

June 6, 2022

The Board of Ellis County Commissioners met in regular session at 5:00 pm Monday, June 6, 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 and Commissioner Neal Younger. Commissioner Joe Leroux was absent. 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 two executive sessions.

**APPROVAL OF PRIOR MINUTES**

Chair Schlyer asked for any changes to the draft minutes of May 16. No changes were given; the draft minutes were approved as presented.

**CONSENT AGENDA**

**Motion:** \_\_\_\_\_ **Schlyer** \_\_\_\_\_ **Second** \_\_\_\_\_ **Younger**

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

**Payment Voucher Claims**

Freedom Claims Management dated June 1 in the amount of \$3,530.10

Freedom Claims Management dated May 18 in the amount of \$7,743.20

Vouchers dated June 7<sup>th</sup> in the amount of \$\_\_\_\_\_

Ellis County Treasurer for health insurance dated May 25 in the amount of \$325,83778

Purchas Card dated May 18 in the amount of \$47,802.51

Enterprise Lease dated May 20 in the amount of \$5,420.70

PurpleWave dated May 31 in the amount of \$144,100

Purchase Order #7664 to Foley Equipment in the amount of \$39,000

Payroll #10 dated May 1-14, paid May 20 in the amount of 484,586.96

Payroll #11 dated May 15-28, paid June 3 in the amount of \$507,970.03

Vouchers dated June 7 in the amount of \$593,643.01

Cereal Malt Beverage license for the Ellis County Fair Association

**Tax Adjustments**

Tax roll adjustment numbers 2022000085-87

**Disposition:** \_\_\_\_\_ **Motion was carried by a voice vote of two to zero**

**ISSUES FROM PERSONS NOT ON THE ORDER OF BUSINESS**

None.

Commissioner Joe Leroux joined the meeting at 5:04 pm.

**FORT HAYS STATE UNIVERSITY UPDATE**

President Tisa Mason gave an update on Fort Hays State University. The Commissioners thanked Mason for the update.

**WORKFORCEONE INFORMATION**

Executive Director Deb Scheibler shared information regarding WorkforceONE. She is asking that the Commission Chair sign the Kansas WorkforceONE agreement. Under the agreement, each County Commission may appoint one of its members to serve on the Chief Elected Officials Board (CEOB). This year, due to the resignation of Commissioner Haselhorst, it was determined that the newly appointed commissioner Joe Leroux would be appointed to sit on the WorkforceONE board. Schlyer said they provide a lot of vital services for the community. Commissioners thank Scheibler for the update.

**Motion:** \_\_\_\_\_ **Leroux** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Younger**

I move to approve the WorkforceONE agreement and to have the chair sign

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

**COTTONWOOD EXTENSION DISTRICT**

Cottonwood Extension District #17 District Director Donna Krug gave an update on the Cottonwood Extension District. They have been in place for five years. They are in the process of adding new team members. Stacy Campbell and Tamara Robertson were present with Krug. They now of an on-line



Public Works Director Brendan Mackay is asking the Commission to approve the purchase of the Dymax Tree Shear Attachment from Foley Equipment for the Public Works Department. As witnessed during the County Road Tour last month there is an issue with trees and limbs growing within the right-of-way or growing into the right-of-way. This poses a safety risk for the traveling public which could limit visibility. Currently staff goes out with chain saws and a bucket truck to trim these trees which takes a minimum of four people. With this attachment we could cut down the required number of staff needed to trim trees as well as speeding up the process. Staff was unable to find another manufacturer of similar equipment to the Dymax option. The closest equivalent to this is a feller-buncher attachment that grips the tree/limb, and a saw or shear comes out and cuts the material. The feller-buncher design is more complicated and requires a length of straight tree branch or trunk in order to operate. Because of the requirements of the feller-buncher attachment would require chainsaw work and be limited in what and where it can cut staff recommends the purchase of the Dymax attachment. The \$39,000 from ARPA funds or Fund 16 if ARPA funds are not available. This is a budgeted item in Fund 16. There will be minimal hauling costs for staff to take the machine to Salina, KS for the installation of the attachment. Schlyer said they should go this way for employee safety issue, less employees doing the job and getting it done faster. Younger and Leroux agreed with Schlyer's comments.

