

THE BOARD OF NESS COUNTY COMMISSIONERS
November 20, 2023

The Ness County Board of Commissioners met in regular session Monday, November 20, 2023, at 9:00 a.m. in the Ness County Commissioner Chambers. Chairman Travis Petersilie called the meeting to order with Commissioners Mark Davis, Dave Albers, and County Clerk Lori Hertel in attendance.

Noxious Weed

Noxious Weed Department Phil Armstrong and Chilton Miller met with Commission to discuss prairie dog progress and budgeting for spray types. Armstrong discussed KCAMP inspection issues and costs involved.

Custodian

Ness County Custodian Tina Harrison presented the only company willing to submit an estimate on cement repairs in two rooms in the basement.

Motion: Upon the motion of Davis, seconded by Albers, Commission voted unanimously to accept the bid from Larry Cecil, Jr. in the amount of \$600.00.

Discussion was held on window replacement issue and general maintenance of the Courthouse.

Road and Bridge

Ness County Road and Bridge/Landfill Supervisor Ron Johnson reported tipping fees of \$145.00 from November 7th thru November 10th. 1320 yards of sand was hauled November 13th thru November 17th. Johnson reported trailer was purchased thru Purple Wave Auction. Discussion held on equipment repairs, loader repairs under warranty, and culvert damage. Johnson presented work schedule for the week. Water samples were taken last week at the Landfill by new company, Milco Environmental Services. Replacement of fence on Project LWC 55 was discussed. A crossing permit was approved for Fire District #1-Beeler Station to install underground electrical line.

Minutes and Correspondence

Minutes of Regular meeting held November 13, 2023, and Canvass Meeting held November 17, 2023, were approved as presented. Correspondence was reviewed and acknowledged.

Commission

Discussion was held on Emergency alarm buttons located in offices with an instant relay of information directly to Sheriff's Department replacing current GBT system.

Motion: Upon the motion of Albers, seconded by Davis, Commission voted unanimously to accept the sole source bid of \$14,998.00 from SecureTech Systems, Inc. for WAVE Plus System. Commission discussed ARPA funds and distributions.

Motion: Upon the motion of Davis, seconded by Albers, Commission voted unanimously to reimburse excess Administration costs from General funds into ARPA funds in the amount of \$16,025.40. All bids are available for view at the Ness County Clerk's Office.

County Attorney

Ness County Attorney Jacob Gayer discussed Procurement Policy update, staffing issues and Landfill lease options.

Motion: Upon the motion of Albers, seconded by Davis, Commission voted unanimously to adopt Resolution #2023-07 authorizing the initiation of Eminent Domain proceedings.

RESOLUTION NO. 2023- 07

**A RESOLUTION AUTHORIZING THE INITIATION OF EMINENT DOMAIN PROCEEDINGS
TO TAKE PROPERTY FOR CONTINUING OPERATION OF THE NESS COUNTY LANDFILL**

WHEREAS, the Board of County Commissioners of the County of Ness, Kansas possesses the inherent power of eminent domain as a home rule county pursuant to K.S.A. 19-101 *et seq.*; and

WHEREAS, the Board of County Commissioners of the County of Ness, Kansas resolves to exercise its power of eminent domain when deemed necessary and in the public interest.

NOW, THEREFORE, the Board of County Commissioners of the County of Ness, Kansas, meeting in regular session this 20th day of November 2023, and intending to exercise

its power of eminent domain pursuant to K.S.A. § 19-2658 and K.S.A. § 65-3410(a), does hereby resolve as follows:

- (A) The County Attorney is authorized to initiate eminent domain proceedings to take property that is necessary for the continuing operation of the Ness County Landfill, in Ness County, Kansas.
- (B) This resolution shall be liberally construed to give the Board of County Commissioners the broadest authority allowed by law; any word, phrase, sentence, or section found to be invalid or unconstitutional shall be severed from this resolution.

BOARD OF COUNTY COMMISSIONER
NESS COUNTY, KANSAS

Daily Statement

Daily Statements from November 1st thru November 15th was reviewed and approved.

Accounts Payable

Accounts payable for November 17, 2023, was reviewed and approved by Commission.

The meeting adjourned at 12:30 p.m.

Attest:

Travis Petersilie, Chairman

Lori Hertel, Ness County Clerk

November 20, 2023