

April 11, 2022

The Board of Ellis County Commissioners met in regular session at 5:01 pm Monday, April 11, 2022, in the Commission Chambers, at the Administration Center, 718 Main Street, Hays, Kansas. Chair Robert "Butch" Schlyer called the meeting to order. The meeting opened with the Pledge of Allegiance. Commissioners present: Chair Robert "Butch" Schlyer, Commissioner Joe Leroux and Commissioner Neal Younger. Also present were County Administrator Darin Myers, County Counselor Bill Jeter and County Clerk Bobbi L. Dreiling.

ORDER OF BUSINESS

There were no changes to the order of business.

EXECUTIVE SESSION

There will be one executive session.

APPROVAL OF PRIOR MINUTES

Chair Schlyer asked for any changes to the draft minutes of April 4th. No changes were given; the draft minutes were approved as presented.

CONSENT AGENDA

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

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

Payment Voucher Claims

Purchase Order #7657 to Danko in the amount of \$33,658

Purchase Order #7656 to Baysingers in the amount of \$33,506

Payroll #7 dated March 20-April 2nd paid April 8th in the amount of \$431,675.37

Freedom Claims Management dated April 7th in the amount of \$15,681.71

Freedom Claims Management dated April 6th in the amount of \$2,784.59

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

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

None

MONTHLY FINANCIAL REPORT

Commissioners said the reports look good.

DSNWK AND ACCESS TRANSPORTATION

As directed by the Commissioners, Director of DSNWK Jerry Michaud and Transportation Manager Wade Kruse with ACCESS gave an update on their organizations. The Commissioners thanked them for their updates.

ELLIS COUNTY HISTORICAL SOCIETY

As directed by the Commissioners, Ellis County Historical Society Board Member Brad Ricke, Interim Director Amanda Rupp, Historian Adam Conkey and President Priscilla Hunt gave an update on the organization. Ricke said they now have a display at the Administrative Center and invited the Commissioners to check it out. Conkey gave a rundown of the items displayed in the case. They are having a gun raffle again starting Monday, May 30th and ending Labor Day Monday, September 3, 2022.

They have received enough donations this year to purchase the technology project for computers and Past Perfect software. The Commissioners thanked them for the update.

MIDWEST ENERGY SUBSTATION CUP

Ellis County Interim Environmental Services Director Justin Craig and Ellis County Joint Planning Chairman David McDaniel presented to the Commission the Conditional Use Permit (CUP) permit 2209 for the Midwest Energy Substation. Commissioner Younger excused himself from this process. The Planning and Zoning Commission approved the CUP/Development Plan 2203 at the public hearing on March 23, 2022, and now submit to the Commission for their final decision. As of this time no protests have been filed with the County Clerk.

Motion: _____ **Leroux** **Second:** _____ **Schlyer**

I move that we approve CUP 2209 to allow Midwest Energy to construct a substation located 1.9 miles east of Walker Avenue on Severin Road in rural Ellis County, as the zoning regulations have been followed and approved by the Planning and Zoning Commission on March 23, 2022.

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

RESOLUTION NO. R-2022-07
RESOLUTION OF THE BOARD OF ELLIS COUNTY COMMISSIONERS

WHEREAS, the Board of Ellis County Commissioners of Ellis County, Kansas , by the powers vested in it adopted Ellis County Zoning Regulations effective September 1, 2006, and

WHEREAS, pursuant to said Zoning Regulations the Board of County Commissioners has the authority to approve applications for conditional use permits.

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

A request for a Conditional Use Permit 2209 by Midwest Energy, acting as agent for Robert Kirk & Coleen D Dickinson, landowners, for a substation is approved.

This is on the below described property, to wit:

A 0.15+/- acre tract of land that will be located in the S13, T12, R16, ACRES 626.9, ALL SEC; LESS RD R/W The site location is 1.9 miles west of Walker Avenue on the south side of Severin Road, Ellis County, Kansas

BE IT FURTHER RESOLVED that this resolution will become effective upon publication in the official County newspaper.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS, ELLIS COUNTY, KANSAS, this 11th day of April 2022.
BOARD OF COUNTY COMMISSIONERS OF ELLIS COUNTY, KANSAS

Robert (Butch) Schlyer, Chairman
Neal Younger, Commissioner

Joe Leroux, Commissioner

ATTEST:
Bobbi Dreiling, County Clerk

PLANNING AND ZONING APPOINTMENTS

Interim Environmental Services Director Justin Craig is asking the Commission to appoint a new member to the expired term of the Joint Planning Commission. The Planning and Zoning Commission has been short one member since July 1, 2021. There has been one application received for the position by Mason Ruder of the City of Hays. This appointment is being requested at this time to fill the position before the next scheduled meeting on April 27th. David McDaniel has also informed the Environmental Services Department that he would accept another three-year appointment.

Motion: Leroux Second: Younger

I move that the Commission appoint Mason Ruder to a three-year term effective immediately and expiring June 30, 2025; and reappoint David McDaniel to a three-year term expiring June 30, 2025, to the Joint Planning Commission.

