

**THE MINUTES OF THE REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF MIAMI COUNTY, KANSAS**

The Board of Miami County Commissioners met in regular session, in the Commission Chambers, Miami County Administration Building, Paola, Kansas, on March 31st, 2021. Those present were:

Rob Roberts, Chairman	Danny Gallagher, Commissioner
Tyler Vaughan, Pro-Tem	Janet White, County Clerk
George Pretz, Commissioner	Casey d'Augereau, Executive Secretary
Phil Dixon, Commissioner	

Absent: Shane Krull, County Administrator, Sheila Schultz, County Counselor

News: Doug Carder, Miami Republic News

Visitors: William & Debbie Mize, Dan Smith, Garrett Nordstrom, Vicki Vetter-Scruggs, Bill Osborn, Shay Hanysak, Tiffany Ellison, Jeff Jensen, Ken Bingman, Ashley Rankin, David Dziadura, Brian & Mara Dowling, Cara Fuqua, Carol Williams, Melissa McDonald, Lisa Moreau

CALL TO ORDER

Chairman Roberts called the meeting to order at 1:00 p.m.

PUBLIC COMMENTS

Chairman Roberts stated the current executive order by Governor Kelly will expire at midnight today (March 31st, 2021). Chairman Roberts stated Governor Kelly made a statement that she plans to sign a series of executive orders once of which will be reestablishing the mask mandate. If a new mask mandate order is issued by Governor Kelly, Chairman Roberts believes there are enough Commissioners' votes that will allow MICO Commissioners to override it. The County Counselor is out of town until next week and will need to write the resolution if a resolution is needed.

Debbie Mize, 217 N. 6th Ter, Louisburg, stated some citizens were here 3 weeks ago joking that Governor Kelly will pull an April Fools either March 31st, 2021 or April 1st, 2021 extending the mask order mandate. Ms. Mize stated it is no joking matter to her. This is holy week and as a Christian she stated she will not wear a mask; she will celebrate the Savior and what He has done. She stated she will not be veiled and due to her religious beliefs cannot wear a mask.

Dan Smith, 31501 S. Metcalf, Louisburg, stated he is a parent of a 5th grader and a business owner. As a business owner he continued to conduct business as normal tending to his clients for the last year. This past weekend having lunch with his daughter Mr. Smith learned about a child at school standing up to the coach for not having his masked pulled up. The student asked the coach why it was ok for the coach to have his masked pulled down, but the students weren't allowed to. Mr. Smith stated his daughter is asking for permission to make signs to protest the mask mandate at the schools. Mr. Smith stated for the record he has no use for Governor Kelly and requested the Commissioners to stand up for the community's rights.

William Mize, 217 N. 6th Ter, Louisburg, stated he was here 3 weeks ago requesting the Commissioners to lift the mask mandate. Per his understanding the Commissioners wanted more of a record before making a decision, the numbers have going down since January and down again since he was here on March 10th, 2021. Mr. Mize request the Commissioners to express their opinion and state they will not have another mask mandate and that they will not recognize Governor Kelly's order.

Vicki Vetter-Scruggs, 31622 Oak Grove, Paola, stated she would like to just stand at the podium for 5 minutes in silence but won't do that. Ms. Vetter-Scruggs questioned if able to trust what the Commissioners are saying. Ms. Vetter-Scruggs stated as a responsible adult she does not wish to wear a mask and does not trust Governor Kelly. She requested the Commissioners to do the right thing for the citizens' freedom.

Jeff Jensen, 22590 W. 244th St, Paola, handed out a document and stated he was in Topeka last week to go into the Capitol. Mr. Jensen believed he was discriminated against and was refused access to the Capital because he was not wearing a mask. Mr. Jensen read from the document he handed out: These mandates have gone far beyond science and data and have demanded one size fits all health care. They are not really about health but are about an outward expression of submission and a false sense of security. Mr. Jensen stated it starts right here, put the mask mandate to a vote and be done with it once and for all.

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Cara Fuqua, 401 S. 8th St, Louisburg, stated she works for a hospital as a Respiratory Therapist for the past 7 years. Ms. Fuqua has seen first-hand what COVID-19 is doing and believes the survivors and medical staff might end up with PTSD as a result of what COVID-19 is doing. Ms. Fuqua stated she might consider changing her job. We had the proper PPE where other states did not. Ms. Fuqua stated her child was coming home in tears every day due to the way he was being treated by the school staff, so she pulled him from school and started home schooling. He is now back in school with a different teacher that is better. He should not have to wear a mask while playing sports. If the schools want to wear mask, let them give the parents a document to sign opting out of the mask. Ms. Fuqua requested the Commissioners give the citizens of MICO the choice to wear a mask, don't take her family's rights.

Vicki Vetter-Scruggs, 31622 Oak Grove, Paola, stated she would like to add to her previous statement by saying: Tobacco Science. Ms. Vetter-Scruggs stated we are at Tobacco Science and to look it up because there is a lot of it.

Tiffany Ellison, 1206 N. 1st St, Louisburg, thanked the Commissioners. Stated freedom feels good, fear feels yucky. People are coming together to fight for freedom. Governor Kelly came to an elementary school in Ms. Ellison's town and highlighted the accomplishments of a Native American gay woman in the Kansas Legislator. Ms. Ellison stated as a woman she would like to thank the men serving the county.

