

January 17, 2022

The Board of Ellis County Commissioners met in regular session at 5:00 pm Monday, January 17, 2022, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas. Chair Robert "Butch" Schlyer called the meeting to order. Commissioners present: Chair Robert "Butch" Schlyer and Commissioner Neal Younger. Also present were County Administrator Darin Myers, County Counselor Bill Jeter and County Clerk Bobbi L. Dreiling. The meeting opened with the Pledge of Allegiance.

ORDER OF BUSINESS

There were no changes to the order of business.

EXECUTIVE SESSION

There will be two executive sessions.

APPROVAL OF PRIOR MINUTES

Chair Schlyer asked for any changes to the draft minutes of January 10. No changes were given; the draft minutes were approved as presented.

CONSENT AGENDA

Motion: _____ **Younger** _____ **Second** _____ **Schlyer**

To approve the Consent Agenda items A-G as presented, including the following:

Payment Voucher Claims

Accounts Payable dated January 18 in the amount \$1,285,763.05

Solid Waste payment dated January 12 in the amount of \$21,536.60

Open Edge credit card payment dated January 13 in the amount of \$521.70

Accounts payable dated January 13 in the amount of \$72,600

Payroll #1 dated December 26 through January 8 in the amount \$464,083.85

Cereal Malt Beverage License #2022-2 to Fort Hays Golf Shop/Jeremy Coulter

Cereal Malt Beverage License #2002-3 to Hays Recreation Commission

Tax Adjustments

Tax roll adjustment numbers 2022000024-2022000031

End of year Purchase Order Encumbrance

Reviewed and approved the Year End Purchase Order encumbrance of \$2,661,097.58

Disposition: _____ **Motion was carried by a voice vote of two to zero**

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

Republican Party Chair Dustin Roths updated the Commission on the procedure of filling Commission District #3 position. There will be a vote on Thursday, January 20. There will be two precinct committee people that will be making the decision: Errol Wuertz and Ruth Legleiter. The meeting will start at 7:30 pm. He is asking that the candidates submit a cover letter and a resume. Schlyer asked how many applicants there are so far. Roths stated there are three.

MONTHLY DEPARTMENT REPORTS

Commissioners stated the reports were very informative.

EMERGENCY MEDICAL SERVICES AND HEALTH ADMINISTRATOR APPOINTMENTS

County Administrator Darin Myers discussed the appointments for the EMS and Health Director positions. Since November 2021, Danita Schroeder and Kim Reel have been serving as interim directors. The commission has individually met with both Danita and Kim several times to ensure they are ready to be appointed as department heads within Ellis County. Tonight, the Commission can move forward with these appointments. In addition to the reorganization of the health department with a new director, there are other changes in office positions. Reel will vacate the Clinic Coordinator position so this position can revert to a registered nurse position. To help coordinate efforts in the office, one administrative assistant position is being requested to be reallocated as an Administrative Coordinator position. The financial impact would be for EMS, the director and assistant director, each at separate times, will be open until filled. Both positions are budgeted for in 2022. Since these are budgeted, and will be open for several months in 2022, there would be no additional costs associated. For the health department, the Health Administrator position is not a current allocated position. However, the current clinic coordinator, the registered nurse (RN) position, is being paid for by a KDHE grant to the department. Depending on when the nurse position is filled, and the administrative coordinator position is promoted into, the total cost to the health department should not exceed \$21,792 for 2022. The open RN position will also have the salary reimbursed by KDHE through 2023.

Motion: _____ **Schlyer** **Second:** _____ **Younger**

I move to change the health department position allocations to one health administrator, one chief public health nurse, one registered nurse, one billing coordinator, one administrative coordinator, and one administrative assistant.

Disposition: _____ **Motion passed by a voice vote of two to zero.**

Motion: _____ **Schlyer** **Second:** _____ **Younger**

I move to accept the updated Health Administrator's job description as attached.