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

DECEMBER 15, 2021 STORM UPDATE

Emergency Manager & Assistant Fire Chief Lyle Pantle updated the Commission from the December 15, 2021 wind/fire event. The Office of the Governor had signed a document indicating there was enough damage to declare a disaster for the State. This declaration has been in the hands of the President, waiting for approval to get Federal aid. Ellis County has been advised to submit two separate Request for Public Assistance (RPA) due to the nature of the wording of the declaration. We are currently waiting on a response It has been expressed that if the wind event had not occurred, there most likely would not have been a fire. This is the reason for the two requests so that if one is deemed not covered, the other would still fall into the designated wind event damage. All costs have already been paid by the County. This is for a reimbursement request. If supported, Federal aid would be for 75% with an additional 10% covered by the State. Ellis County would be responsible for 15% of the total costs.

BALLISTIC VEST PURCHASE

Sheriff Scott Braun is asking for the approval of the Commission to purchase 22 ballistic panels, carrier and identification panels. This would replace the current vests that will expire at the end of 2022. The total cost of \$33,506 would be paid out of Capital Fund 16. They have applied for a COPS Grant; that if awarded would be 50% (\$16,503) of the vests. They have in the past applied for this grant and were awarded same. This \$33,506 must be paid upfront before receiving reimbursement.

Motion: Leroux Second: Younger

I move to approve the purchase of 22 ballistic panels, carrier and identification panels from Baysingers Uniform & Equipment for a total of \$33,506.

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

FIRE HOSE PURCHASE

Director of Fire & Emergency Management Darin Myers is asking the Commission to approve the purchase of a new fire hose. This will include 11,800 feet except for the 1" booster reel hose. Expected fire hose service life ranges from 10-15 years depending upon usage, testing and service rotation. There are no records to show how old the current fire hose is, but some estimate it is over 20-25 years old. In recent years when completing the annual service testing, more and more of the hose is starting to fail. Currently, the fire department's spare hose has been almost depleted. The low bid from six vendors was

\$33,658 from Danko Emergency Equipment. This is a 2022 scheduled capital purchase within the 2022 Fire Machinery Budget.

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

I move to approve Purchase Order 7657 to purchase fire hose from Danko Emergency Equipment in the amount of \$33,658.

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

ADMINISTRATIVE CENTER HVAC CONTRACT

County Administrator Darin Myers is asking for approval for the Commission Chair to sign the contract with Glassman Corporation to replace the HVAC system at the Ellis County Administrative building. The bid was awarded to Glassman Corporation in the amount of \$1,351,964 which included 10% contingency. The contract has been reviewed by County Counselor Bill Jeter. It was agreed that the Chair should sign the contract so the project can move forward.

COUNTY BUDGET FORCAST AND PLANNING CALENDAR

County Administrator Darin Myers presented to the Commission a proposed budget planning schedule. He updated the Commission on the budget process and then showed a presentation how different factors will change the forecast for Ellis County over the next 5-10 years. These are, however, only forecasts with different assumptions based on the history of the general fund, inflation, unknown revenue changes, etc. Some of the key points to review in the 2021 Ellis County budget are:

- The general budget revenues were over the budgeted amount by \$405,747, or just under 2%,
- Department directors and elected officials did well by working within their budget authority by staying under budget collectively by \$1,249,253, or about 6% under budget,
- The County collected a full year of the two new ¼ cent county-wide sales taxes. The budget was created conservatively on the estimated collections. The amounts were generated using amounts collected on the previously expired 2013-2018 sales tax. After the year was complete, the sales tax collections were approximately 40% more than anticipated. For 2022, an additional \$295,000 in sales tax was captured based on the average collections. For 2023, there is still room to capture additional sales tax dollars to help offset the general fund budget.
- The County moved to a new partially self-funded employee health insurance solution for overall cost savings with the goal to maintain the same level of benefits. As of March 2022, the employee benefit fund has grown to \$918,541 in 15 months and is fully funded.

The County Commission approved the proposed budget schedule.

COUNTY ADMINISTRATOR REPORT

County Administrator Myers asked that Commissioner Younger be able to sign the ballot to accept the Kansas Human Resources Association to become a member of KAC. Younger signed the agreement to accept the Kansas Human Resource Association to be a member of KAC.

COUNTY COMMISSION REPORTS

Leroux reported that he met with County Administrative Myers on the budget. Younger asked Brendan Mackay to give an update on the several projects that were going on with Public Works. He said he also met with Eric Ivy last week Monday; Ivy is with the wind Farm. Mackay said they started pouring the one

lane over in Victoria; they are almost up to 10th Street. The bridge on 140th has been taken out. The bridge on 310th Ave has been poured and they are back-filling and should be open by the end of the week. The FS450 bridge which failed last October has the deck poured; it is on track. The Northwest Business Corridor project should be opened for the road tour at the end of the month. They will be closing down Feedlot Road in the near future. Younger asked when the Saline River bridge will be open; Mackay thought in the next month or two. Schlyer had no report.

EXECUTIVE SESSION

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

To recess into Executive Session for 15 minutes under the following exception to the Kansas Open Meeting Act pursuant to the preliminary acquisition of real estate exception with the subject to be discussed during executive session is possible land purchase. Those persons to attend are Chair Butch Schlyer, Commissioner Neal Younger, Commissioner Joe Leroux, 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 6:14 pm.

The Open Session resumed at 6:29 pm with no action taken.

ADJOURNMENT

With no further business, Chair Schlyer adjourned the meeting at 6:29 pm. The next regular meeting will be held on Monday, April 11, 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

JOE LEROUX, COMMISSIONER

ATTEST:

BOBBI L DREILING
ELLIS COUNTY CLERK