

SEWARD COUNTY BOARD OF COMMISSION

DATE: October 7, 2013
TIME: 5:30 p.m.
CALL TO ORDER: Chair Linenbroker
PLEDGE OF ALLEGIANCE: Chair Linenbroker
INVOCATION: Jack Jacobs, Liberal Ministerial Alliance
LOCATION: 515 N. Washington
Commission Chambers
Liberal, KS 67901

PRESENT

COMMISSIONERS: Ada Linenbroker
Doug LaFreniere
Randy Malin
Jim Rice
CJ Wettstein

COUNTY ADMINISTRATION: Absent

CLERK'S OFFICE: Marcala Skinner

CITIZEN COMMENTS: There were no Citizen Comments

1. APPROVE AGENDA: ADDITION/DELETIONS

NONE

Commissioner Rice moved to approve the Agenda.

Commissioner Malin seconded the motion; motion carried 5-0.

2. CONSENT AGENDA

ITEMS	DATE	AMOUNT	NUMBERS
Minutes	September 16, 2013	N/A	N/A
Payroll	September 30, 2013	\$302,046.70	N/A
Payroll(Sage/OK)	September 30, 2013	\$18,738.04	N/A
Vouchers	October 7, 2013	\$624,261.55	152507-152895
Crossing Permits	October 7, 2013	N/A	13-14
Abates	October 7, 2013	\$990.94	N/A
Escapes	October 7, 2013	\$82.46	N/A

REQUISITIONS

DEPARTMENT	ITEM	VENDOR	AMOUNT	LINE ITEM
County Building	Repair & Replacement of Sidewalk/SH	Lezama Concrete	\$1,150.00	3-255-31160-246

Vice Chair LaFreniere moved to approve the Consent Agenda. Commissioner Malin seconded the motion; motion carried 5-0.

3. NEW EMPLOYEES

Terry Dees	Landfill-Oklahoma
Luis Castillas Jr.	Landfill-Oklahoma
Juan Rubio	Landfill-Oklahoma
Danny J. Burtzloff	EMS Ambulance
Chandler Brockett	Sheriff Department
Taylor W. Smith	Rural Fire Volunteer
Zachery R. Stallbaumer	Sheriff Department

4. 4-H MONTH PROCLAMATION

4-H members, Jess Lamont, Brandon Yorio, and Anessa Vazquez read the 4-H Proclamation with Chair Linenbroker proclaiming October 6-13, 2013 as National 4-H week in Seward County.

Proclamation

WHEREAS, 4-H is a community where young people learn leadership, citizenship and life skills; and,

WHEREAS, 4-H is one of the largest youth development organizations in Kansas, with nearly one in every 5 Kansas youth involved in 4-H related programs; and,

WHEREAS, 4-H in Kansas claims 95,976 youth members and 6,176 adult volunteers, while Seward County's 4-H program reached over 2,485 youth through community clubs, school programs and community programs; and,

WHEREAS, 4-H as part of the Kansas State University Research and Extension is a program where youth learn together in all kinds of projects, events and activities; and,

WHEREAS, 4-H has been helping youth and adults learn, grow and work together for more than one hundred years;

NOW, THEREFORE, I, Ada Linenbroker, Chairman of the Seward County Board of Commissioners, do hereby proclaim October 6 - 13, 2013 as National 4-H Week in Seward County and urge the people of this community to take advantage of the opportunity to become more aware of this special program which gives youth the chance to learn together and on their own as part of Seward County 4-H and to join us in recognizing the unique partnership between our county and our University System.

Ada Linenbroker, Chairman
Seward County Board of Commissioners
October 7, 2013

ATTEST:

Stacia Long, County Clerk

5. WIC CONTRACT

Commissioner Wettstein moved to approve the Seward County Health Department WIC program agreement. Commissioner Malin seconded the motion; motion carried 5-0.

6. LESSER PRAIRIE CHICKEN

Commissioner Wettstein moved to pay \$298.00 to Stillwater Technical Solutions in support of the Phase III development plan. Commissioner Malin seconded the motion; motion carried 5-0.