**Motion:** \_\_\_\_\_ **Schlyer**      **Second:** \_\_\_\_\_ **Younger**

I move to approve the purchase of the Dymax Tree Shear attachment from Foley Equipment for \$39,000.

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

#### **PUBLIC WORKS JOB DESCRIPTION CHANGES**

Public Works Director Brendan Mackay is asking the commission to approve the updates to the Public Works job descriptions. Staff has had individual conversations with the commissioners regarding the need to change some job descriptions at the Public Works Department. A deficiency was noticed within the job descriptions and roles in the Public Works Department. Currently there is not room for growth within the roles to develop and build staff, limiting the ability for succession planning within the department. The requested changes and additions to the attached job descriptions would help to correct that. With succession planning and knowledge management in mind, the changes would be beneficial to both departments and would reward and recognize the additional responsibilities of the new positions. The truck driver position at Public Works is one of the hardest positions to keep filled, as well as one of the lowest paid positions. The change to this position would create two new job descriptions, Truck Driver 1 and Truck Driver 2 and would change their pay grades from a 104, to a 105 and 106 respectively. All new truck drivers would start at the "1" position until they have obtained certain training, licensing, and other requirements to be promoted into the "2" position. If approved, all truck drivers would be moved immediately to Grade 105 for the next pay period. Staff will review all the "1" positions to identify those employees who meet the requirements to also be promoted into the "2" position. For the new Heavy Equipment Operator positions, no changes will be made to the original position except for a name change to Heavy Equipment Operation 1. Three of the 19 Heavy Equipment Operator positions would be changed to create a new Heavy Equipment Operator 2 position. This change will be to help with succession planning to identify and promote three operators to a higher position with the responsibilities of training new drivers and operators on the machinery and equipment, plus also work alongside the supervisor and foreman positions to learn their positions and knowledge of the county road systems, and also possibly fill in during vacancies and retirements. This "2" position's pay grade would be changed to 108. With a recent retirement of a Weed Control Technician, changes to this job description is also being asked for consideration of changes. This change would also create a technician 1 and 2 position. Little changes are suggested to be changed to the "1" position besides the name, pay grade from 104 to 105, and lesson the requirement of spraying experience. Currently, within the department, spraying cannot be completed on days when the Noxious Weed Supervisor is on vacation, or not in the office due to certification requirements. In creating the "2" position, this individual would be required to obtain a Commercial Pesticide Applicator Certification, equipment calibration ability, and other requirements before being promoted into the position. This is a skilled position requiring the ability to operating a complicated computerized spray system, as well as the knowledge of chemicals, crops, and weeds. This pay grade would be a 107. The goal is to have the job position changes and promotional processes completed by the end of July. With these changes we hope to be more wage competitive and to be able to retain employees with job knowledge and skills for succession planning. The Noxious Weed Department would see an estimated increase of \$5,000, and Public Works would have an estimated increase of \$45,000 for budget year 2023.

**Motion:** \_\_\_\_\_ **Leroux**      **Second:** \_\_\_\_\_ **Younger**

I move to approve the six attached job descriptions for the Public Works Department.

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

### **ALLOWANCE OF FIREWORKS FOR 4<sup>TH</sup> OF JULY HOLIDAY**

Director of Fire and Emergency Management Darin Myers is asking the Commission to decide on Resolution 2018-05 in allowing the discharge of fireworks in the unincorporated areas of Ellis County. In 2018, the Commission approved Resolution 2018-05 to ban the sale and use of fireworks in the unincorporated areas of Ellis County. In previous years, the Commission has relaxed a portion of the resolution to allow residents to discharge fireworks in these same areas. In 2021, the ECFD did not respond to any fireworks related incidents. If approved, it is suggested to set the 2022 times and dates the same as the City of Hays to avoid confusion. In the years past, fireworks were allowed to be discharged in the unincorporated areas of Ellis County on July 2-4 from 10:00 am to 11:00 pm each day. Schlyer asked if the Fire Chief supported this motion. Fire Chief Myers said he would be supportive of the decision. Leroux and Younger said they are fine with relaxing the ban.

