

January 17, 2023

The Board of Ellis County Commissioners met in regular session at 8:30 am Tuesday, January 17, 2023, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas. Chair Neal Younger called the meeting to order. Commissioners present: Chair Neal Younger, Commissioner Nathan Leiker and Commissioner Michael Berges. 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 three executive sessions.

CONSENT AGENDA

Motion: _____ **Leiker** _____ **Second** _____ **Berges**

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

Payment Voucher Claims

Payroll #1 December 25-January 1 paid January 13 in the amount of \$499,950.70

Vouchers dated January 17 in the amount of \$1,606,534.72

Purchase Order #7708 to Weis Fire Safety Equipment in the amount of \$33,180.35

Purchase Order #7710 to Lift Office LLC in the amount of \$30,360.00

Waste Connections payment dated January 11 in the amount of \$19,306.55

Open Edge payment dated January 12 in the amount of \$621.02

Cereal Malt Beverage License to Hays FFA Alumni

Cereal Malt Beverage License to Hays Recreation Center

Tax Adjustments

Tax roll adjustment number 20230000001-05

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

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

There were no issues from persons not on the order of business.

MONTHLY FINANCIAL REPORTS

Commissioners said they looked fine. Leiker did comment to County Administrator Meyers about the one issue they had earlier discussed. Myers said he would be talking to Treasurer Vern Ruder and would get back with Commissioner Leiker.

MONTHLY DEPARTMENTAL REPORTS

Commissioners said the reports looked good.

AERIAL PHOTOGRAPHY

Appraiser Lisa Ree asked the Commissioners to approve the purchase of ortho and oblique imagery. It is anticipated that aerial imagery will be used by not only the Appraiser's office, but also other departments, such as IT, Sheriff, Emergency Management, Emergency Medical Services, Environmental Services, Fire, and Public Works. The last time the county contracted for aerial imagery was 2007. We

have been using aerial imagery acquired by other government agencies with the accuracy of 1 foot. Purchasing imagery will provide staff with imagery that provides accuracy within at least 3 inches in the City of Hays and at least 6 inches in all other areas of the county. Two proposals were received by EagleView and Sanborn. To purchase 3" ortho imagery in the City of Hays, 6" ortho imagery in the remainder of the County and oblique imagery for the entire county, the two proposals differed only \$2,063.04. The EagleView proposal totaled \$130,800. The Sanborn proposal was \$128,736.96. However, Sanborn required two one-time charges, a mobilization fee and an oblique analyst fee totaling \$10,850.00, making their total cost \$139,586.96. Due to the lower cost, we recommend EagleView as the contractor for the aerial imagery project. The City of Hays has agreed to pay \$7000 of the contract. This covers the upgrade of contracting the higher resolution of 3" within the City. This project was identified by the Ellis County Commission as a project to use the American Rescue Plan Act (ARPA) grant funds. The total cost of the project is \$130,800. The city of Hays, for their upgraded portion of the project, is willing to pay \$7,000. This would mean the Ellis County ARPA portion would be \$123,800. Leiker asked if the imagery would be available to be viewed by the public. Ree said it would eventually be available on the website. Younger asked when it will start. Ree said it happens when the leaves are off the trees and there is no ground cover so it will happen here soon. The expected delivery date is mid-August of this year. Leiker asked if they would come back at other times. Rees said it would have to fall under a disaster and they will fly the area for free. Leiker asked what other counties did. Ree said they did it every year, or every other year.

Motion: _____ **Leiker** **Second:** _____ **Berges**

I move to approve PO #7696 to EagleView for the purchase of ortho and oblique imagery.

