

March 4, 2019

The Board of Ellis County Commissioners met in regular session at 5:00 p.m., Monday, March 4, 2019, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas.

Chair Dean F. Haselhorst called the meeting to order.

Commissioners present: Chair Dean F. Haselhorst, Commissioner Robert "Butch Schlyer and Commissioner Dustin G. Roths.

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

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

ORDER OF BUSINESS

No changes were made to the order of business.

APPROVAL OF PRIOR MINUTES

Chair Haselhorst asked for any updates to the February 18, 2019 draft minutes and the February 22, 2019 Special Meeting on the Northwest Business Corridor. With no updates, Chair Haselhorst stated that draft minutes of February 18, and 22, 2019, stand approved as presented.

CONSENT AGENDA

Motion: _____ Roths _____ Second: _____ Schlyer

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

Payment Voucher Claims

Payment Voucher Claims dated March 5, 2019, for \$345,562.54.

Special Voucher Claim dated February 21, 2019, for \$11,500.

Purchasing Card dated February 21, 2019, for \$61,298.82.

Wire transfer dated February 19, 2019, for \$72,600.

Payment Voucher Claim dated February 19, 2019, for \$568.50.

Payroll Claims

Payroll Claim dated March 1, 2019, for \$396,285.55.

Payroll Claim, health insurance for employee and employer, dated March 1, 2019, at \$234,520.57.

Payroll Claim, deductions and matches, dated March 1, 2019, for \$158,891.51.

Tax Adjustments

Tax Adjustment Claim numbers 2019000056 through 2019000061.

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

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

No issues from persons not on the order of business.

INTRODUCTION OF NEW EMPLOYEES

Public Works Director Bill Ring introduced Dave Schuster who has been employed for 29 years and is known as one of the best road grader operators, has accepted the Road Foreman position. Ring stated that Schuster is sharing his knowledge as a road grader to other employees.

Information Technology Director Mike Leiker introduced Paul Dreiling as his new employee. Dreiling was thankful for the opportunity to work for Ellis County.

FAIR UPDATE - FAIR BOARD PRESIDENT JILL PFANNENSTIEL

Jill Pfannenstiel Fair Board President is in her 7th year as President. With two new Commissioners she wanted to share what the Fair Board’s responsibilities are as they plan and work the County Fair with 4-H and Open Class exhibitors participating. The Fair Board is made up of 17 volunteers and the Fair Manager. They schedule and oversee events during the fair and raise funding through sponsorships, so ticket prices can help bring people to the fair events.

The Fair Board Vice-President Justin Scheck discussed problems with the rain water draining off the fair buildings that goes directly into the drains causing excess water in the lagoon system. Scheck reported that at the 2018 Fair they worked with flooded cattle barns. He asked that an engineer possibly look at their conditions and see what options they have to drain the excess rain water off the buildings so the flow does not go into the lagoon system.

Public Works Director Bill Ring reported that recently they have drained and hauled some of the excess water out of the lagoon. Chair Haselhorst asked that Public Works Director Ring and Fair Board Member Scheck work on some options and then come back to the Commission.

INFORMATIONAL TECHNOLOGY (IT) POLICY UPDATES – IT DIRECTOR MIKE LEIKER

IT Director Mike Leiker presented the Password and Acceptable Use Policies with updates. Leiker stated that these policies have not been updated for a few years.

Schlyer asked if he has found anyone that has not followed these practices. Leiker stated that the system will not allow you to set-up a password until it contains the necessary standards.

Motion: Schlyer Second: Roths

Moved that the Commission approve the updated Ellis County Password Policy and the Ellis County Acceptable Use Policy.

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

EMERGENCY OPERATIONS PLAN – DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT DARIN MYERS

Director of Fire and Emergency Management Darin Myers presented the Promulgation per Kansas Statute 48-929 for the Ellis County Emergency Operations Plan (EOP) and a resolution on the highest levels of Incident Command System (ICS) management.