**Motion:** Younger Second: Leroux

I move, per Resolution 2018-05, to relax the discharge portion of this Resolution in the unincorporated areas of Ellis County on July 2, 3, and 4<sup>th</sup> from the hours between 10 am – 11 pm.

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

### **COMMISSION BUDGET 2023**

County Administrator Darin Myers is asking the Commission to review and provide direction to the 2023 Commissioner's budget. For 2023, the commission needs to provide direction to staff for any changes needed for their budget. The biggest potential change to discuss is the possibility of a change from a three-commission board to five. It is still uncertain if enough signatures will be gathered for the petition to get the change on the November ballot, or if it would even pass by the voters. Nevertheless, the decision from the commission needs to be whether to fund the change, or let the future commission determine what cuts to make to identify the funding in 2023. With pay for elected officials being determined by a county resolution, it would cost the taxpayers an additional \$104,408 in salaries for two additional commissioners. There could also be other fees for services if this were to happen to redistrict the county, as well as provide legal oversight to ensure the process is done according to statute. The county clerk is still working through this process. Also, the commission has been approached by the Kansas Natural Resources Coalition in joining their organization with an annual fee of \$5,000. If approved, this funding would be paid from the commissioner's budget. Schlyer said he would like to be budgeted for this. He said the elector needs to know what it will cost if they vote for a 5-person commission. He said it is better to have it in the budget than not be ready for it. Younger agreed with Schlyer's comments. Leroux said he would rather be ready than not ready. Schlyer said he gave it some thought on the Kansas Natural Resources Coalition. He is not in favor of it. The County has done well without this coalition. Leroux said he felt that they didn't answer the question on what it would do for Ellis County when they were here at the last meeting. He does not see a benefit for the residents. Younger said he has received a few emails on it not in favor of it. He said he is not for it as well. It was agreed to not budget this \$5000.

### **BUDGET PRESENTATION**

County Administrator Darin Myers is asking the Commission for input, direction and/or any changes to the 2023 budget. This first draft has total general fund revenues at \$24,449,122 or an increase from the 2022 budget of \$2,212,235. Expenditures in this in this first draft are \$28,449,350 or an increase from 2022 of \$2,814,267. That equates to a \$602,032 difference for taxing purposes. However, due to increased county valuations, it is estimated the County's mill levy will not have to be increased as the valuation difference will cover the increase in budget. As the commission stated, the goal would be to keep the mill levy the same in 2023 as it is in 2022. The biggest notation of changes in the county expenditures are the different considerations of contracts and commodity prices that are being impacted by the current inflation rates. For instance, the public works fuel line item has increased by nearly 40%. This also impacts all departments, but most notably the sheriff, EMS, and Fire. The noxious weeds department is seeing a \$535,000 increase on chemicals over 2022. This service is statutorily required to provide, but it also required of what amounts the chemicals can be sold for, which for Ellis County we must be sell for a loss. The budget also accounts for an estimated 5% increase in health insurance premiums. In 2022, the county saw a 3.3% increase in the new health insurance plan. This was significantly better than previous years when a part of the State plan where the average county increase per year was over 9%. Currently, the Employee Benefit Fund has a balance of \$965,221. On the state plan, this entire balance would have been lost to the state and not refunded. The 5% estimate