Disposition: _____ **Motion passed by a voice vote of two to zero.**

Motion: _____ **Younger** **Second:** _____ **Younger**

I move to appoint Danita Schroeder as the Emergency Medical Services Director and Kim Reel as the Health Administrator for Ellis County.

Disposition: _____ **Motion passed by a voice vote of two to zero.**

HEALTH ADMINISTRATOR

JOB SUMMARY

This is a highly skilled administrative and professional public health position which assumes the overall direction, supervision, and management of the department, as well as consultative and referral responsibilities. The Health Administrator works directly with the Medical Consultant in establishing clinical/medical programs, procedures, and protocols. Work involves planning, organizing, directing, and participating in the delivery of public health services, coordinating and networking with other community/state organizations/agencies, developing and interpreting policies and procedures, and maintaining acceptable public health standards. Supervision is exercised over all employees in the department as well as hiring, termination, performance reviews, and conflict resolution. The Administrator must exercise considerable independent judgment and decision making while performing the responsibilities of this position. Work is reviewed by the Ellis County Board of Commissioners through conferences, reports, and evaluation of reports obtained. The Ellis County Health Administrator will also serve as the department Privacy Officer with responsibility for department compliance of the HIPAA Rule. This position has a confidentiality level of 5.

ESSENTIAL JOB FUNCTIONS:

- Collects and evaluates statistics and data concerning public health needs/status of Ellis County;

- Develops, establishes, and implements educational, clinical, medical department/outreach public health programs;
- Educates physicians, citizens, health care providers, and other agencies regarding public health concerns, threats, and interventions;
- Enforces compliance with necessary local and state statutes to assure protection of public health and welfare;
- Establishes an appropriate surveillance program for communicable diseases and other health concerns assuring timely investigation, data collection, and implementation of epidemiological interventions;
- Establishes and/or maintains state and federal public health programs following specific program policies/regulations;
- Provides public services announcements, education, and presentations, to the media (radio, TV, newspaper) as well as in community settings;

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- Collaborates with other healthcare providers, businesses, agencies, and government (state and local) to establish policy, protocol, or regulations affecting the public health of Ellis County;
- Provides 24/7 on call service to assure timely and appropriate response to public health emergencies;
- Assures appropriate timely, mandated reporting of diseases;
- Prepares and provides an ongoing strategic plan for implementation of public health programs and department capacity building;
- Serves on committees as appointed or requested;
- Provides input/education to local, state, and federal elected officials concerning matters related to public health;
- Develops and writes all department policy and procedures within the parameters allowed by the Ellis County Board of Commissioners as well as state and federal guidelines;
- Prepares and presents the department's annual operating budget (includes revenues);
- Procures and maintains grant funds for state and/or federal public health programs;
- Oversees and evaluates all contracts for services necessary to provide public health programs;
- Prepares and presents to the Ellis County Board of Commissioners an accurate record of all department transactions including services rendered, dollars spent, accumulated resources, activities completed, and other statistics deemed necessary;
- Prepares and submits to the State of Kansas all quarterly reports as required for grant specific programs;
- Procures staff and provides for required training, orientation, supervision, evaluations, conflict resolution, and termination;
- Directs and authorizes the use/maintenance/purchase of materials, supplies, and equipment for the department; and
- Other related duties deemed necessary or as required.

MINIMUM REQUIREMENTS TO PERFORM WORK:

Bachelor's degree in medical sciences or a closely related field and 3 years of increasingly responsible experience in public health administration, budgeting and financial management, personnel supervision, and communication.

Knowledge, Skills and Abilities:

- Knowledge of public health theory and practice and of their application.

- Knowledge and capacity of community interaction including planning, organizing, coordinating, and networking with other organizations, services, health and social programs.
- Knowledge of fiscal management including budget and grant preparation.
- Ability to implement public health programs, clinics, and services to meet community and individual needs.
- Ability to exercise independent judgment is necessary to discharge the responsibilities of this position.

