

February 24, 2020

The Harper County Board of Commissioners met in regular session, with Chairman Pence calling the meeting to order to Commissioner Adams and Commissioner Waldschmidt. Recording Secretary Melinda McCurley was also in attendance.

Commissioner Adams motioned to approve the addition and abatement orders for a negative -\$539.70; approved unanimously.

Commissioner Waldschmidt motioned to approve payroll in the amount of \$139,358.59; approved unanimously.

Commissioner Waldschmidt motioned to approve the regular meeting minutes of February 17, 2020; approved by Adams and Waldschmidt, Pence abstained due to being absent.

Commissioner Adams motioned to approve the special meeting minutes of February 12, 2020; approved by Pence and Adams, Waldschmidt abstained due to being absent.

Commissioner Adams motioned to approve Community Development Grant Application 2020-02; approved unanimously.

Shirley McCartney, Department on Aging/Public Transportation, gave a department update. Commissioner Adams motioned to participate in the Mobility Manager program pending verification of the 90% KDOT funding and 10% Area County Aging Board match, and that we can cancel at any time; approved unanimously. Travel requests were also approved.

Jan Harding, EMS, gave a department update. Commissioner Waldschmidt motioned to approve the inordinate-spending authorization for \$1,610 for a MedSafe; approved unanimously.

Sherry Vierthaler, Health, gave a department update. Commissioner Waldschmidt motioned to approve the 2019 write-off amount for delinquent accounts in the amount of \$2,378.13; approved unanimously. Commissioner Adams motioned to participate in the SCKADRC Senior Care Act program; approved unanimously. Travel requests were also approved.

Commissioner Adams motioned to approve the following inordinate-spending authorizations for vaccines: \$2,180.90, \$1,512.60 and \$1,099.30; approved unanimously.

At 10:00 a.m. Chairman Pence called to order the public hearing for Case SU-01-2019. This case concerns an application to modify two conditions of the existing Special Use Case SU-01-2016 for Plumb Thicket Landfill approved by Resolution

2002-04, condition 28 was previously tabled for further review. No Commissioner disqualified him/herself from the hearing. No public was present other than the applicant.

Matt Booker, Zoning Administrator, read the recommendations for the case and reported that the Planning Board recommended approval. Matt then went over the BOCC desired changes to the Special Use Report Factors and Findings. The Board added the following to Condition #17 – “However, the gain to the public health, safety & general welfare by not approving the request of modifying Condition #28 would outweigh the hardship of the Applicant by which the County could improve the monitoring of the landfill pertaining, but not limited to, the conditions hereto attached to Case SU-01-06: Conditions 5, 8, 10, 11, 12, 13, 21, 24, 33, 34, and 39.”

Commissioner Waldschmidt motioned to override the Planning Board’s recommendation, disapprove Case No. SU-01-2019, Condition #28, and amend in detail the findings and factors supporting the motion in the Special Use Report; approved unanimously. The Board’s decision was based on the fact that the previous Commissioners worked diligently on the host agreement with Waste Connections and the conditions that dictated the inspection fee haven’t changed. It is imperative that the County continue overseeing operations at Plumb Thicket to protect the health, safety and general welfare of the public. Therefore, the inspection fee should remain as originally intended. Chairman Pence read the closing remarks: Persons aggrieved by the final decision of the Commission on this matter have 30 days after today’s action within which to appeal to District Court. Representatives from Waste Connections and Curt Logsdon, Public Works were present for the hearing.

At 10:30 a.m. Chairman Pence called to order the previously tabled public hearing for Case SU-02-2019. This special-use case is an application to establish a pipeline pump station in the A-2 Agricultural District. No Commissioner disqualified him/herself from the hearing. No public was present other than the applicant.

Matt Booker, Zoning Administrator, read the recommendations for the case and reported that the Planning Board recommended approval. Commissioner Waldschmidt motioned to adopt the amended findings and factors, which added Condition #3 and Condition #4, and recommendation of the Planning Board on Case SU-02-2019 and approve Resolution 2020-07; approved unanimously. Representatives from Saddlehorn Pipeline and Curt Logsdon, Public Works were present.

Matt Booker, Zoning Administrator, presented Case FP-01-2020. A final plat for the Saddlehorn Pipeline Harper Station was presented. Commissioner Waldschmidt motioned to accept the final plat for the Harper Station filed as Case No FP-01-2020; approved unanimously.

Curt Logsdon, Public Works, gave a department update. Commissioner Adams motioned to approve the inordinate spending authorization for geotechnical services the amount of \$15,500; approved unanimously.

Ami DeLacerda, HR, gave a department update. Personnel status forms for a termination in EMS and a new hire in Public Works were approved. Vacancy notices for the Public Works Division Manager and Department on Aging/Public Transportation Director were approved.

At 11:30 a.m. Commissioner Adams motioned to enter executive session. The subject to be discussed will be protected non-elected personnel. The justification for closing the meeting is to discuss personnel matters of non-elected personnel. The open meeting will resume at 11:50 a.m. in this room; approved unanimously. At 11:50 a.m. Commissioner Adams motioned to extend for 10 minutes; approved unanimously. The meeting returned to open session at 12:00 p.m. with no binding action taken.

The meeting recessed for lunch at 12:00 p.m. and reconvened at 1:00 p.m.

At 1:00 p.m. Commissioner Waldschmidt motioned to enter executive session. The subject to be discussed will be legal advice on matters protected by the attorney client privilege. The justification for closing the meeting is for consultation with our attorney on a matter protected by the attorney/client privilege. The open meeting will resume at 1:10 p.m. in this room; approved unanimously. At 1:10 p.m. Commissioner Adams motioned to extend for 10 minutes; approved unanimously. The meeting returned to open session at 1:20 p.m. with no binding action taken.

At 1:26 p.m. Commissioner Waldschmidt motioned to enter executive session. The subject to be discussed will be protected non-elected personnel. The justification for closing the meeting is to discuss personnel matters of non-elected personnel. The open meeting will resume at 1:36 p.m. in this room; approved unanimously. The meeting returned to open session at 1:36 p.m. with no binding action taken.

Tracy Chance, Sheriff, gave a department update.

At 2:08 p.m. Commissioner Waldschmidt motioned to enter executive session. The subject to be discussed will be protected non-elected personnel. The justification for closing the meeting is to discuss personnel matters of non-elected personnel. The open meeting will resume at 2:18 p.m. in this room; approved unanimously. At 2:18 p.m. Commissioner Adams motioned to extend the executive session for 5 minutes; approved unanimously. The meeting returned to open session at 2:23 p.m. with no binding action taken.

Commissioner Adams motioned to approve a letter of commitment from the Harper County Health Department to work with Horizons to explore the possibility of becoming a Designated Collaborating Organization; approved unanimously.

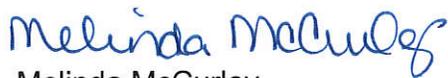
As there was no further business, the meeting adjourned at 2:33 p.m. The next regular meeting will be held on Monday – March 2, 2020 at 9 a.m., in the Courthouse Commissioner Room.

APPROVED



Carla Pence, Chair

ATTEST:



Melinda McCurley
Recording Secretary