will be updated within the next two months after renewal prices are received from our benefits consultant. This draft also has the current request for the outside agencies. Several of the agencies have requested larger amounts than in 2022. There are also new funding allocations being requested. This budget is already seeing a 14% increase. There are also three outside agencies who did not meet the deadline to submit their requests to the commission. It is unknown if they will submit a request, but they have been recontacted to find out more information. Staff has also made comments to the commission regarding the need to fund the capital funds more appropriately. During the joint meetings in July, department heads and elected officials may ask to start to line-item budget schedule transfers to capital to start meeting those needs. In this draft, per commission request, an increase in fund transfers from \$400,000 to \$800,000 in each of the Road and Bridge funds were made. This will significantly help the public works department start to repair roads and bridges in a timelier manner as well as be more proactive on maintenance to lengthen the lifespan on the infrastructure. The budget also includes a set amount for salary adjustments for 2023. The current market is driving Ellis County out of being competitive with other comparable positions. To help retain our wonderful employees, we need to ensure we are staying as competitive as we can with pay rates. The Human Resources Coordinator will have a market survey completed before the end of 2022 to provide the commission next year for recommendations. As for revenues, most of the increases are due to have a better ability to estimate the amounts of sales tax being collected now that it has been collected for over a year. The health department continues to get additional Covid grants to offset their expenditures. The noxious weeds department has higher revenues since the costs of chemicals are significantly increased. There is also a one-time budgeted transfer of funds from the equipment capital fund to the facilities capital fund. The fire district's revenues are similar to 2022, however the taxes collected will most likely increase due to the higher oil valuations. The oil valuations have a much higher impact on the fire district than the general fund budget by nearly four times. Expenses are requesting to be increased to cover the increased costs in utilities, apparatus maintenance, as well as a change to the way the paid-per-call firefighters are paid. The commission is also requesting the consideration to add a budget stabilization account to the district to help increase the long-term financial plan for the district which will help increase the cash carry over for this fund. The solid waste enterprise fund is not expected to have any significant changes. The budget increase is to provide the additional funds needed to run twice the amount of equipment to start digging the new construction waste cells in the new addition of the landfill. Costs for solid waste transfers are also expected to increase due to the rise in fuel costs. Myers said the department heads/elected officials are working on their capital budgets. Schlyer said he would like the departments heads to redo their budgets and make sure that is where they need to be. He would support any changes. Myers thought the mill levy would be able to remain the same. Leroux said if this is what was needed to run the county, he was in support of what the departments need. Younger commented that everything was put together well. Myers said the budget hearings will be July 25<sup>th</sup> at 8:00 am.

#### **COUNTY ADMINISTRATOR REPORT**

County Administrator Myers talked about the tax foreclosure sale. Tentative sale would be July 6<sup>th</sup>. Leroux said he would be the commissioner to ride along the Sheriff and County Counselor. At the June 13<sup>th</sup> meeting there will be the outside agencies coming for their budget hearing. Myers is suggesting that there be a time limit set. Schlyer said he was thinking about this, and he said he would like to see five minutes given to each agency. Younger is also in agreement with the five minutes for each agency. Leroux said he is open for any time that they need to present. It was agreed five minutes for each agency, with questions and answers after this five-minute time allotment.

#### **COUNTY COMMISSION REPORTS**

Leroux said he visited with the Sheriff and toured the department and jail and also met some personnel; attended a public event at the library; attended a meeting with the Kansas Association of Counties; visited with the Health Department director and toured their department; and met at Brief Space on Grow Hays representation and said the topic was on housing. Younger said he attended a City meeting; attended the meeting with Grow Hays at Brief Space, attended Ellis County Planning meeting; and attended the Hays Convo Disaster Plan. Schlyer had no report.

#### **EXECUTIVE SESSION**

**Motion:** \_\_\_\_\_ **Leroux**                      **Second:** \_\_\_\_\_ **Younger**

To recess into Executive Session for 10 minutes under the following exception to the Kansas Open Meeting Act pursuant to the attorney-client privilege exception with the subject to be discussed during executive session is pending claim. 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 6:55 pm.  
The Open Session resumed at 7:05 pm with no action taken.

**Motion:** \_\_\_\_\_ **Leroux** **Second:** \_\_\_\_\_ **Schlyer**

To recess into Executive Session for 15 minutes under the following exception to the Kansas Open Meeting Act pursuant to the preliminary discussion 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 two to zero.**

The Executive Session started at 7:07 pm.  
The Open Session resumed at 7:24 pm with no action taken

**ADJOURNMENT**

With no further business, Chair Schlyer adjourned the meeting at 7:24 pm. The next regular meeting will be held on Monday, June 13, 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