PHYSICAL REQUIREMENTS:

This work requires moderate physical exertion, with ability to apply 20 pounds of force occasionally and up to 10 pounds of force frequently. Must be able to finger, grasp, feel, reach, lift, sit, stand, walk, talk and hear. Must be able to see with close visual acuity.

WORKING CONDITIONS:

Possible adverse working conditions exist in this position including exposure to communicable disease and blood borne pathogens. Position is designated as high risk for blood borne pathogens and has the potential for minor to moderate injuries from the collection of needles and other bio-hazardous material. Potential for exposure to serious (life threatening) bacteria/viruses, chemicals, or radiation during a bioterrorism or public health emergency. Subject to after-hours calls for public health emergencies or surveillance activity.

FEES FOR RESIDENCES DESTROYED ON DECEMBER 15, 2021 FIRES

Environmental Services Director Mason Ruder asked for permission to waive the zoning and environmental fees for the residences destroyed in the fires on December 15, 2021. He said several residences were destroyed and zoning certificate fees are \$75 for structure and environmental fees are \$60. If every home is replaced with a new septic the cost would be approximately \$1500.

Motion: _____ **Schlyer** **Second:** _____ **Younger**

I move to waive the Zoning and Environmental fees for the residences destroyed in the Ellis County fires on December 15, 2021.

Disposition: _____ **Motion passed by a voice vote of two to zero.**

HEMP-DERIVED DELTA-8 THC PRODUCTS

County Attorney Robert Anderson explained to the Commission the new laws on hemp-derived Delta-8 THC products. On April 28, 2021 the Kansas Legislature amended K.S.A. 2-3901. Specifically, the legislature amended the definition of “hemp products” in a significant way. It has been the Ellis County Attorney’s opinion since that time that certain hemp products being sold in Ellis County, and throughout the State, are illegal. On December 2, 2021 the Kansas Attorney General, Derek Schmidt, issued an opinion that essentially mirrored the Ellis County Attorney’s position. On December 22, 2021 a District Court Judge in Ellis County 23rd Judicial District made legal findings concerning hemp-derived delta-8 THC products – these findings were consistent with the opinions of the Ellis County Attorney and the Kansas Attorney General. There will be a significant loss in tax revenue from the sales of these products.

EXECUTIVE SESSION

Motion: _____ **Schlyer** **Second:** _____ **Younger**

To recess into Executive Session for 10 minutes under the following exception to the Kansas Open Meeting Act pursuant to the attorney-client privilege with the subject to be discussed during executive session potential litigation. Those persons to attend are Chair Butch Schlyer, Commissioner Neal Younger, County Counselor Bill Jeter and County Administrator Darin Myers.

Disposition: Motion passed by a voice vote of two to zero.

The Executive Session started at 5:40 pm.

The Open Session resumed at 5:50 pm with no action taken.

Motion: Schlyer **Second:** Younger

To recess into Executive Session for 10 minutes under the following exception to the Kansas Open Meeting Act pursuant the preliminary discussion of acquisition of real estate exception. The subject to be discussed during the executive session is potential land purchase. Those persons to attend are Chair Butch Schlyer, Commissioner Neal Younger, County Counselor Bill Jeter and County Administrator Darin Myers.

Disposition: Motion passed by a voice vote of two to zero.

The Executive Session started at 5:45 pm.

The Open Session resumed at 6:04 pm with no action taken.

ADJOURNMENT

With no further business, Chair Schlyer adjourned the meeting at 6:04 pm. The next regular meeting will be held on Monday, February 7, 2022, the Administrative Center Commission Chambers, 718 Main Street, Hays, Kansas at 5:00 pm.

BOARD OF ELLIS COUNTY COMMISSIONERS

ROBERT "BUTCH" SCHLYER, CHAIR

NEAL YOUNGER, COMMISSIONER

ATTEST:

BOBBI L DREILING
ELLIS COUNTY CLERK