



Atchison County Commission Meeting

Atchison County Courthouse
Lower Level
423 North 5th St
Atchison, KS 66002
March 22, 2022
REGULAR MEETING AGENDA
Starting at 1:00 pm
Chairman Eric Noll, 2nd District

Commissioner Jack Bower, 1st District

Commissioner Casey Quinn, 3rd District

1. 1:00 P.M. ZOOM MEETING ID # 851 6731 8327
2. Call To Order
The County Commission is called to order by the Chairman
3. Pledge Of Allegiance
4. Public Comment
5. Reading And Approval Of Minutes
Approval of Minutes from Last commission meeting
- 5.1. Approved 03/22/2022 Atchison County Commission Meeting Minutes
Documents:
[03-22-2022.PDF](#)
6. Commissioner Comments And Committee Reports
7. Reports Of Elected Officials And Department Heads
8. New Business Before The Board
- 8.1. Joe Snyder, Road & Bridge Superintendent
Approval of Bid for Surface Milling and Patching
- 8.2. Joe Snyder, Road & Bridge Superintendent
Approval of Bid for 25 Ton Tandem Axle, Pintle Hitch Trailer
- 8.3. Atchison County Community Corrections Advisory Board Appointment Letter Approval
- 8.4. Fair Housing Proclamation CDBG Grant

Documents:

[20220322 FAIR HOUSING PROCLAMATION.PDF](#)

9. Old Or Unfinished Business Before The Board
10. County Counselor Updates
11. Executive Sessions (Time Reserved For Executive Sessions)
12. Presentation And Approval Of Claims
13. Presentation Of Petitions, Memorials, And Remonstrances
14. Introduction And Consideration Of Resolutions
- 14.1. Opioid Resolution

Documents:

[20220322 RESOLUTION NO. 2022-XXXX RELEASING OPIOID CLAIMS TO ATTORNEY GENERAL.PDF](#)

15. Notices And Communications
16. Public Comment
17. Adjournment
18. Zoom Details

Atchison County will be limiting public access to all Atchison County departments and offices to take preventative measures designed to reduce the spread of the Coronavirus illness. We are making arrangements to adjust services to be in the best interest of the employees and citizens of Atchison County and following the interim guidance as provided by KDHE and the CDC. The Atchison County Board of County Commission meetings will be utilizing Zoom to meet the Kansas Open Meetings Act. Members of the public can connect to the meetings via smart phone, or computer connections. The meeting ID number will be listed on the corresponding agenda. Members of the public can attend the BOCC meeting in-person; however, we urge and encourage all citizens to take active steps to prevent the spread of COVID-19. If you have any symptoms similar to the flu, including fever, cough or shortness of breath, please do not attend until symptoms have subsided and you have been fever-free for 24 hours. |

Tuesday, March 22, 2022

Pursuant to the law, the Atchison County Commission Board met in Regular Session at 1:00 PM at the Atchison County Courthouse, Lower Level, 423 N 5th St., Atchison, KS. A link to the meeting was made available to the public prior to the meeting. In addition, public attendance was available for the Commission meeting at the Atchison County Courthouse, Lower Level, 423 N 5th St., Atchison, KS. Chairman Eric Noll called the meeting to order with Commissioner Casey Quinn and County Counselor Patrick Henderson present for the meeting. Commissioner Jack Bower was absent. Michelle Phillips, County Clerk recorded the minutes.

The Board recited the pledge of allegiance to start the meeting.

***Public Comment:**

There were no public comments.

***Reading and Approval of Minutes:**

Minutes of the March 15, 2022 meeting were reviewed with no corrections noted. Commissioner Quinn made the motion to approve the minutes as presented. Chairman Noll seconded the motion. Chairman Noll called for a vote, all voted aye. The motion passed 2-0.

***Commissioner Comments and Committee Reports**

Commissioner Quinn shared Project Atchison will be holding a tool drive Saturday, March 26, 2022, from 9:00 am to 1:00 pm. They are hoping to collect gently used tools in the alley behind the Fox Movie Theatre. Ideas of needed tools are painting materials, tree and brush trimming materials, rakes, shovels, brooms, weed killer, chainsaws, nail guns, drills and hammers.

Commissioner Quinn discussed the general notification sent out using the CodeRed system to advertise the Town Hall meeting. Commissioner Quinn explained that she asked for the notice to be sent. She noted that she received feedback from the public about the notice. She apologized to the IT/Emergency Management Director for being drug into the controversy. Commissioner Quinn suggested that the Board should review the tools available for notifying the public, and come up with policies concerning how they should be used.