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

EXTRICATION/RESCUE TOOL PURCHASE

Director of Fire and Emergency Management Darin Myers asked the Commission to approve the purchase of extrication tools. The Ellis County Fire Department is requesting approval to purchase new electronic extrication rescue tools. These tools are the cutters, spreaders, and rams used to disentangle victims from vehicle accidents and buildings. This set of tools would start to change the fleet of rescue tools to the next generation of rescue tools which are battery operated. Staff sent bids to several vendors for pricing from many different brands, and the lowest two options are attached to this agenda. Staff received two other bids, but at higher prices than the two presented. There were also four other vendors who submitted a "No bid". Staff is requesting permission from the commission to approve the second lowest bid from Weis Fire for the AMKUS line of product at \$33,180.25. There are several reasons staff is requesting to purchase the bid from Weis:

- Working to purchase like equipment with the Hays Fire Department for continuity of operations, training, and equipment.
- The AMKUS tool casings are made of metal and are more durable. TNT casing is made of Lexan plastic. Rescue tools get heavily used, pry and break metal, and get sandwiched in locations while in use that could cause the plastic to break.
- AMKUS tool handles are movable making it more versatile for all firefighters to use the 50lb tool at different levels and positions
- The AMKUS tool has a ¾ HP, 4 stage pump which allows the tool to be used at full operating capacity and not use all of the hp of the motor which greatly increases the run time of the batteries. The TNT tool has a ¼ HP, two stage pump.

- AMKUS uses a 60V DeWalt battery. AMKUS and DeWalt have partnered to match their battery with the motor for optimal performance. TNT uses different brand of batteries and generic motors.
- The AMKUS has a 4" wider spread (~10%) more than TNT.

With new cars being built with higher strength steels and metals, these tools need to be purchased to ensure they will be capable to cut and break these new metals. The fire department has \$41,000 set aside in the fire districts capital improvement fund for this purchase. Depending on the decision from the commission for purchase, the TNT purchase would cost \$28,485 and the purchase for the AMKUS product would be \$33,180.25. Berges asked if we have an automatic response between the City and the County. Myers said there is. Berges said with the budget being \$41,000 and both bids came in under that amount he would like to go with what the employees wanted to have. He asked what is done with the funds that are not used. Myers said it would go back into the capital equipment reserve fund. Leiker asked if there was any special training on the AMKUS tools. Myers said there would be special training. Leiker asked about the training on the TNT tools that will be transferred to Schoenchen. Myers indicated they would get additional training. Leiker inquired of the working relationship the County has with both companies. Myers said the TNT tool is through Rescue Specialists, and the only business we have with them is they service the tools that we have now. We purchase all of our personal safety equipment through Weis Fire and we send them bid requests quite frequently. Younger said it sounds like we get what we pay for. He said he has talked with a few of the firefighters, and they have complained about tools they have now. He said lives are very valuable so minutes and seconds count.

Motion: _____ **Berges** **Second:** _____ **Leiker**

I move to approve PO #7708 for the purchase of extrication tools for the Ellis County Fire Department.

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

ADMINISTRATIVE OFFICE CLOSURE

County Administrator Darin Myers asked the Commission to approve the closing of the administrative building offices on February 3, 2023 after 12:00 pm. As part of the HVAC and back-up emergency generator projects located at the administrative building, 718 Main Street, the electrical contractor needs to shut power off to the building for up to a 4-hour period. Staff is asking the commission for approval to close only the offices in the administrative building on Friday, February 3rd starting at 12:00 for the rest of the afternoon. Other county offices would remain open to be able to conduct business as usual. With the delivery of the chiller for the HVAC system, it needs to be connected to the power supply so final testing and balancing can be done to get the system up and running. The generator project, which was designed to have a capacity to run the full HVAC system, a connection to the electrical transformer must be made to power up the chiller.

Motion: _____ **Leiker** **Second:** _____ **Berges**

I move to approve the closure of the administrative building on February 3, 2023 at 12:00 pm.

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

ADMINISTRATIVE BUILDING FENCE

County Administrator Darin Myers asked for the approval of the project to install a fence around the outside equipment located in the east parking lot of the administrative building. One of the final projects to complete the HVAC (including the emergency generator) is to install a fence around the new equipment at the Ellis County Administrative building. The original project scope included installing a chain link fence around the area. After discussion of appearance of the fence, it is recommended to change from a chain link fence to a wood panel fence around the area. Other options were pursued for

