER ATTEND THE PROGRESS MEETING.

TYSON EISENHAUER, COUNTY COUNSELOR, REITERATED THAT HE STRONGLY RECOMMENDS THAT THE COMMISSIONERS NOT SUSPEND OR TERMINATE THE CONTRACT. HE AGAIN ENCOURAGED THE COMMISSIONERS AND PBC TO CALL A SPECIAL MEETING WITH THE ARCHITECT AND GENERAL CONTRACTOR.

AN ANONYMOUS VIEWER ON ZOOM ASKED ABOUT THE EMS RAISES AND WHY THEY WEREN'T THE THREE PERCENT COST OF LIVING THAT OTHERS RECEIVED. COMMISSIONERS STATED THEY WILL LOOK INTO IT.

COMMISSIONERS SIGNED SIGNATURE CARD FOR THE PEOPLES BANK.

COMMISSIONER SHRIVER MADE A MOTION TO APPROVE PAYMENT TO KWORCC FOR \$13,702.00 FOR THE 2020 AUDIT. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0.

TYSON EISENHAUER, COUNTY COUNSELOR, DISCUSSED THE BONDS FOR THE COMMISSIONERS. THEY STATED THEY HAVE FILED THE APPLICATIONS WITH OUR INSURANCE PROVIDER. HE STATED THERE IS A BLANKET BOND TO ADD THE COUNTY CLERK AND COUNTY ATTORNEY. HE STATED HE WAS WORKING ON SOME PROJECTS AND HE WOULD GIVE AN UPDATE IN TWO WEEKS.

COMMISSIONER SHRIVER MADE A MOTION TO APPROVE PAYMENT VOUCHERS FOR JANUARY 11, 2021. COMMISSIONER ADAMS SECONDED. MOTION CARRIED 3-0.

COMMISSIONER ADAMS MADE A MOTION TO ADJOURN THE MEETING AT 6:35 P.M. COMMISSIONER SHRIVER SECONDED. MOTION CARRIED 3-0.

THOMAS W. JONES III CHAIRMAN

DWIGHT ADAMS MEMBER

LORI VOSS, COUNTY CLERK

RICK N. SHRIVER MEMBER