Chairman Noll mentioned that he had different feedback about the use of the CodeRed system. The feedback wasn't questioning the message, just whether use of the CodeRed system for non-emergency messages might discourage people from paying attention to the messages. Chairman Noll explained that several constituents felt the system should be reserved for emergency notifications.

Chairman Noll stated the Soldiers and Sailors Memorial Hall will be holding a 100-year celebration on April 24, 2022, located at the Memorial Hall, 819 Commercial Street. The celebration will run from 2:00 pm to 5:00 pm, with special guest speaker P.O.W. veteran, Colonel, Leroy Stutz, USAF, Retired.

***New Business Before the Board:**

Joe Snyder, Road & Bridge Superintendent, appeared before the Board with his recommendation on the sealed bid for a 25-ton tandem axle equipment trailer that was opened during the March 15, 2022 Commission meeting. Superintendent Snyder presented the Board with a purchase order payable to Landoll Company, LLC of Marysville, Kansas, for a 2023 Landoll 345F-31 38' trailer in the amount of \$71,993.32. Commissioner Quinn made a motion to approved the purchase of the equipment trailer from Landoll Company, LLC. Chairman Noll seconded the motion. Chairman Noll called for a vote, all voted aye. The motion passed 2-0. Superintendent Snyder told the Board this was going to be a purchase, not a lease-purchase as was previously mentioned.

Kim Pruett, Joint Communication Director previously presented the Board with a purchase order payable to the Kansas Department of Transportation, for the annual usage charges for the T1 lines connecting the County radios with the State system. The annual amount for the usage is \$6,600.00 payable to the Kansas Department of Transportation. Commissioner Quinn made a motion to approved the annual fee. Chairman Noll seconded the motion. Chairman Noll called for a vote, all voted aye. The motion passed 2-0.

Mark Zeltner, Finance Director, appeared before the Board for approval of a natural gas contracts between Symmetry Energy and Atchison County. The contracts are for Atchison Senior Village and The Law Enforcement Center. Director Zeltner previously talked to the Board about the need for contracted natural gas. Both the Atchison Senior Village and The Law Enforcement Center use over the maximum amount of natural gas allowed by Kansas Gas Service; therefore, causing the need to buy the natural gas from a third party. Director Zeltner reached out to an additional source for price comparisons finding the price lower with the current contracts. Commissioner Quinn made a motion to approved the contracts with Symmetry Energy. Chairman Noll seconded the motion. Chairman Noll called for a vote, all voted aye. The motion passed 2-0.

Michelle Phillips, County Clerk, presented the Board with a Proclamation declaring April as Fair Housing Month. Chairman Noll read the proposed Proclamation.

PROCLAMATION

WHEREAS, Title VI of the landmark Civil Rights Act of 1964 provides that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity received Federal financial assistance."

WHEREAS, Title VIII of the Civil Rights Act of 1968 extended protection against discrimination on the basis of race, color, or national origin to include housing and related facilities provided with Federal Assistance, and lending practices "with respect to residential property when such practices are connected with loans insured or guaranteed by the Federal government."

WHEREAS, the denial of equal housing opportunity is one of the most serious challenges a community can face. It is a challenge that must be met and surmounted lest it erode the vital social structure that holds a community together and gives it shape and dimension. The need for shelter is an essential human need. The right to freely choose a place to live is a basic human right and discrimination in housing is not only against the law, but contrary to our sense of what our country should mean to us and to others.

WHEREAS, there are voluntary programs in support of fair housing that we as concerned citizens can encourage at every level in our community and in our jobs. There are personal and professional attitudes that we can and must change. These efforts are to make fair housing choice a basis right for our neighbors and ourselves.

NOW, THEREFORE, the Board of Commissioners, in Atchison County, Kansas, do hereby designate the month of April, 2022, as

FAIR HOUSING MONTH

Atchison County Commissioners in Atchison County, Kansas, urges all citizens to join in this observance by resolving to fight discrimination in our personal lives, and by making ourselves aware of the Fair Housing Act and the ways in which it applies to our community.

ADOPTED AND APPROVED by the Board of Commissioners of Atchison County, Kansas, this the 22nd day of March, 2022.



Attest: Michelle Phillips
Michelle Phillips, County Clerk

Eric Noll
Eric Noll, Chairman, Commissioner, District #2

Jack Bower, Commissioner, District #1

Casey Quinn
Casey Quinn, Commissioner, District #3

Commissioner Quinn made a motion to approved the Proclamation. Chairman Noll seconded the motion. Chairman Noll called for a vote, all voted aye. The motion passed 2-0.