The EOP is to be updated every five years and Myers stated that the plan is over 800 pages including maps, charts and information. Resolution Number 2019-3 is to adopt the National Incident Management Systems (NIMS) to manage incident responses.

Motion: _____ Schlyer _____ Second: _____ Roths

Moved that the Commission adopt the February 2019 update of the Ellis County Emergency Operations Plan, including the attached Resolution, and direct the Clerk to publish the Resolution Number 2019-3.

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

RESOLUTION 201 9-3

RESOLUTION OF THE BOARD OF ELLIS COUNTY COMMISSIONERS

WHEREAS, in the Homeland Security Presidential Directive 5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of the cause, size, or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners have been, and will continue to be, vital to the development, effective implementation, and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the county's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System (ICS) components of NIMS are already an integral part of various incident management activities throughout the County

and State In accordance with K.S.A. 48-928 (o), including current emergency management training programs, emergency operations plan, and emergency operations center; and

WHEREAS , the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System; and

WHEREAS , on April 19, 2005, the Governor of Kansas signed the Executive Order 05-03 designating NIMS as the Incident Management System to be used in Kansas; and

WHEREAS , specific individual needs to be designated as Local Point of Contact (LPOC) to coordinate NIMS activities and to ensure compliance;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS, the National Incident Management System (NIMS) is hereby established as the standard for incident management in Ellis County, Kansas.

BE IT FURTHER RESOLVED that Ellis County Emergency Manager, is hereby designated as the Local Point of Contact (LPOC).

This resolution will take effect immediately upon publication in the official county newspaper.

Dated this 4th day of March 2019.

COMMISSIONERS

Commissioner

ATTEST: /s/Donna J. Maskus, County Clerk

BOARD OF COUNTY

/s/ Dean F. Haselhorst, Chair
/s/ Dustin G. Roths, Commissioner
/s/ Robert "Butch" Schlyer,

EMERGENCY COMMUNICATIONS SERVICE AGREEMENTS – DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT DARIN MYERS

Director of Fire and Emergency Management Darin Myers reported on the history of the public safety communications equipment which has been upgraded over the past few years. An annual fee for the 911 equipment is \$72,600 to the Kansas NG911 Coordinating Council to answer 911 calls in the Dispatch Center and route them using the mapping software. The tower equipment maintenance of the four radios in the Dispatch Center and a support plan is paid to Motorola at \$62,971 annually. A revenue of 60 cents (\$.60) is collected from all cell phones that goes into the 911 Fund number 125. Myers stated that the Kansas Legislature is working on a cell phone bill that addresses this tax.

Myers stated that the next upgrade would be to the Computer Aided Dispatch/Record Management System (CAD/RMS) for the Dispatch Center. He is checking if grants are available for this type of service.

ELLIS COUNTY FIRE DEPARTMENT COMPANY 4 (VICTORIA) CAPTAIN APPOINTMENT – DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT DARIN MYERS

Ellis County Director of Fire and Emergency Management Darin Myers stated that Verlin Hammerschmidt has retired after 42 years of service as Victoria Fire Chief and served as a fire fighter for Company 4. Scott Wellbrock has been recommended to fill the Company Four Fire Captain position in Victoria. Myers reported that they had four qualified candidates interested in this position. The Commission had no problem in promoting Scott Wellbrock to the Fire Captain position for Company 4.

ELLIS COUNTY ATTORNEY BUDGET AUTHORITY INCREASE – COUNTY ATTORNEY TOM DREES

County Attorney Tom Drees stated that the Commission had tabled his request in upgrading a part time attorney position to a fulltime position at a cost of \$35,000. All three Commissioners had visited with County Attorney Drees and his staff within the last few weeks. With the current financial situation that the County is in, all Commissioners felt that they cannot approve this request at this time. They did not see where they could find \$35,000 out of the current budget for this expense, but all felt that the position is needed in the County Attorney’s Office.

