

February 5, 2018

The Board of Ellis County Commissioners met in regular session at 5:07 p.m., Monday, February 5, 2018, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas.

Chair Dean F. Haselhorst called the meeting to order.

The meeting opened with everyone standing and saying the Pledge of Allegiance.

Commissioners present: Chair Dean F. Haselhorst, Commissioner Martha L. McClelland and Commissioner Barbara K. Wasinger.

Also present were County Administrator Phillip Smith-Hanes, County Counselor Bill Jeter and County Clerk Donna J. Maskus.

ORDER OF BUSINESS

No changes were noted to the order of business.

APPROVAL OF PRIOR MINUTES

Chair Haselhorst asked for any updates to the January 2, 8, and 15, 2018 Draft Minutes. With no updates, Chair Haselhorst stated that the minutes stand approved as presented.

CONSENT AGENDA

Motion: McClelland Second: Wasinger

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

Accounts Payable Claims

Accounts Payable Wire Claim dated January 19, 2018, at \$31,750.

Public Building Commission Wire Claim dated January 19, 2018 at \$44,312.50.

Purchasing Card Claims dated January 22, 2018 at \$52,976.29.

Account Payable Claims reissued dated January 30, 2018 at \$125.

Account Payable Claims dated February 6, 2018 at \$214,345.26.

Payroll Claims

Payroll Claims dated January 19, 2018 at \$393,614.48.

Payroll Claims deductions dated January 19, 2018 at \$166,431.17.

Health Insurance dated January 31, 2018 at \$210,636.30.

Payroll Claims dated February 2, 2018 at \$385.754.01.

Payroll Claim deductions dated February 2, 2018 at \$154.017.74.

Tax Roll Adjustments

Tax Roll Adjustments included numbers 2018000012 through 2018000019.

Cereal Malt Beverage Licenses

Hays City Assistant Manager Jacob Wood presented information on a Hilton Garden Inn project that would house 100 rooms, approximately an 8,400-square foot conference and events center and restaurant and lounge. This would be located west of the Walmart Store.

They are seeking a twenty year Tax Increment Financing (TIF) plan on property tax only, with a public hearing scheduled for Thursday, February 8, 2018. It would be a pay as you go process with no bonds requested. They hope that the County, City and school district do not object to the project. The County would not collect less taxes than they collect currently but if any increases to the property value then those tax dollars would go to the developer to help pay infrastructure such as water, sewer, street, utilities and parking lot.

The developer also is asking for a two percent Community Improvement District (CID) on site, and a five percent Transient Guest Tax (TGT) Rebate Program.

The County would have the option to veto the TIF District by approving a resolution.

Woods stated that they see benefits to the community with public infrastructure, sales tax revenue, a convention center and additional hotel rooms.

The Commissioners are receptive to the Hilton Garden Inn Project.

ROAD PETITION

Ty Wilson addressed paving the roads inside of the Stonewood North Subdivision, located northeast of Hays. Wilson represents the homeowner's association. This subdivision is located north of Hays; thirteen homeowners requested that the County consider asphalt paving. Wilson stated that safety is the number one issue in requesting paving about one and one-half (1.5) miles. Their homeowner's association would like to work with the County on this request. Wilson had a road petition that was signed by all homeowners.

He referenced three recent traffic accidents. The current speed limit is at 55 miles per hour and they would like to see improvements to their safety issues. They do see deterioration to the road conditions with pot holes. They appreciate the County's response to the road, but soon after the County works these road, the deteriorated conditions are back. Most have to travel by four-wheel drive vehicles.

Public Works Director Bill Ring addressed options and cost to asphalt this road. Public Works Director Ring recommended a 6-inch hot mix, which the County does not do. A local contractor gave an estimate of a one-million-dollar project cost. Haselhorst asked to look at a 4-inch hot mix; but with no current base, the 6 inches was recommended. Public Works Director Ring stated that a cold mix would not work with this project.

Haselhorst asked what cost the homeowner's association is willing to put into this project. Wilson stated that they were here tonight to work on collaboration in getting better roads and this needs to be feasible for both sides.