Chairman Roberts restated his earlier statement, as of today the order in place will expire at midnight. There are enough Commissioners to override an order for a mask mandate should Governor Kelly issue one. Chairman Roberts stated the Commissioners still encourage the citizens to do the responsible thing. Chairman Roberts stated there are 3 cases today in MICO, is it the masks, is it the vaccine, it's unknown but there has been a change. At this time there is no action for the Commissioners to take.

Commissioner Vaughan stated as passionate as everyone here today is about not being mandated to wear a mask, the other half is just as passionate about wearing the mask. The elected officials must make and have made the best decisions they can based on the information they have.

Chairman Roberts reminded everyone that the local school boards and cities make their own decisions and orders. Whatever order the county makes on this issue is only for the county and it does not override the orders a school or city has passed.

Ken Bingman, 29310 W. 231st, Spring Hill, stated if the number of cases and number of deaths are going down then we must be doing something right and that something right is science. Politics got us into this, and science is going to get us out of this. People should be thankful for the vaccine. The scientists are very responsible, and they are trying to get us out of this. Mr. Bingman stated he had to watch his brother die from COVID-19 and he will continue to wear a mask.

Dan Smith, 31501 S. Metcalf, Louisburg, stated people not wearing a mask have been physically and verbally attacked, that is not the case for people wearing a mask. Mr. Smith stated he has not heard of one case in reverse.

CONSENT AGENDA

Commissioner Vaughan moved to approve the Consent Agenda, as follows:

- Approval of minutes of the county commission meeting on March 24th, 2021
- Approval of payment vouchers and payroll
- 2 Grants of Easements – 21009-LS, owner: Seibolt along 287th and along Pleasant Valley Rd (A21-03-014 A21-03-015)
- Add-on: Permit Software for Code Services from Dude Solutions for \$49,133 (C21-03-005)

Commissioner Gallagher seconded; the vote was unanimous.

NEW BUSINESS

Chairman Roberts opened the floor at 1:42 p.m. to a public hearing for the purpose of evaluating the performance of Grant No. 20-CV-099, a small business grant program within Miami County, Kansas. There were no public comments, the public hearing was closed at 1:43 p.m.

Janet McRae, Economic Development Director, requested the Commissioners to consider authorizing Chairman to sign the final documentation to close out Grant No. 20-CV-099 with the Kansas Department of Commerce. Commissioner Pretz moved to authorize the Chairman to sign the final documentation, Commissioner Dixon seconded; the vote was unanimous.

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Frank Burrow, EMS Deputy Chief, requested the Commissioners to consider approving to remount 2016 Ford E450 Chassis (M1) to a 2021 Ford E 450 gas Chassis for the amount of \$139,760. Commissioner Dixon moved to approve the remounting of the chassis; Commissioner Gallagher seconded; the vote was unanimous.

Chairman Roberts presented on behalf of Dave Delp, Codes Services Director, requests that the Commissioners consider approving a contract with Dude Solutions in the amount of \$49,133 to purchase new permit software. This software will actually be able to serve 5 departments and better assist the customers. Commissioner Gallagher moved to approve the purchase of the software in the amount of \$49,133 to include the service contract, Commissioner Vaughan seconded; the vote was unanimous. (C21-03-005)

STAFF COMMENTS

JR McMahan, Road & Bridge Director, gave a brief update on a few things:

- K68 project for Somerset & Cider Mill is moving along
- Asphalt prices are around \$1 - \$2 more per ton from last year
- More prep work is needed on the 399th Street project
- A review was done on the Metcalf 2.0 project, Louisburg has been talking with Road & Bridge about their portion of this project.

Mark Whelan, Emergency Management Coordinator, stated MICO held it's first ever Drive Thru Clinic earlier today. 350 Vaccines were administered. Currently MICO has 2,660 confirmed COVID-19 cases and increase of 4 from last week. As of March 31st, 2021 Miami County Health Department (MCHD) advised they have received 8,900 doses of Moderna COVID-19 vaccine, 4,300 first doses and 2,541 second doses have been administered. 1,700 vaccine doses have been reallocated to the local pharmacies to assist with schools, childcare providers and Tri-Ko employees and residents.

COMMISSION COMMENTS

Chairman Roberts took a minute to reflect on the tragic loss of a friend, Stephanie O'Dell. Ms. O'Dell served Miami County as the County Appraiser from 1991 and retired around 18 months ago along with her husband. She passed away on March 27th, 2021 while enjoying the day at Hillsdale Lake. There will be a visitation at the local funeral home on Friday, April 2nd, 2021 from 3:00 p.m. to 5:00 p.m. The County Appraiser's Office is taking up donations to plant a tree in Stephanie's name on the Courthouse lawn.

EXECUTIVE SESSION

Commissioner Vaughan moved to have an Executive Session to discuss non-elected personnel matters and land acquisition of real property for 20 minutes, Commissioner Gallagher seconded; the vote was unanimous. Chairman Roberts stated the Executive Session will begin at 2:12 for 20 minutes, Commissioners will be the only ones present for this Executive Session with no action anticipated. The regular meeting reconvened at 2:32.

ADJOURNMENT

The meeting was adjourned at 2:32 p.m.

(Seal)



ATTEST:

Janet White
Janet White, County Clerk

Rob Roberts
Rob Roberts, Chairman