Commissioner Wettstein moved to approve Resolution 2013-10, a Resolution Adopting The Natural Resource Coordination Plan of The Kansas Natural Resource Coalition and Resolution 2013-11 a Resolution Adopting The Lesser Prairie Chicken Conservation, Management and Study Plan. Commissioner Malin seconded the motion; motion carried 5-0.

To see Resolutions 2013-10 and Resolution 2013-11 in their entirety, see pages 7 and 8.

7. UNSUSTAINABLE DEBT RESOLUTION

Commissioner Wettstein moved to approve Resolution 2013-09, a Resolution Calling For An End To Unsustainable Federal Spending and Debt. Commissioner Malin seconded the motion; motion carried 4-1 with Commissioner Rice against.

To see Resolution 2013-09 in its entirety, see page 6.

8. PROPOSAL FOR SOUTHWEST HOUSING, LLC

Daniel H. Diepenbrock, County Counsel reviewed the proposal from Southwest Housing LLC and informed the Board on the actions that would take place if approved. Roger Crossman, Partner in Southwest Housing LLC answered questions for the Board.

After much discussion the following motion was made:

Commissioner Wettstein moved the Board accept the conditional proposal of Southwest Housing, the terms of which are stated in the conditional Real Estate purchase corrected as presented and direct staff to publish notice of the proposal in accordance with K.S.A. 19-211. Commissioner Rice seconded the motion; motion carried 5-0.

9. POSTAGE MACHINE CONTRACT

Commissioner Rice moved to approve the contract for the postage machine with the new offer of \$422.00 per month for 39 months. Commissioner Rice seconded the motion; motion carried 5-0.

10. EXECUTIVE SESSION LEGAL

Commissioner Malin moved to recess into Executive Session for consultation with our attorney which would be deemed privileged in the attorney/client relationship under K.S.A. 75-4319(b)(2) for 30 minutes, to include Dan Diepenbrock, County Counsel, Brock Theiner, Interim Landfill Director, and Terry Dees, Landfill-Oklahoma. To reconvene in the Commission Meeting Room at 6:55 p.m., Vice Chair LaFreniere seconded the motion; motion carried 5-0.

The meeting recessed into Executive Session at 6:25 p.m.

The meeting resumed at 6:55 p.m.

No action was taken as a result of the Executive Session.

11. ADMINISTRATION COMMENTS

Absent.

12. COMMISSION COMMENTS

Each of the commissioners had an opportunity to report on liaison meetings they had attended during the last two weeks.

13. SUGGESTION CARDS

There were no suggestion cards.

ADJOURN

Commissioner Malin moved to adjourn. Vice Chair LaFreniere seconded the motion; motion carried 5-0.

The meeting adjourned at 7:00 p.m.

Ada Linenbroker, Chairperson
Seward County Commission

Stacia D. Long
Seward County Clerk

RESOLUTION NO. 2013-09

A RESOLUTION CALLING FOR AN END TO UNSUSTAINABLE FEDERAL SPENDING AND DEBT

BEFORE the Board of County Commissioners of Seward County, Kansas:

WHEREAS, we the Commissioners of Seward County, Kansas, find the current level of federal spending and debt accumulation to be unsustainable; and

WHEREAS, we find the deficit spending by Congress to be a danger to the future of our nation; and

WHEREAS, we fear for our children and grandchildren's financial future;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Seward County, Kansas that we call upon our state legislature and our governor to call for a balanced budget amendment to the United States Constitution as first petitioned by the State of Kansas in 1978.

BE IT FURTHER RESOLVED, that the Board of County Commissioners of Seward County, Kansas calls upon the entire Kansas Congressional Delegation to introduce and support a balanced budget amendment to the United States Constitution.

Commissioners present and voting were:

Ada Linenbroker	_____
Doug LaFreniere	_____
Randy Malin	_____
Jim Rice	_____
C.J. Wettstein	_____

ADOPTED this 7th day of October, 2013.