Haselhorst encouraged residents to view the road south of Walker which the County reshaped, hauled rock and rebuilt the base. Haselhorst stated that he is really pleased with this project, and he drives it almost every day. The Noose Road Project was mentioned with the road project completed in 2011.

Commissioners asked Public Works Director Ring to work with Wilson in looking at options to upgrade the current road conditions, and to consider reducing the speed limit to 30 miles per hour.

SURPLUS PROPERTY

Public Works Director Bill Ring stated that they have gathered surplus property from County departments that will be auctioned through Purple Wave Auction with no out of pocket cost for the County. Sales will go into department's Fund 16, the Capital Fund. Rural Fire Department will go into the Special Fire Fund 27.

Motion: McClelland Second: Wasinger

To approve using Purple Wave Auction to manage the sale of surplus Ellis County property as listed on the attached sheets and the proceeds from the sale will be transferred to Capital Equipment Fund 16 for the appropriate departments, as well as the funds for Ellis County Fire Department will go to Special Fire Machinery Fund 27.

Disposition: Motion carried on a voice vote of three to zero.

NOXIOUS WEED ANNUAL REPORT & MANAGEMENT PLAN

Noxious Weed Control Supervisor Gary Haas presented the annual Noxious Weed Eradication Progress Report for 2017, and the annual Noxious Weed Management Plan for 2018.

Haas stated that they treated 30,000 more acres of musk thistle this year and they had an additional 3100 gallons of chemicals, which is a five-point four percent (5.4%) increase due to the treatment of musk thistle.

Haas asked for Commission approval to submit reports to the Kansas Department of Agricultural for approval.

Motion: Wasinger Second: McClelland

To approve the Annual Noxious Weed Eradication Progress Report for 2017 and the Annual Noxious Weed Management Plan for 2018, and a pat on the back to Gary for doing a good job.

Disposition: Motion carried by a voice vote of three to zero.

OTHER – NOXIOUS WEED ROOF PROJECT

Haas announced that the Noxious Weed Building roof is completed and they are now working on the office ceiling in the shop.

SELECTION OF 457 DEFERRED COMPENSATION PROVIDER

County Administrator Smith-Hanes reported that the County had offered three different deferred compensation retirement savings plans. With the federal enforcement for local government best practice changes they were to consolidate to a single deferred compensation program provider.

Request for proposals (RFP) were sent out to find the best provider. A RFP Review Committee including the Administrator, a department head and a union employee reviewed the eight different company bids. They narrowed it to three companies. The committee felt that having a deferred compensation provider that worked with employee participation was important.

It is recommended that the Commission select KPERS/Empower as the County’s sole provider of payroll deduction deferred compensation.

Wasinger asked about the safety of these benefits. County Administrator Smith-Hanes stated that he did not see this funding at risk since the Kansas Legislature cannot take KPERS funding.

Motion: McClelland Second: Wasinger

That the Commission selects Empower Retirement through the Kansas Public Employees Retirement System (KPERS) as the sole provider of deferred compensation programs for Ellis County Employees by payroll deduction and also to adopt Resolution Number 2018-3.

Disposition: The motion carried by a voice vote of three to zero.

RESOLUTION 201 8-3

RESOLUTION OF THE BOARD OF ELLIS COUNTY COMMISSIONERS RE-AUTHORIZING A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF ELLIS COUNTY

WHEREAS, to enable Ellis County to attract and to retain in its employment, persons of competence and to provide a means for supplementing the retirement benefits of County employees, the County desires to offer a deferred compensation plan, and

WHEREAS, the Kansas Public Employees Retirement System has entered into a group contract in conjunction with the Kansas Public Employees Deferred Compensation Plan for the provision of recordkeeping, communication, education, and investment management services, and

WHEREAS, the Ellis County Commission previously adopted Resolution No. 82-4 to join and participate in the Kansas Public Employees Deferred Compensation Plan, and

WHEREAS, various factors have changed in the intervening 36 years since the passage of Resolution No. 82-4 that make it desirable for Ellis County to consolidate its deferred compensation offerings, and

