

May 17, 2021

The Board of Ellis County Commissioners met in regular session at 5:00 pm Monday, May 17, 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 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

Agenda Item #8 will move before Agenda Item #7.

EXECUTIVE SESSION

There will be no executive sessions.

APPROVAL OF PRIOR MINUTES

Chair Schlyer asked for any changes to the draft minutes of May 10, 2021. No changes were given; the draft minutes were approved as presented.

CONSENT AGENDA

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

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

Payment Voucher Claims

Solid waste payment dated May 12, 2021 for \$21,934.53

Open Edge for credit card charges dated May 13, 2021 for \$407.14

Accounts payables dated May 18, 2021 for \$405,333.54

Health Insurance payment dated May 12, 2021 for \$8,879.12

Tax Adjustments

Tax roll adjustment number 2021000062.

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

ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS

None

MONTHLY FINANCIAL REPORTS

All reports looked good.

PUBLIC WORKS SUMMER HOURS OF OPERATION

Public Works Director Brendan Mackay asked the Commission to approve the Public Works summer hours of operation beginning Monday, June 7, 2021 and continuing through Thursday, September 2, 2021. These hours will be effective for Ellis County Public Works, Road & Bridge and Noxious Weed Departments. The hours will be four days per week, working ten-hour days from 7:00 am to 5:30 pm Monday through Thursday. The Commission approved the change.

CONDITIONAL USE PERMIT 2113 – FULL-SERVICE CAMPGROUND, OUTDOOR EVENT VENUE AND BED BREAKFAST

Before the agenda item began Schlyer gave an outline on how the meeting would be handled. The individuals in protest of the CUP will have time to speak, Chad Tuttle will present his support of the CUP, the Zoning and Planning Commission will present their findings, and the Board will have a discussion and decide how to resolve the issue. The protest petitioners will be limited to five minutes except for Jason Brin who will be allowed 11 minutes.

Jason Brin approached the Commission with his issues on the CUP 2113. Haselhorst questioned Brin on the year the lease ended to which Brin replied year 2044.

Chad Taylor spoke of his opposition to CUP 2113.

Leanne Zimmerman spoke of her opposition to CUP 2113.

Randy Thiel spoke of his opposition to CUP 2113.

Linda Brin spoke of her opposition to CUP 2113.

Bailey Nash spoke of her opposition to CUP 2113. Schlyer commented to Nash that the Board of County Commissioners has not set a precedence for any event center; every CUP brought before the Board is its own issue based on its own variables so they have not set any precedence. Schlyer asked County Counselor Bill Jeter if Tuttle is already operating without a CUP how does the County stop it. Jeter replied there would need to be a County resolution entered into, zoning regulations enforced by fine or imprisonment or misdemeanor charges in District Court. Schlyer asked if these Resolutions and regulations are already in place, to which Jeter replied they are not. Schlyer said if the CUP is not allowed and this activity is going on, how does this activity get stopped. Jeter said this matter now needs to be looked into. He said if the CUP is denied tonight the enforcement of zoning regulations is complaint driven as the County does not have an investigative staff; but now that it has been brought to the County's attention this does need to be looked into. Chad Tuttle, owner and operator of the CT2 Ranch, approached the Commission to discuss the support of CUP 2113. After several discussions and questions on safety, flooding, emergency services, cell phone coverage and a capital plan between Haselhorst and Younger to Tuttle; Schlyer asked the Zoning and Planning Commission to come up and review about the process of CUP 2113. Environmental Planning Supervisor Mason Ruder and Chairman of the Zoning and Planning Commission David McDaniel approached the commission. Ruder proceeded to explain the CUP 2113 process. McDaniel talked about the CUP 2113 and the process that the committee went through to approve CUP 2113. He indicated that five of the six committee members were also present in the audience. Schlyer then proceeded to call for a motion. He said that the non-payment of property taxes on the land, criminal history and the remoteness of the area should not be considered in any decision. He indicated that it was a very grand plan and it would be expensive to accomplish. Haselhorst and Younger had no additional comments.

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

I move that we disapprove Conditional Use Permit (CUP) 2113 to allow METZ MARK LIV TR to utilize the 154.26 acre tract for a full-service campground, outdoor event venue, and bed and breakfast located at a portion of 13-11S-19W and all of 24-11S-19W Ellis County KS on Saline River Road in rural Ellis County as the zoning regulations have been followed and approved by the Planning and Zoning Commission on April 28, 2021

Disposition: _____ **Motion passed by a voice vote of two to one (Schlyer the dissenting vote)**

CDBG-CV CLOSE-OUT PUBLIC HEARING

Lyle Pantle, Emergency Manager, presented to the Commission the close-out public hearing for the CDBG-CV. Ellis County had applied for a CDBG-CV grant funding. The County received an award of \$132,000 in assistance. Records indicate that 153 total positions were retained, and 18 businesses were supported through the assistance. The Commission thanked Pantle for a job well done.

COUNTY ADMINISTRATOR REPORT

County Administrator Darin Myers asked for permission for the Chair to sign the utility agreement for the Rural Water District of Trego County for the Northwest Business Corridor project.

COUNTY COMMISSION REPORTS

Haselhorst will be attending KAC meetings. Younger had no report. Schlyer had no report.

ADJOURNMENT

With no further business, Chair Schlyer adjourned the meeting at 7:25 pm. The next regular meeting will be held on Monday, June 7, 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