**BOARD OF COUNTY COMMISSIONERS
OF SEWARD COUNTY, KANSAS**

By: _____
Ada Linenbroker, Chair

ATTEST:

Stacia Long, Clerk

RESOLUTION NO. 2013-10

**A Resolution of Seward County Board of Commissioners Adopting
The Natural Resource Coordination Plan of
The Kansas Natural Resource Coalition**

WHEREAS, The complex array, varying missions, and potentially conflicting roles of local, state, or federal agencies suggests need of a systematic approach to natural-resource conservation that assures Seward County receives timely communication, a means to exchange technical information, ample opportunity to understand, vet, affect or arbitrate natural resource or environmental issues;

WHEREAS, Seward County has an ongoing interest and participative role in federal and state policies that could, do or will affect its populations, interests, properties, culture or socioeconomic wellbeing;

WHEREAS, Government-to-Government Coordination provides the means, mechanism and opportunity to effectively solicit, communicate and exchange information, data, issues or plans between governmental agencies;

WHEREAS, Seward County has, will and can establish resource priorities that work to *create and maintain conditions in which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of its members*;

WHEREAS, The Natural Resource Coordination Plan provides the background, history, justification and basis for effective Government-to-Government Coordination;

WHEREAS, Seward County desires to exercise, either individually or collectively as part of a group, it's right to Coordinate with respective governmental agencies;

WHEREAS, Seward County recognizes the statutory obligation of the United States Bureau of Land Management; United States Department of Interior; United States Fish and Wildlife Service; United States Department of Agriculture; United States Environmental Protection Agency; United States Forest Service, and other federal and state agencies undertaking actions within its boundaries to attempt consistency with the policies, plans and natural-resource conservation programs of Seward County in their planning, inventory and management activities.

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEWARD COUNTY, KANSAS RESOLVE TO:

- 1. ADOPT** the principals, practices and policies of the Natural Resource Coordination Plan of the Kansas Natural Resource Coalition.

This Resolution was approved and adopted this 7th day of October, 2013.

BOARD OF COUNTY COMMISSIONERS:

SEWARD COUNTY, KANSAS

Ada Linenbroker, Chair

Doug LaFreniere, Vice-Chair

C.J. Wettstein, Member

Randy Malin, Member

Jim Rice, Member

ATTEST: _____
Stacia D. Long, Seward County Clerk

RESOLUTION NO. 2013-11

**A Resolution of Seward County Board of Commissioners
Adopting
The Lesser Prairie Chicken Conservation, Management and Study Plan**

WHEREAS, The Lesser Prairie Chicken (*Tympanuchus pallidicinctus*) is an upland grouse species found in four ecosystem regions in parts of Texas, Oklahoma, New Mexico, Kansas and Colorado, including, as potential this County;

WHEREAS, The limited, disaggregated and incomplete body of human, procedural and scientific data for the Lesser Prairie Chicken suggests current regional policymaking and planning efforts for the Lesser Prairie Chicken to be premature;

WHEREAS, The Lesser Prairie Chicken is not in immediate or long term threat of extirpation, threatened throughout its range, nor in jeopardy of genetic hybridization;

WHEREAS, the Lesser Prairie Chicken Conservation, Management and Study Plan provides immediate conservation actions, proposes collaborative, peer-review of scientific data and information, and outlines meaningful study actions to address data gaps, omissions and needs;

WHEREAS, the Lesser Prairie Chicken Conservation, Management and Study Plan contains Conservation principles, actions and policies designed to manage and conserve the Lesser Prairie Chicken over the long term;

WHEREAS, The Lesser Prairie Chicken Conservation, Management and Study Plan provides for consistency of conservation activities between County, State and Federal initiatives through Government-to-Government coordination of activities invoked by the NRCP and this plan;

WHEREAS, the U.S. Fish and Wildlife Service is proposing to list the Lesser Prairie Chicken as a threatened species under the Endangered Species Act.

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEWARD COUNTY, KANSAS RESOLVE TO:

1. **ADOPT** The principals, practices and policies of Lesser Prairie Chicken Conservation, Management and Study Plan;
2. **PROMOTE,** as outlined in the Lesser Prairie Chicken Conservation, Management and Study Plan, the conservation recommendations to residents, landholders, agricultural interests and industry as appropriate.

This Resolution was approved and adopted this 7th day of October, 2013.

BOARD OF COUNTY COMMISSIONERS:

SEWARD COUNTY, KANSAS

Ada Linenbroker, Chair

Doug LaFreniere, Vice-Chair

C.J. Wettstein, Member

Randy Malin, Member

Jim Rice, Member

ATTEST: _____
Stacia D. Long, Seward County Clerk