WHEREAS, Ellis County has conducted a process to compare various deferred compensation plans and the County Commission finds, upon recommendation of staff, that the Kansas Public Employees Deferred Compensation Plan is the plan best suited to offer to Ellis County employees, and

WHEREAS, it is the desire of Ellis County to become a joint contract owner with the State of Kansas of the group contract, and

WHEREAS, it is the desire of Ellis County to encourage and support efforts of its employees to voluntarily participate in a tax deferred compensation plan,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS, as follows:

1. Ellis County elects to adopt the Kansas Public Employees Deferred Compensation Plan as its own plan, as authorized by K.S.A. 74-49b14.
2. Ellis County authorizes and approves execution of a Plan Joinder Agreement and Contract Joinder Agreement to implement a deferred compensation plan.
3. The County Administrator is authorized to execute all necessary documents.
4. Resolution No. 82-4 is hereby rescinded.

Dated this 5th day of February, 2018.

COMMISSIONERS

BOARD OF COUNTY

/s/ Dean F. Haselhorst, Chair
/s/ Martha L. McClelland, Commissioner
/s/ Barbara K. Wasinger, Commissioner

ATTEST:

/s/ Donna J. Maskus, County Clerk

WAGE AND BENEFIT COMMITTEE STRUCTURE

County Administrator Smith-Hanes discussed the wage and benefit committee structure for this year. He and County Counselor Jeter visited with Service Employee International Union, Local 513 Esau Freeman regarding bargaining unit participation on this committee. Freeman stated that Public Works is the only unit that will have union members in 2018. Representatives for the Courthouse, Emergency Services, and Sheriff would be determined through an election process.

The Wage and Benefit Committee structure would not do any negotiating but advising the Commission on policies to continue after the union contracts terminates. County Counselor Jeter will compile issues from the union contracts that would need to be addressed on County policy.

The Executive Team recommends the following to the 2018 Policy Review Committee:

- 1) Public Works bargaining unit representative, designated by the union.
- 2) Sheriff's bargaining unit representative, elected by the unit members.

- 3) Emergency Medical Services (EMS) bargaining unit representative, elected by the unit members.
- 4) Courthouse bargaining unit, elected by the unit members.
- 5) The County Administrator
- 6) The County Sheriff or his designee.
- 7) The Public Works Director or his designee.
- 8) The EMS Director or his designee.
- 9) One additional member selected by the County Attorney, County Clerk, County Treasurer, Register of Deeds, County Appraiser, Director of Fire and Emergency Management and Informational Technology Director.

The Executive Team also felt it was important to have at least one elected official on the committee, so that if the Sheriff appoints someone other than himself the additional member should be one of the other elected officials.

Commissioners all supported to go forward with the wage and benefit committee.

COUNTY COUNSELOR REPORTS

County Counselor Jeter stated that he had no report.

COUNTY ADMINISTRATOR REPORT

County Administrator Smith-Hanes gave a personal thank you for the support that he received with the passing of his father.

COMMISSION REPORTS

McClelland reported that she had attended Government Day, Soil Conservation Banquet, Commission Retreat, RPM Speedway Banquet and the Hays Chamber of Commerce Banquet.

Wasinger reported that she had attended Government Day, Commission Retreat and the Hays Chamber of Commerce Banquet.

Chair Haselhorst reported that he has attended Commission Retreat, Soil Conservation Banquet, RPM Speedway Banquet and the Hays Chamber of Commerce Banquet.

Chair Haselhorst announced that Wasinger is running for the Kansas House of Representative District Number 111.

EXECUTIVE SESSION

No Executive Session was called for.

ADJOURNMENT

With no further business, the meeting adjourned at 5:57 p.m.

The next regular scheduled Commission Meeting will be held after the 5:00 p.m., Monday, February 12, 2018, Public Building Commission, Ellis County Administrative Center, Commission Chambers, 718 Main Street, Hays, Kansas.

BOARD OF ELLIS COUNTY COMMISSIONERS,

DEAN F. HASELHORST, CHAIR

MARTHA L. MCCLELLAND, COMMISSIONER

BARBARA K. WASINGER, COMMISSIONER

ATTEST:

DONNA J. MASKUS, COUNTY CLERK