Donna Oswald, District Court Clerk, previously presented Mark Zeltner, Finance Director, with some purchase orders for repairs/renovating of an office. Clerk Oswald requested the funds come out of the capital improvements fund. The first purchase order was payable to Regan Floor Covering in the amount of \$1,509.60, with the second purchase order payable to Carrigan Lumber in the amount of \$327.75. Commissioner Quinn made a motion to approved the purchase orders to Regan Floor Covering and Carrigan Lumber. Chairman Noll seconded the motion. Chairman Noll called for a vote, all voted aye. The motion passed 2-0.

***County Counselor Updates:**

There were no County Counselor updates.

***Introduction and Consideration of Resolutions**

Chairman Noll declared that a quorum was present. Patrick Henderson, County Counselor, presented a Resolution entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE COUNTY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.

Counselor Henderson told the Board this resolution would supplement Resolution No. 2021-1489 passed on December 14, 2021, and was recommended by the Attorney General's office. Commissioner Quinn moved that the Resolution be adopted. The motion was seconded by Chairman Noll. Chairman Noll called for a vote, all voted aye. The motion passed 2-0, with Commissioner Bower absent from the meeting. Chairman Noll declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2022-1500 and was signed by the Commissioners and attested by the County Clerk.

***Public Comment:**

There were no public comments.

Chairman Noll reminded everyone that the Town Hall meeting will be held tonight, Tuesday, March 22, 2022, starting at 6:00 pm. This meeting will be at Memorial Hall, 819 Commercial Street, Atchison, Kansas. The quarter-cent sales tax approved by the voters in 2007 will sunset upon payment of the bond. The Effingham property will revert to U.S.D. 377. Disposition of the Atchison Sports Complex is to be determined. The Commission would like to hear opinions concerning any maintenance or repairs that are needed, as well as disposition of the Atchison Sports Complex property. Chairman Noll added that the

dedicated sales tax is scheduled to sunset in the near future, so the Board is trying to get a jump start on plans for the future. Everyone is invited to attend.

Add, abate, escapes for real estate and personal property taxes were presented to be approved.

Bills were presented to be signed.

Commissioner Quinn made the motion to adjourn at 1:22 pm. Chairman Noll seconded the motion. Chairman Noll called for a vote, all voted aye. The motion passed 2-0.

*Note: Once approved these minutes will be the official minutes of the Board of County Commissioners. Regular meetings of the Board of County Commissioners are video-recorded. The video of these meeting is generally available for supplementation of the minutes. The videos can be located under the Government tab at www.atchisoncountyks.org.

Attest: Michelle Phillips, County Clerk

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ADOPTED AND APPROVED by the Board of Commissioners of Atchison County, Kansas, this the 22nd day of March, 2022.



Eric Noll, Chairman, Commissioner, District #2

Jack Bower, Commissioner, District #1

Casey Quinn, Commissioner, District #3

Attest: _____
Michelle Phillips, County Clerk

RESOLUTION NO. 2022-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE COUNTY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.

WHEREAS, in 2021, the Kansas Legislature enacted HB 2079, the Kansas Fights Addiction Act (the "Act"), authorizing litigating municipalities such as Atchison County, Kansas to access opioid litigation settlement funds and become eligible for certain state grants by entering an agreement releasing the county's opioid litigation claims to the Attorney General and assigning any future opioid litigation claims to the Attorney General (the "Agreement"); and

WHEREAS, Atchison County has sustained damages related to the opioid epidemic; and

WHEREAS, on December 14, 2021 the Board of County Commissioners adopted Resolution 2021-1489, committing the County to joint statewide litigation by entering into a Memorandum of Understanding between the County, the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties, and authorizing the execution of an "Agreement to Release and Assign Claims" on behalf of the County.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS:

Section 1. Ratification of Agreement. Atchison County hereby ratifies the Memorandum of Understanding between the County, the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties executed December 14, 2021, as well as the "Agreement to Release and Assign Claims" executed the same day on behalf of the County.

Section 2. Certification of Costs and Expenses. County hereby certifies that it has incurred costs and expenses related to substance abuse or addiction mitigation in excess of \$500 and the County can utilize the opioid litigation settlement funds for the lawful purposes established in the Kansas Fights Addiction Act and the settlement agreements.

Section 3. Authorization to execute and Deliver Documents. The Chairman of the Board of County Commissioners, the County Clerk, and the County Counselor are hereby authorized to execute, seal, attest and deliver such documents, certificates and instruments as may be necessary and desirable to certify these costs and expenses or similar costs and expenses, for and on behalf of Atchison County.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Atchison County,
Kansas, this 22nd day of March, 2022.

By: _____
Eric Noll, Chairman

By: _____
Jack Bower, 1st District Commissioner

By: _____
Casey Quinn, 3rd District Commissioner

ATTEST:

Michelle Phillips, Atchison County Clerk