SALE OF ONE ACRE OF LAND – PUBLIC WORKS DIRECTOR BILL RING

Public Works Director Bill Ring discussed property at the southwest quarter of Section 34, Township 15, Range 16. Stephen and Fran Robben had purchased this property in October 2018, and it was found that one acre is owned by Ellis County through a warranty deed from 1932. The Robben’s have offered \$800 for this one acre of property, which is what they paid per acre in 2018 at an auction.

Ring stated that no record of this was found why the County purchased this one acre. The County Clerk’s and Appraiser’s Offices had found no record on this.

Motion: _____ Roths _____ Second: _____ Schlyer

Moved to accept the offer of \$800.00 from Stephen and Fran Robben of Victoria, Kansas for a 1-acre tract located in the Southwest corner of a half section (320 acres) of ground they recently purchased at auction and adopt Resolution Number 2019-04 pertaining to the sale.

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

It was stated that this addresses only the purchase of surface rights.

RESOLUTION NO. R-2019-04

RESOLUTION OF THE BOARD OF ELLIS COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners of Ellis County, Kansas, by the power vested in it by K.S.A. 19-211 may sell or dispose of County property, and

WHEREAS, K.S.A. 19-211(a)(3) provides for the sale or disposition of county property with a value of less than \$1,000 without notice of sale by publication.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS, that pursuant to K.S.A. 19-211(a)(3) the following described property shall be sold to Stephen C. Robben and Fran Robben, husband and wife, for the sum of Eight Hundred Dollars (\$800.00) and Dean Haselhorst as Chair of the Board of County Commissioners of Ellis County, Kansas, shall be authorized to sign a deed of conveyance, to-wit:

SURFACE RIGHTS ONLY in and to a tract of land located in the South Half (S/2) of Section Thirty-four (34), Township Fifteen (15) South, Range Sixteen (16) West of the 6th P.M., Ellis County, Kansas, described as follows:

At 6:18 p.m., Chair Haselhorst and Roths returned to the meeting.

Motion: Roths Second: Haselhorst

Moved to extend the executive session an additional fifteen minutes.

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

The Open Session resumed at 6:30 p.m. with Chair Haselhorst and Roths returning to the meeting. Chair Haselhorst announced that no action was taken.

Motion: Roths Second: Haselhorst

Moved to recess into Executive Session for five minutes under the Kansas Open Meeting Act pursuant to the non-elected personnel matter exception subject on the County Administrator's Employment Agreement. In addition to the Commissioners being present also the County Administrator Smith-Hanes and County Counselor Bill Jeter.

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

The Executive Session began at 6:32 p.m.

The Open Meeting resumed at 6:38 p.m. with Chair Haselhorst and Roths returning to the meeting.

Chair Haselhorst announced that no action was taken.

Motion: Roths Second: Haselhorst

Moved to recess into Executive Session under the following exception to the Kansas Open Meeting Act pursuant to the attorney-client privilege exception subject on tax foreclosure litigation and will resume back at 6:45 p.m. in the Commission Chambers. In addition to the Commissioners being present also the County Administrator Smith-Hanes and County Counselor Bill Jeter.

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

The Executive Session began at 6:38 p.m.

The Open Session resumed at 6:47 p.m.

Chair Haselhorst announced that no action was taken.

ADJOURNMENT

With no further business, Chair Haselhorst stated that the meeting will be adjourned at 6:48 p.m.

The next Commission Meeting will be held at 5:00 p.m., Monday, March 11, 2019, Ellis County Administrative Center, Commission Chambers, 718 Main Street, Hays, Kansas.

BOARD OF ELLIS COUNTY COMMISSIONERS:

DEAN F. HASELHORST, CHAIR

ATTEST:

ROBERT "BUTCH" SCHLYER, COMMISSIONER

DONNA J. MASKUS, COUNTY CLERK

DUSTIN G. ROTHS, COMMISSIONER