

March 1, 2021

The Board of Ellis County Commissioners met in regular session at 5:00 pm Monday, March 1, 2021, 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, Commissioner Neal Younger and Commissioner Dean F Haselhorst. Also present were Interim 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

One executive session.

APPROVAL OF PRIOR MINUTES

Chair Schlyer asked for any changes to the draft minutes of February 15, 2021. No changes were given; the draft minutes were approved as presented.

CONSENT AGENDA

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

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

Payment Voucher Claims

Payment Voucher Claim for CDBG-CV Grant dated February 17, 2021 for \$37,000

Payment Voucher Claims for March 2, 2021 for \$172,636.23

Payment Voucher Claims for February 18, 2021 for \$285

Payment Voucher Claims to FCMI Week 1 \$19,075.12, Week 2 \$6,525.54 and Week 3 \$3,769.02

Payment Voucher Claims for purchase card dated February 21, 2021 for \$42,245.02

Payroll #4 dated February 26, 2021 for \$409,618.61

Tax Adjustments

Tax roll adjustment number 202100027-30.

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

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

None

INTRODUCTION OF NEW EMPLOYEES

None

EXECUTIVE SESSION

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

To recess into Executive Session under the following exception to the Kansas Open Meeting Act pursuant to a non-elected personnel matter with the subject to be discussed during executive session to be on an employee personnel matter to include Commissioners, County Counselor Bill Jeter and Interim County Administrator Darin Myers.

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

The Executive Session started at 5:05 pm.

The Open Session resumed at 5:15 pm.

Motion: _____ **Schlyer** _____ **Second:** _____ **Haselhorst**

To appoint Darin Myers as the new County Administrator.

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

Schlyer asked for any comments. Haselhorst stated that Myers is very qualified to be the County Administrator and is a great fit for the County. Younger commented he has done a great job in the year and a half he was Interim County Administrator and will be a good fit. Schlyer said Myers has demonstrated his abilities, has a genuine interest for Ellis County and is a right fit for the position.

COVID UPDATE

Health Director Jason Kennedy stated there is a continued decrease in COVID cases. The seven-day average cases is less than five cases a day. The testing has remained high, but the cases have remained low. The vaccine facility has been working out well. There was an issue with flooding in the clinic. There was a phenomenal turnout to get the clinic functioning. They have given right around 3,000 doses for the first doses, and about a 1,000 on the second dose. You no longer have to be over the age of 65 to sign up, nor be a frontline or healthcare worker. The Johnson & Johnson vaccine is now available to the State but does not know if Ellis County would be getting any.

ANNUAL INSPECTION REPORT

Public Works Director Brendan Mackay and Jordan Dettmer with Penco Engineering discussed the 2020 Ellis County Biennial Bridge Inspection report. Every two years the State of Kansas requires all bridges in Ellis County to be inspected by a Kansas Department of Transportation Pre-qualified Routine Bridge Inspection Team Leader. Penco Engineering was hired to complete the 2020 inspection. Dittmer gave an overview of the condition of the county bridges.

BRIDGE CLOSURE

Public Works Director Brendan Mackay and Jordan Dettmer with Penco Engineering discussed the closing of the bridge located approximately one-quarter mile North of Old Highway 4 Rd due to the Kansas Local Bridge Improvement Program (KLBIG) grant. Ellis County had agreed to close and remove from inventory the above-mentioned bridge as party of the KLBIP for 2021. The County was awarded \$150,000 in funding on a 90/10 cost share split. An additional \$50,000 in funding is given if an additional deficient bridge is permanently closed and removed from the National Bridge Inventory. There will be warning signs placed according to the Federal Highway Administration (FHWA) on Uniform Traffic Control Devices (MUTCD) and barricades to prevent travel. These funds will be utilized for the closure of LPA Bridge ID: 619.0-420.1, NBI Structure #00260619004201, located 13.9 miles North and 0.5 miles East of Catharine on 310th Avenue. Mackay was asked how easy it would be to remove the barricades. He stated a farmer could remove the barricades with a tractor. If this would continually happen beams would have to be welded across the bridge to prevent this.

Motion: Haselhorst Second Younger

Move to permanently close and remove from the National Bridge Inventory LPA Bridge ID: 619.0-420.1, NBI Structure #00260619004201, located 13.9 miles North and 0.5 miles East of Catharine on 310th Avenue.

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

KDOT HIGH RISK RURAL ROAD GRANT

Public Works Director Brendan Mackay recommends the Board of County Commissioners accept the authority to award the Federal Fiscal year 2021 KDOT HRRR Grant in the amount of \$168,657 for safety improvements to the Ellis County Road System. The grant was part of the 2019 submission for the HRRR Grant application. There will be no local funds utilized. These grants have allowed the County to update all types of road signage and pavement markings at no cost to the County.