metal panel and vinyl fence, but the pricing was not feasible. During safety walkthroughs with the county's insurance carrier, they suggest fencing areas off such as this to protect the equipment, as well as providing protection from accidents and injuries. Below is a conceptual layout of the fence location from the start of the project. The final layout would be squared off on the East edge along the new generator pad. This would also allow a space in the center of the area for the trash dumpster to also be somewhat hidden from public view in the parking lot area. Younger indicated that he said a wood fence would discolor and there would be a lot of maintenance to it. He said the panels would be too expensive to do. He passed out pictures of other fences that he had seen and thought would look good. The longevity and maintenance on the wood fence could outweigh the costs of something better. He also said to possibly combine this project with the other project that needs to be done at the Law Enforcement Center (LEC). Myers explained to the other Commissioners that project that will be going on at the LEC. Leiker asked if there are any guidelines that we have to follow to put up a fence. Myers said that nothing was said to him if there was. He said there is a height requirement of 6 feet high. Leiker indicated that we could do the entranceway of an upgraded fence and then do a lessor fence on the backside. Myers said that could be an option and would be up to the Commissioners to decide what they wanted to do. Berges asked if the fencing project at the police station was budgeted for this year. Myers said that this was a non-budgeted item as it was originally planned to use the ARPA funds but the Commissioners decided last year not to include this as part of the ARPA project. He said there is room in the ARPA fund to include both if the Commissioners wanted to. Leiker said this is the time to finish up the project. Younger said if we have a chance to do it, it needs to be done right the first time and suggested that the issue be tabled at this time. Leiker asked if there were any bids on the LEC. Myers said he would have to pull up the proposal on that. He remembered it being around \$37,000 but that was a wrought iron type fence. Berges said it should be held off for now to make sure we get what we want and do it right the first time. It was agreed to hold off until the next meeting on making any decisions, as different types of fencing would be looked into.

COUNTY ADMINISTRATOR REPORT

County Administrator Darin Myers had no report.

COUNTY COMMISSION REPORT

Leiker attended the new Commissioner training with Darin and Michael in Topeka. Berges said he also attended the two-day conference and said there were 47 new commissioners in attendance and 12 were from the northwest counties. Next week he is attending the Kansas Legislative Policy Group meeting. Younger attended the Victoria City meeting for the first time in two years, and also attended the Schoenchen City meeting.

EXECUTIVE SESSION

Motion: _____ **Leiker** _____ **Second:** _____ **Berges**

To recess into Executive Session for 20 minutes under the following exception to the Kansas Open Meeting Act pursuant to the attorney-client privilege exception; the subject to be discussed during the executive session is potential litigation. Those persons to attend are Chair Neal Younger, Commissioner Nathan Leiker, Commissioner Michael Berges, County Counselor Bill Jeter, Public Works Director Brendan Mackay and County Administrator Darin Myers.

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

The Executive Session started at 9:20 am.

The Open Session resumed at 9:40 am. There was no action taken

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

To recess into Executive Session for 20 minutes under the following exception to the Kansas Open Meeting Act pursuant to the attorney-client privilege exception; the subject to be discussed during the executive session right-of-way acquisition. Those persons to attend are Chair Neal Younger, Commissioner Nathan Leiker, Commissioner Michael Berges, County Counselor Bill Jeter, Public Works Director Brendan Mackay and County Administrator Darin Myers.

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

The Executive Session started at 9:45 am.

The Open Session resumed at 10:05 am. There was no action taken.

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

To recess into Executive Session for 10 minutes under the following exception to the Kansas Open Meeting Act pursuant to the non-elected personnel matter exception; the subject to be discussed during the executive session is personnel issue. Those persons to attend are Chair Neal Younger, Commissioner Nathan Leiker, Commissioner Michael Berges, County Counselor Bill Jeter, Public Works Director Brendan Mackay and County Administrator Darin Myers.

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

The Executive Session started at 10:10 am.

The Open Session resumed at 10:25 am. There was no action taken.

ADJOURNMENT

With no further business, Chair Younger adjourned the meeting at 10:25 am. The next regular meeting will be held on Tuesday, February 7, 2023 at the Administrative Center Commission Chambers, 718 Main Street, Hays, Kansas at 8:30 am.

BOARD OF ELLIS COUNTY COMMISSIONERS

NEAL YOUNGER, CHAIR

MICHAEL BERGES, COMMISSIONER

NATHAN LEIKER, COMMISSIONER

ATTEST:

BOBBI L DREILING
ELLIS COUNTY CLERK