Motion: Younger Second Haselhorst

Allow the Commission to accept and sign the authority to award the HRRR Grant in the amount of \$168,657.

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

ROAD IMPROVEMENT REQUEST

Public Works Director Brendan Mackay presented to the Commission the possible issues if four miles of road on 400th Ave was rockered. At the February 1, 2021 meeting Gene Chrisler brought forward a request for the Ellis County Road and Bridge to add a rock lift for four miles of county road in the North East portion of Ellis County. Chrisler had indicated he would donate the rock from his pit if the Road and Bridge Department would leave a stockpile of milled up rock for his personal use. Mackay told the commission this was previously a rock road and was taken to a sand and gravel road at the request of the residents in the area. He said the road is overly wide and flat and before any material could be added the ditches would need to be pulled, shoulders clipped and the crown reestablished on the road. He recommends that the shoulders be re-clipped and bring that back to the center and relay sand and gravel. He was concerned if Chrisler's pit is on the State registry. The material donated has a value of \$5,280; equipment costs for improvement not including labor or prior repairs is estimated at \$56,291.90. Haselhorst would like to see a crown in the road. Schyler is in favor of complying with Mackay's recommendation. Younger liked that Russell County would be matching with the sand and gravel.

COUNTY TOWNSHIPS

County Clerk Bobbi L Dreiling discussed her findings of consolidation/disorganizing townships. She has met with County Counselor Bill Jeter and County Administrator Darin Myers to get clarification on what steps are needed to have this accomplished. It has been determined that two Resolutions will be published and there is a time frame where the Townships can file a petition with the majority of the registered voters of the Township to contest the consolidation of their Township. Dreiling is proposing that the nine Townships be consolidated into three. Dreiling would like to proceed with scheduling meetings for the board members of each Township to meet with the Commissioner of their District,

Myers and herself for any questions they may have. Jeter gave the steps on the process of the procedure. If there is a petition filed then the consolidation does not happen. Schlyer asked what functionality the township provides since there is a county road system. He asked if the townships were taking care of any cemeteries. Dreiling indicated that Buckeye Township takes care of the Buckeye School and Big Creek Township signs off on Cereal Malt Beverage licensees for the Fair and RMP Speedway so those Townships would stay intact. Younger stated he knows how hard it is to get people to run for these positions.

COUNTY BUDGET FORECAST

County Administrator Darin Myers presented the Ellis County Budget forecast. Discussion was held on several topics from the general budget revenues, the different employee health insurance solution for overall cost savings to maintain the same level of benefits; as well as the reductions of services, temporary change in operation practices, less travel, and other costs that were reduced throughout 2020 due to COVID-19. It was mentioned that the 10-year forecast can change dramatically by overspending, not gradually changing the mill levy, having the current sales tax sunset in 10 years, etc. Schlyer said the forecast looks a lot better than it did when he first became a commissioner. He indicated we are saving the county \$100,000 a year by not going out and hiring a county administrator. The removal of the tax lid was discussed and it is still unclear which way that will move. Haselhorst said we are headed in the right direction because of the Ellis County voters. Younger appreciated everything that Myers laid out for the forecast.

COUNTY ADMINISTRATOR RPEORT

Myers had nothing to report.

COUNTY COMMISSION REPORTS

Younger said he wants to thank all the people that assisted with the fires. It's great that we have all these people in the community that want to help. He also attended the Ellis County Planning and Development meeting and said it was interesting. Haselhorst attended the KWORC meeting via Zoom; also had a KAC meeting where the tax lid was discussed. Schlyer discussed the letter from High Plains Mental Health Center on their restructuring. He is now serving on the finance committee. Haselhorst would like to add more back on the budget for Grow Hays. Myers said they used to fund them at the \$87,000 range and it has decreased. Haselhorst would like to fund them again at a higher level. Myers stated he would ask that it be put into the budget.

EXECUTIVE SESSION

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

To recess into Executive Session under the following exception to the Kansas Open Meeting Act pursuant to the preliminary discussion of acquisition of real estate exception with the subject to be discussed during executive session to be the Northwest Business Corridor right-of-way acquisition to include Commissioners, County Counselor Bill Jeter, Buck Driggs, Public Works Director Brendan Mackay, former Public Works Director Bill Ring and County Administrator Darin Myers.

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

The Executive Session started at 6:05 pm

The Open Session resumed at 6:25 pm with no action taken.

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

Move to approve Driggs Design Group, PA to move forward with the condemnation process on any remaining tracts of land for the Northwest Business Corridor Project and have legal counsel start the required condemnation paperwork.

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

ADJOURNMENT

With no further business, Chair Schlyer adjourned the meeting at 6:26 pm. The next regular meeting with be held on Monday, March 8, 2021, 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

DEAN F HASELHORST, COMMISSIONER

ATTEST:

BOBBI L DREILING
ELLIS COUNTY CLERK